

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

SENATE BILL NO. 2133
(Government and Veterans Affairs Committee)
(At the request of the Veterans' Home)

AN ACT to create and enact a new section to chapter 37-15 of the North Dakota Century Code, relating to telephone services at the veterans' home; and to amend and reenact sections 37-15-10 and 37-15-14.1 of the North Dakota Century Code, relating to admission to and fees paid by residents of the veterans' home.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 37-15 of the North Dakota Century Code is created and enacted as follows:

Telephone services. Notwithstanding any other provision of law, the veterans' home may purchase or arrange for independent third-party telephone services.

SECTION 2. AMENDMENT. Section 37-15-10 of the North Dakota Century Code is amended and reenacted as follows:

37-15-10. Admittance to veterans' home - Requirements governing.

1. An applicant may not be admitted to the veterans' home unless the applicant is a bona fide resident of this state preceding the applicant's application for admission. The residency requirement may be waived if the applicant served in a North Dakota regiment or was accredited to this state.
2. The spouse or surviving spouse of those mentioned in subsection 1 of section 37-15-02 may be admitted upon the same footing as the veteran.
3. An individual may not be admitted to the home until that individual has made formal application and furnished ~~such the proof as may be that is~~ that is required by the ~~administrative committee on veterans' affairs home~~ veterans' home governing board and the application has been approved by the board of admissions of the ~~institution that the committee has designated home.~~
4. When a member of the home who is not eligible for veterans' administration hospitalization and care becomes unable from any cause to care for oneself under rules adopted by the ~~administrative committee on veterans' affairs~~ veterans' home governing board for the admission and care of members in the home, the member becomes a charge of the county of residence at the time of admission. An individual may not gain or lose legal residence by reason of residence in or being a member of the veterans' home.

SECTION 3. AMENDMENT. Section 37-15-14.1 of the North Dakota Century Code is amended and reenacted as follows:

37-15-14.1. ~~Membership contribution~~ Fees for residents of veterans' home - Special fund.

1. The ~~administrative committee on veterans' affairs~~ veterans' home governing board may establish a ~~membership contribution fees~~ fees to be paid by members of the veterans' home. The ~~fee fees~~ fees must be based on the adjusted income of each member, but may not exceed forty-nine percent of the average daily per member cost. The ~~membership contribution fees~~ fees must be set under a formula determined by the ~~administrative committee~~ veterans'

home governing board and designed to assure dignity and equity in the charge. The ~~administrative committee~~ veterans' home governing board may reconsider its action establishing a ~~membership contribution fees~~, amend or rescind the ~~contribution charge fees~~, or reinstate a ~~contribution charge fees~~ previously rescinded. The administrator of the veterans' home shall collect monthly any ~~membership contribution fees~~ levied.

2. As used in subsection 1, "adjusted income" means all moneys received from any source, including social security benefits, less amounts received or expended as follows:
 - a. ~~Moneys earned during authorized leaves or furloughs from the veterans' home.~~
 - b. Moneys expended by the member for hospitalization due to illness or injury.
 - c. Moneys expended by the member for other medical care or treatment, or for required medicines.
 - d. ~~c.~~ Such other receipts or expenditures as the ~~administrative committee~~ veterans' home governing board may permit to be deducted in individual cases.
3. All moneys received as a result of charging the ~~membership contribution fees~~ authorized by subsection 1 must be deposited in the veterans' home operating fund.

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. 2133.

Senate Vote: Yeas 47 Nays 0 Absent 0

House Vote: Yeas 92 Nays 0 Absent 2

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