

**Sixty-second Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 4, 2011**

SENATE BILL NO. 2341
(Senators Erbele, Olafson, Taylor)
(Representatives Boe, D. Johnson, J. Nelson)

AN ACT to amend and reenact sections 43-29.1-01, 43-29.1-02, 43-29.1-03, 43-29.1-07, and 43-29.1-08 of the North Dakota Century Code, relating to the veterinarian loan repayment program; and to provide a continuing appropriation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 43-29.1-01 of the North Dakota Century Code is amended and reenacted as follows:

43-29.1-01. Loan repayment program - Veterinarians - Maximum amount of funds.

Each year the state health council, in consultation with the state board of animal health, shall select ~~from a pool of qualified applicants no more than three veterinarians who shall to participate in a loan repayment program, as provided for in this chapter.~~ Each applicant must be a veterinarian and must agree to provide food animal veterinary medicine services to communities in this state. The veterinarians selected applicants are eligible to receive up to eighty thousand dollars in loan repayment funds. ~~If the state health council accepts any gifts, grants, or donations under this chapter, The number of applicants that~~ the council may select ~~additional veterinarians~~ for participation in the loan repayment program ~~under is limited only by the moneys available to support the program, as provided for in this chapter.~~

SECTION 2. AMENDMENT. Section 43-29.1-02 of the North Dakota Century Code is amended and reenacted as follows:

43-29.1-02. Loan repayment program - Veterinarians - Powers of state health council.

The state health council may:

1. Determine the eligibility and qualifications of an applicant for loan repayment funds under this chapter;:
2. Identify communities that are in need of a veterinarian and establish a priority ranking for participation in the program by the selected communities;:
3. Create and distribute a loan repayment application;:
4. Determine the amount of the loan repayment funds for which ~~a veterinarian is an applicant may~~ be eligible under this chapter and, in making this determination, examine any outstanding education loans incurred by the applicant;:
5. Establish conditions regarding the use of the loan repayment funds;:
6. Enter a nonrenewable contract with the ~~veterinarian selected applicant~~ and the selected community to provide to the ~~veterinarian applicant~~ funds for the repayment of education loans in exchange for the ~~veterinarian applicant~~ agreeing to actively practice in the selected community;:
7. Receive and use funds appropriated for the program;:
8. Enforce any contract under the program;:

9. Cancel a contract for reasonable cause.;
10. Participate in federal programs that support the repayment of education loans incurred by veterinarians and agree to the conditions of the federal programs.;
11. Accept property from an entity.;
12. Cooperate with the state department of health to effectuate this chapter.

SECTION 3. AMENDMENT. Section 43-29.1-03 of the North Dakota Century Code is amended and reenacted as follows:

43-29.1-03. Veterinarian selection criteria - Eligibility for loan repayment.

1. In establishing the criteria regarding a ~~veterinarian's~~ eligibility for loan repayment funds under this chapter, the state health council shall consider the applicant's:
 - a. ~~Consider the veterinarian's training~~Training in food animal veterinary medicine, ability and, willingness of the veterinarian to engage in food animal veterinary medicine, and the extent to which such services are needed in a selected community.;
 - b. ~~Consider the veterinarian's commitment~~Commitment to serve in a community that is in need of a veterinarian.;
 - c. ~~Consider the compatibility of the veterinarian~~Compatibility with a selected community.;
 - d. ~~Consider the date by which the veterinarian would be available~~Date of availability for service to the selected community.;
 - e. ~~Consider the veterinarian's competence~~Competence and professional conduct.
 - f. ~~Give priority to a veterinarian on whose behalf state-funded student support fees have not been paid.~~
2. ~~A veterinarian who is~~An applicant selected to receive loan repayment funds under this chapter must:
 - a. ~~Must have~~Have graduated from an accredited college of veterinary medicine; and
 - b. ~~Must be~~Be licensed to practice veterinary medicine in this state.
3. Veterinarians A selected applicant shall contract to provide full-time veterinary medicine services for two, three, or four years in one or more selected communities.

SECTION 4. AMENDMENT. Section 43-29.1-07 of the North Dakota Century Code is amended and reenacted as follows:

43-29.1-07. Loan repayment.

1.
 - a. Upon completing six months of the first year of service, as required by the contract, the veterinarian is eligible to receive a loan payment in an amount up to fifteen thousand dollars.
 - b. Upon completing a second year of service, as required by the contract, the veterinarian is eligible to receive a loan payment in an amount up to fifteen thousand dollars.
 - c. Upon completing a third year of service, as required by the contract, the veterinarian is eligible to receive a loan payment in an amount up to twenty-five thousand dollars.

- d. Upon completing a fourth year of service, as required by the contract, the veterinarian is eligible to receive a loan payment in an amount up to twenty-five thousand dollars.
2. All payments under this section must be made on the veterinarian's behalf to the issuer of the student loan. ~~No individual may~~
3. A veterinarian is not entitled to receive more than eighty thousand dollars under this section.
4. If an individual fails to complete an entire year of service, the amount repayable under this section for that year must be prorated.
5. If any moneys remain in the state veterinary loan repayment account after the health council has met all statutory and contractual obligations established under this chapter, the health council may use the moneys to increase the number of veterinarians participating in the loan repayment program.

SECTION 5. AMENDMENT. Section 43-29.1-08 of the North Dakota Century Code is amended and reenacted as follows:

43-29.1-08. Gifts, grants, and donations - Continuing appropriation.

1. The state health council may accept any conditional or unconditional gifts, grants, ~~or~~ and donations for the purpose of providing ~~funds~~ moneys for the repayment of veterinarians' education loans. ~~If~~ However, if an entity desires to provide ~~funds~~ moneys to the state health council ~~to allow an expansion of the program beyond the three veterinarians contemplated by this chapter for the location of a veterinarian in or at a specific site,~~ the entity shall commit to ~~fund fully the expansion~~ provide the full amount required under this program for a period of four years.
2. The state health council may contract with a public or private entity and may expend any moneys available to the council to obtain matching funds for the purposes of this chapter. ~~During the 2007-09 biennium, the state department of health may receive no more than seven percent of the appropriated moneys and the state veterinarian may receive no more than three percent of the appropriated moneys for administration of the loan repayment program.~~
3. All moneys received as gifts, grants, or donations under this section are appropriated ~~as on~~ a continuing appropriation basis to the state health council for the purpose of ~~providing funds for the repayment of additional veterinarians' education loans~~ increasing the number of veterinarians participating in the loan repayment program under this chapter.

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-second Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2341.

Senate Vote: Yeas 47 Nays 0 Absent 0

House Vote: Yeas 89 Nays 1 Absent 4

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2011.

Approved at _____ M. on _____, 2011.

Governor

Filed in this office this _____ day of _____, 2011,

at _____ o'clock _____ M.

Secretary of State