

**Fifty-eighth Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 7, 2003**

HOUSE BILL NO. 1007  
(Appropriations Committee)  
(At the request of the Governor)

AN ACT to provide an appropriation for defraying the expenses of the veterans' home and department of veterans' affairs; to provide for a performance audit of the department of veterans' affairs and the administrative committee on veterans' affairs; to provide for additional skilled nursing care bed capacity; to allow for line item transfers; to provide for a legislative council study; to provide reports to the budget section; and to declare an emergency.

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

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the veterans' home and the department of veterans' affairs for the purpose of defraying their expenses, for the biennium beginning July 1, 2003, and ending June 30, 2005, as follows:

Subdivision 1.

VETERANS' HOME

Salaries and wages	\$7,975,737
Operating expenses	2,711,704
Capital assets	329,754
Total all funds	\$11,017,195
Less estimated income	7,971,123
Total general fund appropriation	\$3,046,072

Subdivision 2.

VETERANS' AFFAIRS

Total all funds	\$524,292
Less estimated income	43,494
Total general fund appropriation	\$480,798
Grand total general fund appropriation section 1 of H.B. 1007	\$3,526,870
Grand total special funds appropriation section 1 of H.B. 1007	\$8,014,617
Grand total all funds appropriation section 1 of H.B. 1007	\$11,541,487

**SECTION 2. VETERANS' POSTWAR TRUST FUND - REPORT.** The department of veterans' affairs shall report on the use of moneys in the veterans' postwar trust fund to the appropriations committees of the fifty-ninth legislative assembly. The report must be presented during the agency's budget presentation.

**SECTION 3. PERFORMANCE AUDIT - DEPARTMENT OF VETERANS' AFFAIRS AND THE ADMINISTRATIVE COMMITTEE ON VETERANS' AFFAIRS.** The state auditor shall conduct a performance audit of the department of veterans' affairs and the administrative committee on veterans' affairs during the biennium beginning July 1, 2003, and ending June 30, 2005. The results of the performance audit must be presented to the legislative audit and fiscal review committee by July 1, 2004, and filed with the appropriations committees during the fifty-ninth legislative assembly.

**SECTION 4. VETERANS' HOME GOVERNING BOARD - STATUS REPORTS - STRATEGIC PLAN - BUDGET SECTION.** A representative of the veterans' home governing board shall periodically report to the budget section on the status of the board's progress in developing and implementing a strategic plan for the veterans' home during the 2003-04 interim.

**SECTION 5. FULL-TIME EQUIVALENT POSITIONS - AUTHORIZATION.** The governing board of the veterans' home may employ two new full-time equivalent employee positions for the veterans' home before June 30, 2003, as needed, subject to the availability of funds.

**SECTION 6. 2001-03 BIENNIUM LINE ITEM TRANSFERS - AUTHORIZATION.** Notwithstanding section 54-16-04, the veterans' home may transfer up to \$150,000 of appropriation authority between line items for the 2001-03 biennium to implement changes in technology and telecommunications, with the approval of the office of management and budget. Any line item transfers must be reported to the budget section.

**SECTION 7. SKILLED NURSING CARE BED PURCHASE - TRANSFER.** Notwithstanding the provisions of section 23 of chapter 431 of the 2001 Session Laws which require a reduction in licensed nursing facility bed capacity, the department of human services shall purchase eight skilled nursing care beds after April 14, 2003, from funding available in section 23 of chapter 431 of the 2001 Session Laws and transfer the purchased beds to the veterans' home in Lisbon.

**SECTION 8. LEGISLATIVE COUNCIL STUDY - NURSING HOME RATE CLASS LIMITS.** The legislative council shall consider studying, during the 2003-04 interim, the feasibility and desirability of establishing a separate payment rate class for the veterans' home and the related effect on the state's general fund and the long-term care industry in North Dakota. The study, if conducted, may be done in conjunction with the long-term care continuum study included in 2003 Senate Bill No. 2012. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-ninth legislative assembly.

**SECTION 9. APPROPRIATION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$96,924, or so much of the sum as may be necessary, and \$205,586 of federal funds to the department of human services for the purpose of medicaid reimbursement to the veterans' home relating to the addition of nursing home beds, for the biennium beginning July 1, 2003, and ending June 30, 2005.

**SECTION 10. EMERGENCY.** Sections 5, 6, and 7 of this Act are declared to be an emergency measure.

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Chief Clerk of the House

\_\_\_\_\_  
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Fifty-eighth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1007 and that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote:      Yeas          83                  Nays          6                  Absent      5

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
Chief Clerk of the House

This certifies that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote:      Yeas          45                  Nays          0                  Absent      2

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Secretary of the Senate

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2003.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2003.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2003,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State