

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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SENATE DRS15155-LH-120A (03/09)

Short Title: Enrollment Funding in Cont. Budget.

(Public)

Sponsors: Senator Swindell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCLUDE ENROLLMENT FUNDING FOR THE UNIVERSITY OF
NORTH CAROLINA IN THE CONTINUATION BUDGET.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 116-11(9) reads as rewritten:

"(9) a. The Board of Governors shall develop, prepare and present to the Governor, the Advisory Budget Commission and the General Assembly a single, unified recommended budget for all of public senior higher education. The recommendations shall consist of requests in three general categories: (i) funds for the continuing operation of each constituent institution, including increases in enrollments, increases in need-based financial aid, and increases to accommodate internal shifts and categories of persons served, (ii) funds for salary increases for employees exempt from the State Personnel Act and (iii) funds requested without reference to constituent institutions, itemized as to priority and covering such areas as new programs and activities, expansions of programs and activities, ~~increases in enrollments, increases to accommodate internal shifts and categories of persons served,~~ capital improvements, improvements in levels of operation and increases to remedy deficiencies, as well as other areas. The function of the Advisory Budget Commission under this section applies only if the Director of the Budget consults with the Commission in preparation of the budget.

b. Funds for the continuing operation of each constituent institution shall be appropriated directly to the institution. Funds for salary increases for employees exempt from the State

1 Personnel Act shall be appropriated to the Board in a lump sum
2 for allocation to the institutions. Funds for the third category in
3 paragraph a of this subdivision shall be appropriated to the
4 Board in a lump sum for allocation to the institutions. The
5 Board shall make allocations among the institutions in
6 accordance with the Board's schedule of priorities and any
7 specifications in the Current Operations Appropriations Act.
8 When both the Board and the Director of the Budget deem it to
9 be in the best interest of the State, funds in the third category
10 may be allocated, in whole or in part, for other items within the
11 list of priorities or for items not included in the list. Provided,
12 nothing herein shall be construed to allow the General
13 Assembly, except as to capital improvements, to refer to
14 particular constituent institutions in any specifications as to
15 priorities in the third category. Prior to taking any action under
16 this paragraph, the Director of the Budget may consult with the
17 Advisory Budget Commission.

18 c. The Director of the Budget may, on recommendation of the
19 Board, authorize transfer of appropriated funds from one
20 institution to another to provide adjustments for over or under
21 enrollment or may make any other adjustments among
22 institutions that would provide for the orderly and efficient
23 operation of the institutions. Prior to taking any action under
24 this paragraph, the Director of the Budget may consult with the
25 Advisory Budget Commission."

26 d. Repealed by Session Laws 1987, c. 795, s. 27."

27 **SECTION 2.** This act becomes effective July 1, 2005.