

HOUSE BILL NO. 1377

Introduced by

Representatives Keiser, Berg, M. Klein

1 A BILL for an Act to create and enact a new section to chapter 43-05 of the North Dakota
2 Century Code, relating to the authority of the board of podiatric medicine to borrow funds from
3 the Bank of North Dakota; and to declare an emergency.

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

5 **SECTION 1.** A new section to chapter 43-05 of the North Dakota Century Code is
6 created and enacted as follows:

7 **Loan for litigation expenses.** The board may borrow from the Bank of North Dakota,
8 and the Bank may loan to the board, funds sufficient to pay for attorneys' fees and costs
9 incurred in investigations, administrative proceedings, and litigation resulting from the board
10 performing its duties, subject to the following conditions:

- 11 1. The board has depleted the board's financial reserves.
- 12 2. The attorneys' fees and costs incurred exceed the total dollar amount of all license
13 fees received for the year in which the board is borrowing the funds.
- 14 3. The board is assessing the maximum annual renewal license fee permitted under
15 section 43-05-15 at the time funds are borrowed.
- 16 4. Notwithstanding section 43-05-15, the board establishes a seven hundred fifty
17 dollar annual renewal license fee for each year following the issuance of a loan
18 under this section, and the fee is maintained until the loan is fully repaid.
- 19 5. The Bank of North Dakota may not charge interest on the loan which exceeds the
20 prime rate less two percent.
- 21 6. The duration of the loan may not exceed ten years.
- 22 7. Once the loan is paid in full, the annual renewal license fee reverts back to the
23 amount established by the board before the issuance of the loan.

24 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.