

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1038 Session of 2009

INTRODUCED BY CORMAN, JULY 16, 2009

REFERRED TO APPROPRIATIONS, JULY 16, 2009

A SUPPLEMENT

1 To the act of July 7, 1972 (P.L.743, No.176), entitled "An act  
 2 providing for the establishment and operation of Lincoln  
 3 University as an instrumentality of the Commonwealth to serve  
 4 as a State-related institution in the higher education system  
 5 of the Commonwealth; providing for change of name; providing  
 6 for the composition of the board of trustees; terms of  
 7 trustees, and the power and duties of such trustees;  
 8 providing for preference to Pennsylvania residents in  
 9 tuition; authorizing appropriations in amounts to be fixed  
 10 annually by the General Assembly; providing for the auditing  
 11 of accounts of expenditures from said appropriations;  
 12 providing for public support and capital improvements;  
 13 authorizing the issuance of bonds exempt from taxation within  
 14 the Commonwealth; requiring the President to make an annual  
 15 report of the operations of Lincoln University," making an  
 16 appropriation for carrying the same into effect; providing  
 17 for a basis for payments of the appropriation; and providing  
 18 a method of accounting for the funds appropriated and for  
 19 certain fiscal information disclosure.

20 The General Assembly of the Commonwealth of Pennsylvania

21 hereby enacts as follows:

22 Section 1. (a) The sum of \$13,623,000 or as much thereof as  
 23 may be necessary, is hereby appropriated to the Trustees of  
 24 Lincoln University, Chester County, for the fiscal year July 1,  
 25 2009, to June 30, 2010, for general support.

26 (b) The following Federal amount is hereby appropriated to  
 27 the Trustees of Lincoln University, Chester County, in order to

1 supplement the sum appropriated under subsection (a):

2 "ARRA - General Support."

3 (1) Federal appropriation.....\$163,000

4 (c) The following Federal amount, or as much thereof as may  
5 be necessary, is hereby appropriated to the Trustees of Lincoln  
6 University, Chester County, for the fiscal year July 1, 2008, to  
7 June 30, 2009, for the purpose and in the amount as shown,  
8 including the payment of bills remaining unpaid at the close of  
9 the fiscal year ending June 30, 2009:

10 "ARRA - General Support."

11 (1) Federal appropriation.....\$163,000

12 (d) For purposes of this section, "ARRA" means the American  
13 Recovery and Reinvestment Act of 2009 (Public Law 111-5, 123  
14 Stat. 115).

15 Section 2. Payments to Lincoln University on account of the  
16 appropriation provided in section 1 shall be made on the basis  
17 of costs during the fiscal year.

18 Section 3. (a) Payments to Lincoln University of the  
19 appropriation provided in section 1(a) and (b) shall be made  
20 monthly during the fiscal year and the appropriation provided in  
21 section 1(c) shall be made not later than September 15, 2009.

22 (b) Such monthly payments shall be made in accordance with  
23 the provisions of section 2 on the basis of estimated costs. The  
24 estimate of costs shall be submitted by Lincoln University to  
25 the Secretary of Education, the General Assembly and the State  
26 Treasurer not later than 30 days prior to the date on which such  
27 payment is to be made.

28 Section 4. (a) Lincoln University shall apply the moneys  
29 appropriated by this act only for such purposes as are permitted  
30 in this act and shall at all times maintain proper records

1 showing the application of such moneys. Not later than 120 days  
2 after the close of the fiscal year to which this act relates,  
3 Lincoln University shall file, with the Secretary of Education,  
4 the General Assembly and the Auditor General of the  
5 Commonwealth, a statement setting forth the amounts and purposes  
6 of all expenditures made from moneys appropriated by this act  
7 and costs, as provided in section 2, used as a basis for receipt  
8 of any appropriation during said fiscal year.

9 (b) Such statement of expenditures and costs shall be  
10 reviewed by the Auditor General of the Commonwealth, and he  
11 shall have the right, in respect to the moneys appropriated by  
12 this act, to audit and disallow expenditures made for purposes  
13 not permitted by this act and to cause such sums to be recovered  
14 and paid by Lincoln University to the State Treasurer. In  
15 respect to expenditures made by the university from moneys other  
16 than those appropriated by this act, the Auditor General shall  
17 have the right to review only, and he shall file annually with  
18 the General Assembly such information concerning said  
19 expenditures as the General Assembly or any of its committees  
20 may require.

21 Section 5. The Lincoln University shall provide full,  
22 complete and accurate information as may be required by the  
23 Department of Education or the chairman or the minority chairman  
24 of the Appropriations Committee of the Senate or the chairman or  
25 the minority chairman of the Appropriations Committee of the  
26 House of Representatives.

27 Section 6. Lincoln University shall present and report its  
28 financial statements required under the provisions of this act  
29 in accordance with: the generally accepted accounting principles  
30 as prescribed by the National Association of College and

1 University Business Officers, the American Institute of  
2 Certified Public Accountants, or their successors, or by any  
3 other recognized authoritative body; the "Commonwealth of  
4 Pennsylvania Budget Instructions for the State System of Higher  
5 Education, State-Related Universities and Non-State-Related  
6 Colleges and Universities"; and the financial reporting policies  
7 and standards promulgated by the Commonwealth of Pennsylvania  
8 and by the Federal Government that apply to Lincoln University.

9       Section 7. Lincoln University shall make all articulation  
10 agreements with other higher education institutions available on  
11 the Internet.

12       Section 8. This act shall take effect immediately.