

**FIRST ENGROSSMENT
with Conference Committee Amendments****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; and to
4 provide for a report to the budget section.

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.

13 VETERANS' HOME

| | | | | |
|----|--------------------------------|-------------------|---------------------|----------------------|
| 14 | | | Adjustments or | |
| 15 | | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> |
| 16 | Salaries and wages | \$8,833,115 | \$2,705,740 | \$11,538,855 |
| 17 | Operating expenses | 3,512,000 | 1,049,857 | 4,561,857 |
| 18 | Capital assets | 14,945,777 | (14,685,871) | 259,906 |
| 19 | Life safety improvements | 0 | 0 | 0 |
| 20 | New veterans' home | <u>0</u> | <u>90,088</u> | <u>90,088</u> |
| 21 | Total all funds | \$27,290,892 | (\$10,840,186) | \$16,450,706 |
| 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 | \$1,557,751 | \$5,417,317 |
| 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>\$204,321</u> | <u>\$1,011,487</u> |
| 6 | Total general fund | \$807,166 | \$204,321 | \$1,011,487 |
| 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 | \$1,762,072 | \$6,428,804 |
| 13 | Grand total special funds | <u>23,431,326</u> | <u>(12,279,346)</u> | <u>11,151,980</u> |
| 14 | Grand total all funds | \$28,098,058 | (\$10,517,274) | \$17,580,784 |

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 | 0 |
| 23 | Electronic health record system | 0 | 98,400 |
| 24 | Construction project manager | 0 | 90,088 |
| 25 | General fund salary funding | 0 | 502,240 |
| 26 | of new facility positions | | |
| 27 | Department of veterans' affairs | | |
| 28 | Electronic storage system | 21,356 | 0 |
| 29 | Secure filing system | <u>38,250</u> | <u>0</u> |
| 30 | Total all funds | \$6,808,532 | \$690,728 |

| | | | |
|---|---------------------|-------------|-----------|
| 1 | Total general fund | \$325,306 | \$690,728 |
| 2 | Total special funds | \$6,483,226 | \$0 |

3 The 2009-11 one-time funding amounts are not a part of the agencies' base budget for the
4 2011-13 biennium. The veterans' home and department of veterans' affairs shall report to the
5 appropriations committees of the sixty-second legislative assembly on the use of this one-time
6 funding for the biennium beginning July 1, 2009, and ending June 30, 2011.

7 **SECTION 3. APPROPRIATION - FEDERAL FISCAL STIMULUS FUNDS -**

8 **ADDITIONAL FUNDING APPROVAL.** The funds provided in this section, or so much of the
9 funds as may be necessary, are appropriated from federal funds made available to the state
10 under the federal American Recovery and Reinvestment Act of 2009, not otherwise
11 appropriated, to the veterans' home, for the period beginning with the effective date of this Act
12 and ending June 30, 2011, as follows:

| | | |
|----|--|---------------|
| 13 | Thermal imager (funds from the department of commerce) | \$5,500 |
| 14 | Electronic health records system | 98,400 |
| 15 | Bobcat utility vehicle | <u>14,691</u> |
| 16 | Total federal funds | \$118,591 |

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

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

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

30 **SECTION 5. VETERANS' HOME SHARE OF SALARY EQUITY POOL.** The office of
31 management and budget shall provide three-fourths of one percent of any general fund salary

1 equity pool that is appropriated for salary equity increases for classified state employees, for
2 the biennium beginning July 1, 2009, and ending June 30, 2011, to the veterans' home.

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

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

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