

HOUSE BILL 546

Introduced by Johnson, et al.

2/02	Introduced
2/02	Referred to Appropriations
2/02	Fiscal Note Requested
2/09	Fiscal Note Received
2/14	Fiscal Note Printed
3/14	Hearing
3/16	Tabled in Committee

1 *House* BILL NO. *546* *Carlson*
 2 INTRODUCED BY *Johnson* *Derling* *Stedman* *Jack* *Connel*
 3 *Spencer* *Jerguson* *Harold* *Lange* *Lehner* *McC*
 4 *Blasum* *Johnson* *Mark* *Han* *Yellowtail*
 5 *Deacon* *Wesley* *Rob* *Brink* *Thompson*
 6 *Leggett* *Sullivan* *Cody* *Wright* *Backus* *Morahan*
 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A STATE
 HOME FOR VETERANS, NOT TO EXCEED 100 BEDS, IN EASTERN
 MONTANA; APPROPRIATING \$1.8 MILLION IN CAPITAL PROJECTS

7 FUNDS FOR PLANNING AND CONSTRUCTION; ENSURING ADEQUATE
 8 GENERAL FUND SUPPORT FOR FUTURE OPERATIONS; AUTHORIZING THE
 9 DEPARTMENT OF ADMINISTRATION TO CREATE A CONTINGENT
 10 REVOLVING ACCOUNT FOR THE ADMINISTRATION OF ALL STATE,
 11 FEDERAL, AND OTHER FUNDS FOR ITS CONSTRUCTION AND OPERATION;
 12 AUTHORIZING THE DEPARTMENT OF INSTITUTIONS TO APPLY FOR
 13 FEDERAL ASSISTANCE GRANTS; AND AMENDING SECTIONS 10-2-401
 14 THROUGH 10-2-404, 53-1-202, AND 53-1-402, MCA."

15
 16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

17 NEW SECTION. **Section 1. Definitions.** For the
 18 purposes of [this act], the following definitions apply:

19 (1) "Eastern Montana" means all of the counties east
 20 of and including: Blaine, Carbon, Fergus, Golden Valley,
 21 Hill, and Stillwater counties.

22 (2) "Project" means the construction of a state home
 23 for veterans in eastern Montana.

24 (3) "State veterans' home" or "state home for
 25 veterans" means a home established by the state in eastern

1 Montana for veterans disabled by age, disease, or otherwise,
 2 who by reason of disability are incapable of earning a
 3 living. The home furnishes nursing home and domiciliary care
 4 for eligible veterans.

5 NEW SECTION. **Section 2. State veterans' home in**
 6 **eastern Montana established.** A state home for veterans is
 7 established in eastern Montana at a site to be determined by
 8 the site selection committee as provided in [section 3].

9 NEW SECTION. **Section 3. Site selection committee.** (1)
 10 The governor shall, by August 1, 1989, appoint a committee
 11 to select a site for a veterans' home in eastern Montana.

12 (2) The committee shall consist of seven honorably
 13 discharged veterans of the United States armed forces whose
 14 primary residence is in eastern Montana, as defined in
 15 [section 1]. There may be no more than one committee member
 16 from each county referred to in [section 1].

17 (3) The committee shall:

18 (a) evaluate the need and appropriateness of locating
 19 a state veterans' home in eastern Montana;

20 (b) establish objective criteria for the selection of
 21 the most favorable site in eastern Montana for a state
 22 veterans' home;

23 (c) establish criteria that comply with state health
 24 requirements;

25 (d) solicit proposals from communities interested in

1 becoming the location for the state veterans' home;

2 (e) organize and conduct public hearings in each of
3 the interested communities for the purpose of gathering
4 input and information; and

5 (f) prepare and forward its recommendation on the most
6 favorable location for the state veterans' home to the
7 governor no later than October 31, 1990.

8 (4) The recommendation of the committee must be
9 presented to the 52nd legislature and is binding unless
10 overturned by a two-thirds vote of each house.

11 NEW SECTION. Section 4. Duties of department. The
12 department of administration shall:

13 (1) direct its architecture and engineering division
14 to prepare a long-range building plan for this project
15 pursuant to 17-7-202; and

16 (2) carry out duties necessary to begin planning and
17 constructing a state home for veterans in eastern Montana,
18 including but not limited to arrangements for the
19 appropriation of funds necessary to fulfill the state's
20 financial obligations for construction of the project.

21 NEW SECTION. Section 5. Application for federal
22 construction grant assistance. Upon approval of the project
23 by the veterans' administration and an authorization by the
24 state to provide up to 35% of the total planning and
25 construction costs, the department of institutions, pursuant

1 to 38 U.S.C. 5031 through 5037, shall apply for construction
2 grant assistance from the veterans' administration not to
3 exceed 65% of the total planning and construction costs for
4 a state home for veterans in eastern Montana.

5 NEW SECTION. Section 6. Contingent revolving fund
6 established -- fiscal officer designated. (1) The department
7 of administration shall establish a contingent revolving
8 account for the general administration of federal, state,
9 and other funds accrued for the purpose of planning and
10 constructing a state home for veterans in eastern Montana.

11 (2) The state treasurer is designated, pursuant to
12 17-3-106, as the fiscal officer of the state to receive and
13 administer any and all construction grant money as approved
14 by the veterans' administration for this project.

15 NEW SECTION. Section 7. Pledge to continue operation
16 and maintenance. Pursuant to 38 U.S.C. 641 and 5035(a)(6),
17 the state shall appropriate from the general fund to the
18 department of institutions financial support necessary to
19 provide for continued operation and maintenance of the
20 project upon completion.

21 Section 8. Section 10-2-401, MCA, is amended to read:

22 "10-2-401. Location and function of home homes --
23 persons admitted. The institution institutions at Columbia
24 Falls is-the-"Montana-veterans'-home" and in eastern Montana
25 are the "Montana veterans' homes" and as its their primary

function ~~provides~~ is to provide a home and subsistence for honorably discharged veterans. The department of institutions may also admit spouses or surviving spouses of honorably discharged veterans to the ~~home~~ homes if space allows."

Section 9. Section 10-2-402, MCA, is amended to read:

"10-2-402. Superintendent to be given veterans' preference. In the selection of the superintendent of each of the Montana veterans' home homes, the department of institutions shall apply the preference granted to veterans and disabled veterans, but not the preference granted to other persons, by Title 39, chapter 30."

Section 10. Section 10-2-403, MCA, is amended to read:

"10-2-403. Eligibility for residence in home. To be eligible for residence in the a Montana veterans' home under the regulations prescribed by the department of institutions, a person must be an honorably discharged veteran or the spouse or surviving spouse of a veteran who served in the armed forces of the United States. Consideration must also be given to:

- (1) the person's age;
- (2) the person's physical and mental status;
- (3) the person's ability or inability to locate suitable alternative accommodations;
- (4) the person's term of residence in Montana;

(5) the person's gender as it relates to availability of appropriate living space;

(6) the ability of the Montana veterans' home to meet the person's needs; and

(7) such other admission requirements as may be established by the department."

Section 11. Section 10-2-404, MCA, is amended to read:

"10-2-404. Acceptance and deposit of federal moneys money. The department of institutions may accept moneys money from the federal government that ~~become~~ becomes available to the state as a result of operating the Montana veterans' home homes and shall deposit such moneys money in the state treasury for the benefit of the home homes. If ~~the~~ a resident of ~~the~~ a home is transferred to another institution, as defined in 53-1-101, the department of institutions shall continue to draw from the federal government any moneys money available for the maintenance of ~~such the~~ former resident."

Section 12. Section 53-1-202, MCA, is amended to read:

"53-1-202. Institutions in department. (1) The following institutions are in the department:

- (a) Montana state hospital;
- (b) Montana veterans' home at Columbia Falls;
- (c) Montana veterans' home in eastern Montana;
- ~~(c)(d)~~ State prison;

1 ~~(d)~~(e) Montana developmental center;

2 ~~(e)~~(f) Montana center for the aged;

3 ~~(f)~~(g) Swan River forest camp; and

4 ~~(g)~~(h) Eastmont human services center.

5 (2) A state institution may not be moved,
6 discontinued, or abandoned without prior consent of the
7 legislature."

8 **Section 13.** Section 53-1-402, MCA, is amended to read:

9 "53-1-402. Residents subject to per diem and ancillary
10 charges. The department shall collect and process per diem
11 and ancillary payments for the care of residents in the
12 following institutions:

13 (1) Montana state hospital;

14 (2) Montana developmental center;

15 (3) Montana veterans' home at Columbia Falls;

16 (4) Montana veterans' home in eastern Montana;

17 ~~(4)~~(5) Montana center for the aged;

18 ~~(5)~~(6) Eastmont human services center."

19 **NEW SECTION. Section 14.** Appropriation. There is
20 appropriated to the department of administration from the
21 capital projects fund of the long-range building program
22 \$1.4 million in construction funds or an amount necessary to
23 adequately underwrite up to 35% of the total \$4 million
24 construction and planning costs of a state home for veterans
25 in eastern Montana.

1 **NEW SECTION. Section 15.** Extension of authority. Any
2 existing authority to make rules on the subject of the
3 provisions of [this act] is extended to the provisions of
4 [this act].

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB546, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An Act establishing a state home for veterans, not to exceed 100 beds in eastern Montana; appropriating \$1.4 million in capital projects funds for planning and construction; ensuring adequate general fund support for future operations; authorizing the Department of Administration to create a contingent revolving account for the administration of all state, federal, and other funds for its construction and operation; authorizing the Department of Institutions to apply for federal assistance grants; and amending Section 10-2-401 through 10-2-404, 53-1-202 and 53-1-402, MCA.

ASSUMPTIONS:

1. Assumes that the \$1,400,000 authorized project expenditure would be a continuing appropriation in Capital Projects Funds.
2. Assume construction and occupancy in the 1993 biennium.
3. Assume that seven (7) members of the proposed committee would have to travel for meetings and hearings and would receive travel, meals, lodging and salary of \$25/day/committee member.
4. Committee would be required to meet seven (7) times in FY90 and one (1) time in FY91.
5. Committee will hold seven (7) hearings in fiscal year 1991.
6. Assume an average trip of 350 miles requiring an overnight stay.
7. Assume that committee will need a part-time secretary and a minimal office with a telephone, desk, file cabinet, chair, word processor, supplies and postage.
8. Assume no additional personnel would be needed by the Department of Institutions or the Department of Administration.
9. Assume the part-time secretary would tape and type hearing minutes.

FISCAL IMPACT:Revenues:

Capital Projects

PROPOSED

FY90

\$1,400,000 Biennial Appropriation

PROPOSED

FY91

Expenditures:

Personal Services

7,137

7,487

Operating Expenses

13,008

8,792

Total

\$ 20,145

\$ 16,279

Net Effect: End of Biennium

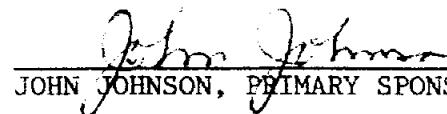
\$1,363,576



2/11/89

RAY SHACKLEFORD, BUDGET DIRECTOR
OFFICE OF BUDGET AND PROGRAM PLANNING

DATE



JOHN JOHNSON, PRIMARY SPONSOR

DATE

Fiscal Note for HB546, as introduced

HB 546

Fiscal Note Request, HB546 as introduced

Form BD-15

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EFFECT ON COUNTY OR OTHER LOCAL REVENUE OR EXPENDITURE:

The chosen county would be favorably impacted by the jobs created if the project becomes a reality.

LONG RANGE EFFECTS OF PROPOSED LEGISLATION:

1. Assume cost of operation is similar to the Veteran's Home in Columbia Falls.
2. Total cost per day/resident in FY88 = \$44.22/day. Inflated at 4%/year - FY92 @ \$51.73/day/resident
FY93 @ \$53.80/day/resident
3. Estimated cost FY92 = \$1,888,145; FY93 = \$1,963,700
4. Estimated Revenue reimbursement: FY92 - \$1,250,900 FY93 - \$1,275,918
Assume same mix of residents as the FY88 reimbursement at the Veteran's Home in Columbia Falls.

TECHNICAL OR MECHANICAL DEFECTS OR CONFLICTS WITH EXISTING LEGISLATION:

Delete Section 6- Using capital projects fund not contingency revolving fund.

HB 546