

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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HOUSE BILL 769

Short Title: Enrollment Funding in Cont. Budget.-AB (Public)

Sponsors: Representatives McLawhorn; Warren and Williams.

Referred to: Appropriations.

March 17, 2005

1 A BILL TO BE ENTITLED
2 AN ACT TO INCLUDE ENROLLMENT FUNDING FOR THE UNIVERSITY OF
3 NORTH CAROLINA IN THE CONTINUATION BUDGET.

4 The General Assembly of North Carolina enacts:

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

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

25 b. Funds for the continuing operation of each constituent
26 institution shall be appropriated directly to the institution. Funds
27 for salary increases for employees exempt from the State
28 Personnel Act shall be appropriated to the Board in a lump sum
29 for allocation to the institutions. Funds for the third category in

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

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

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

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