

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

**SENATE BILL****No. 1038** Session of  
2009

INTRODUCED BY CORMAN, JULY 16, 2009

SENATOR CORMAN, APPROPRIATIONS, RE-REPORTED AS AMENDED, OCTOBER  
2, 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

1 the Trustees of Lincoln University, Chester County, in order to  
2 supplement the sum appropriated under subsection (a):

3 "ARRA - FISCAL STABILIZATION - General Support." ←

4 ~~(1) Federal appropriation.....\$163,000~~ ←

5 (1) FEDERAL APPROPRIATION.....\$159,000 ←

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

12 "ARRA - FISCAL STABILIZATION - General Support." ←

13 ~~(1) Federal appropriation.....\$163,000~~ ←

14 (1) FEDERAL APPROPRIATION.....\$830,000 ←

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

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

21 Section 3. (a) Payments to Lincoln University of the  
22 appropriation provided in section 1(a) and (b) shall be made  
23 monthly during the fiscal year and the appropriation provided in  
24 section 1(c) shall be made not later than ~~September 15, 2009~~ 30 ←  
25 DAYS FROM THE COMMONWEALTH'S RECEIPT OF FUNDS UNDER THE ARRA  
26 STATE FISCAL STABILIZATION FUND PROGRAM.

27 (b) Such monthly payments shall be made in accordance with  
28 the provisions of section 2 on the basis of estimated costs. The  
29 estimate of costs shall be submitted by Lincoln University to  
30 the Secretary of Education, the General Assembly and the State

1 Treasurer not later than 30 days prior to the date on which such  
2 payment is to be made.

3 Section 4. (a) Lincoln University shall apply the moneys  
4 appropriated by this act only for such purposes as are permitted  
5 in this act and shall at all times maintain proper records  
6 showing the application of such moneys. Not later than 120 days  
7 after the close of the fiscal year to which this act relates,  
8 Lincoln University shall file, with the Secretary of Education,  
9 the General Assembly and the Auditor General of the  
10 Commonwealth, a statement setting forth the amounts and purposes  
11 of all expenditures made from moneys appropriated by this act  
12 and costs, as provided in section 2, used as a basis for receipt  
13 of any appropriation during said fiscal year.

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

26 Section 5. The Lincoln University shall provide full,  
27 complete and accurate information as may be required by the  
28 Department of Education or the chairman or the minority chairman  
29 of the Appropriations Committee of the Senate or the chairman or  
30 the minority chairman of the Appropriations Committee of the

1 House of Representatives.

2 Section 6. Lincoln University shall present and report its  
3 financial statements required under the provisions of this act  
4 in accordance with: the generally accepted accounting principles  
5 as prescribed by the National Association of College and  
6 University Business Officers, the American Institute of  
7 Certified Public Accountants, or their successors, or by any  
8 other recognized authoritative body; the "Commonwealth of  
9 Pennsylvania Budget Instructions for the State System of Higher  
10 Education, State-Related Universities and Non-State-Related  
11 Colleges and Universities"; and the financial reporting policies  
12 and standards promulgated by the Commonwealth of Pennsylvania  
13 and by the Federal Government that apply to Lincoln University.

14 ~~Section 7. Lincoln University shall make all articulation~~ ←  
15 ~~agreements with other higher education institutions available on~~  
16 ~~the Internet.~~

17 Section & 7. This act shall take effect immediately. ←