

1 23 NCAC 02D .0329 is proposed for adoption as follows:

2

3 **23 NCAC 02D .0329 MAINTENANCE OF PLANT FLEXIBILITY**

4 (a) Notwithstanding any other provision of law, a community college that received State funds for maintenance of
5 plant pursuant to G.S. 115D-31.2 for the 2008-2009 fiscal year may use non-instructional State funds allocated to it
6 through the institutional support allotment for maintenance of plant for the 2009-2010 and 2010-2011 fiscal years.

7 (b) The amount of these funds used for the 2009-2010 fiscal year for maintenance of plant shall not exceed the total
8 amount of maintenance of plant funds received for the 2008-2009 fiscal year. The amount of these funds used for
9 the 2010-2011 fiscal year for maintenance of plant shall not exceed fifty percent (50%) of the amount of
10 maintenance of plant funds received for the 2008-2009 fiscal year. This section shall be effective for the 2009-2011
11 fiscal biennium.

12

13 *History Note: Authority G.S. 115D-5; S.L. 2009-451, s. 8.17(b);*
14 *Emergency Adoption Eff. ~~September 30, 2009~~ September 30, 2009;*
15 *Temporary Adoption Eff. ~~December 29, 2009~~ December 29, 2009;*
16 *Eff. April 1, 2010.*