

**Sixty-first Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2009**

SENATE BILL NO. 2007
(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 contingent funding; to provide an exception to the moratorium on expansion of basic care bed capacity; to provide legislative intent; and to provide for a report to the budget section.

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 department of veterans' affairs for the purpose of defraying the expenses of the veterans' home and department of veterans' affairs, for the biennium beginning July 1, 2009, and ending June 30, 2011, as follows:

Subdivision 1.

VETERANS' HOME

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$8,833,115	\$2,705,740	\$11,538,855
Operating expenses	3,512,000	1,049,857	4,561,857
Capital assets	14,945,777	(14,685,871)	259,906
Life safety improvements	0	0	0
New veterans' home	0	90,088	90,088
Total all funds	\$27,290,892	(\$10,840,186)	\$16,450,706
Less estimated income	23,431,326	(12,397,937)	11,033,389
Total general fund	\$3,859,566	\$1,557,751	\$5,417,317
Full-time equivalent positions	92.37	28.35	120.72

Subdivision 2.

VETERANS' AFFAIRS

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Veterans' affairs	\$807,166	\$204,321	\$1,011,487
Total general fund	\$807,166	\$204,321	\$1,011,487
Full-time equivalent positions	7.00	0	7.00

Subdivision 3.

BILL TOTAL

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand total general fund	\$4,666,732	\$1,762,072	\$6,428,804
Grand total special funds	23,431,326	(12,279,346)	11,151,980
Grand total all funds	\$28,098,058	(\$10,517,274)	\$17,580,784

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

<u>One-Time Funding Description</u>	<u>2007-09</u>	<u>2009-11</u>
Veterans' home		
Life safety improvements	\$265,700	\$0
New veterans' home	6,483,226	0
Electronic health record system	0	98,400
Construction project manager	0	90,088
General fund salary funding of new facility positions	0	502,240
Department of veterans' affairs		
Electronic storage system	21,356	0
Secure filing system	38,250	0
Total all funds	\$6,808,532	\$690,728
Total general fund	\$325,306	\$690,728
Total special funds	\$6,483,226	\$0

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
Total federal funds	\$118,591

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 and \$98,400 for an electronic health care records system 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.

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

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

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

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

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-first Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2007.

Senate Vote: Yeas 47 Nays 0 Absent 0

House Vote: Yeas 85 Nays 5 Absent 4

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2009.

Approved at _____ M. on _____, 2009.

Governor

Filed in this office this _____ day of _____, 2009,
at _____ o'clock _____ M.

Secretary of State