

**Fifty-seventh Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 9, 2001**

HOUSE BILL NO. 1167
(Transportation Committee)
(At the request of the Department of Transportation)

AN ACT to amend and reenact section 24-02-42 of the North Dakota Century Code, relating to the amount of department of transportation educational financial aid and to expand eligible areas of study.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 24-02-42 of the North Dakota Century Code is amended and reenacted as follows:

24-02-42. ~~Engineering, management, and technician scholarships~~ Scholarships authorized. The ~~commissioner~~ director is hereby authorized to establish ~~not over sixteen~~ continuing grants of financial aid for study in ~~civil engineering, civil engineering technology, construction engineering, construction management, and industrial drafting and design technology~~ undergraduate coursework, which meets the needs and mission of the department, at institutions of higher learning in this state. Expenditure of not over ~~ten~~ twenty thousand dollars annually from highway operating funds is ~~hereby~~ authorized. No individual may receive financial aid in any year exceeding ~~one~~ two thousand dollars nor a total exceeding ~~three~~ six thousand dollars and an executed contract of employment is a prerequisite. Before any student shall receive the ~~benefits~~ financial aid authorized by this section the student shall enter into a contract with the department, which must provide that such student shall upon graduation accept employment with the department for a period of time at least equal to the time the student received financial aid benefits, the salary to be in the grade established for the classification assigned. In the event such student is inducted into the armed forces before graduation, such education may then be completed upon that student's return to civil life, and in the event such induction into the armed services is made after graduation the employment contract does not take effect until after such period of service in the armed forces has been completed. Leave of absence without pay will be granted to one whose induction occurs during the period of the life of such contract and the employment will be resumed for the balance of the contract period after such employee has been discharged from the service.

If such student fails to graduate with a degree, or fails to accept employment with the department as above provided, such student shall repay the department, with interest at the rate of six percent per annum, all sums received by the student in financial aid benefits under the contract herein provided, such repayment to be made within a period equal to the time the student received such benefits. For the purpose of this section defenses of minority or statute of limitations are ~~hereby~~ removed as to any applicant granted a loan by the ~~commissioner~~ director and such contracts are in all respects legal and binding. Salary increases to employees having received financial aid by virtue of this section must be based on the same considerations as other ~~engineers~~ employees employed by the department.

The ~~commissioner~~ director, with the cooperation and concurrence of the board of higher education, shall prescribe rules for determining the selection of recipients, qualifications, and courses of study. Such rules may cover any areas as may be necessary to assure a source of qualified ~~technically~~ trained employees for the department.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Fifty-seventh Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1167.

House Vote: Yeas 94 Nays 2 Absent 2

Senate Vote: Yeas 41 Nays 0 Absent 8

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2001.

Approved at _____ M. on _____, 2001.

Governor

Filed in this office this _____ day of _____, 2001,
at _____ o'clock _____ M.

Secretary of State