

**FIRST ENGROSSMENT
with House Amendments**

Sixty-first
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2007

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the veterans' home
2 and department of veterans' affairs; to provide for contingent funding; to provide an exception to
3 the moratorium on expansion of basic care bed capacity; to provide legislative intent; to provide
4 for a report to the budget section; and to declare an emergency.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the
7 funds as may be necessary, are appropriated out of any moneys in the general fund in the state
8 treasury, not otherwise appropriated, and from special funds derived from federal funds and
9 other income, to the veterans' home and department of veterans' affairs for the purpose of
10 defraying the expenses of the veterans' home and department of veterans' affairs, for the
11 biennium beginning July 1, 2009, and ending June 30, 2011, as follows:

12 Subdivision 1.

VETERANS' HOME			
		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
14 Salaries and wages	\$8,833,115	\$2,685,740	\$11,518,855
17 Operating expenses	3,512,000	1,049,857	4,561,857
18 Capital assets	14,945,777	(11,646,457)	3,299,320
19 Life safety improvements	0	0	0
20 New veterans' home	<u>0</u>	<u>110,088</u>	<u>110,088</u>
21 Total all funds	\$27,290,892	(\$7,800,772)	\$19,490,120
22 Less estimated income	<u>23,431,326</u>	<u>(12,397,937)</u>	<u>11,033,389</u>
23 Total general fund	\$3,859,566	\$4,597,165	\$8,456,731
24 Full-time equivalent positions	92.37	28.35	120.72

1 Subdivision 2.

2 VETERANS' AFFAIRS

3		Adjustments or		
4		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
5	Veterans' affairs	<u>\$807,166</u>	<u>\$184,321</u>	<u>\$991,487</u>
6	Total general fund	\$807,166	\$184,321	\$991,487
7	Full-time equivalent positions	7.00	0	7.00

8 Subdivision 3.

9 BILL TOTAL

10		Adjustments or		
11		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
12	Grand total general fund	\$4,666,732	\$4,781,486	\$9,448,218
13	Grand total special funds	<u>23,431,326</u>	<u>(9,239,932)</u>	<u>14,191,394</u>
14	Grand total all funds	\$28,098,058	(\$4,458,446)	\$23,639,612

15 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**
 16 **SIXTY-SECOND LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time
 17 funding items approved by the sixtieth legislative assembly for the 2007-09 biennium and the
 18 2009-11 one-time funding items included in the appropriation in section 1 of this Act:

19	<u>One-Time Funding Description</u>	<u>2007-09</u>	<u>2009-11</u>
20	Veterans' home		
21	Life safety improvements	\$265,700	\$0
22	New veterans' home	6,483,226	3,039,414
23	Electronic health record system	0	98,400
24	Construction project manager	0	110,088
25	General fund salary funding of new facility positions	0	502,240
26	Department of veterans' affairs		
27	Electronic storage system	21,356	0
28	Secure filing system	<u>38,250</u>	<u>0</u>
29	Total all funds	\$6,808,532	\$3,750,142
30	Total general fund	\$325,306	\$710,728
31	Total special funds	\$6,483,226	\$3,039,414

The 2009-11 one-time funding amounts are not a part of the agencies' base budget for the 2011-13 biennium. The veterans' home and department of veterans' affairs shall report to the appropriations committees of the sixty-second legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2009, and ending June 30, 2011.

SECTION 3. APPROPRIATION - FEDERAL FISCAL STIMULUS FUNDS - ADDITIONAL FUNDING APPROVAL. The funds provided in this section, or so much of the funds as may be necessary, are appropriated from federal funds made available to the state under the federal American Recovery and Reinvestment Act of 2009, not otherwise appropriated, to the veterans' home, for the period beginning with the effective date of this Act and ending June 30, 2011, as follows:

Thermal imager (funds from the department of commerce)	\$5,500
Electronic health records system	98,400
Bobcat utility vehicle	14,691
Geothermal heating system (funds from the	3,039,414
department of commerce)	<hr/>
Total federal funds	\$3,158,005

The veterans' home may seek emergency commission and budget section approval under chapter 54-16 for authority to spend any additional federal funds received under the federal American Recovery and Reinvestment Act of 2009 in excess of the amounts appropriated in this section for the period beginning with the effective date of this Act and ending June 30, 2011.

Any federal funds appropriated under this section are not a part of the agency's 2011-13 base budget. Any program expenditures made with these funds will not be replaced with state funds after the federal American Recovery and Reinvestment Act of 2009 funds are no longer available.

SECTION 4. CONTINGENT FUNDING - EQUIPMENT AND PROJECTS. Section 1 of this Act includes \$5,500 for a thermal imager, \$98,400 for an electronic health care records system, and \$3,039,414 for a geothermal heating system in the new veterans' home facility from the general fund which may be spent only to the extent that federal funds appropriated in section 3 of this Act are not available for these purposes.

1 **SECTION 5. VETERANS' HOME SHARE OF SALARY EQUITY POOL.** The office of
2 management and budget shall provide three-fourths of one percent of any general fund salary
3 equity pool that is appropriated for salary equity increases for classified state employees, for
4 the biennium beginning July 1, 2009, and ending June 30, 2011, to the veterans' home.

5 **SECTION 6. EXCEPTION TO THE MORATORIUM ON EXPANSION OF BASIC**
6 **CARE BED CAPACITY.** Notwithstanding North Dakota Century Code section 23-09.3-01.1,
7 after completion of the veterans' home construction project, the veterans' home may add one
8 bed to its licensed basic care facility capacity. This one bed is in addition to the authority
9 granted the veterans' home in section 3 of chapter 55 of the 2007 Session Laws relating to
10 converting fourteen beds from licensed basic care beds to licensed nursing facility beds and
11 provides for a total of ninety-eight basic care beds and fifty-two licensed nursing facility beds.

12 **SECTION 7. LEGISLATIVE INTENT - FULL-TIME EQUIVALENT POSITIONS**
13 **AUTHORIZED FOR THE NEW VETERANS' HOME FACILITY.** It is the intent of the sixty-first
14 legislative assembly that the veterans' home not fill any of the twenty-four full-time equivalent
15 positions for the new veterans' home authorized in subdivision 1 of section 1 of this Act prior to
16 June 1, 2010.

17 **SECTION 8. REPORT TO BUDGET SECTION - VETERANS' HOME**
18 **CONSTRUCTION PROJECT.** The veterans' home construction project manager shall provide
19 a quarterly written summary report to the budget section regarding the status of the veterans'
20 home construction project during the 2009-10 interim.

21 **SECTION 9. EMERGENCY.** The appropriation for the geothermal heating system of
22 \$3,039,414 from the general fund in section 1 of this Act and section 3 of this Act are declared
23 to be emergency measures.