

## JOURNAL OF THE HOUSE

## Sixtieth Legislative Assembly

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Bismarck, February 12, 2007

The House convened at 8:00 a.m., with Speaker Delzer presiding.

The prayer was offered by Pastor Sarah Voorhees, Trinity Lutheran, Carrington.

The roll was called and all members were present except Representatives Boe, Owens, and Pinkerton.

A quorum was declared by the Speaker.

## SIXTH ORDER OF BUSINESS

**SPEAKER DELZER DEEMED** approval of the amendments to Engrossed HB 1110, HB 1121, HB 1161, HB 1162, HB 1243, HB 1297, HB 1317, HB 1322, HB 1381, HB 1384, HB 1394, HB 1439, HB 1445, HB 1449, Engrossed HB 1451, HB 1455, HB 1469, HB 1479, HB 1499, HCR 3020, HCR 3027 and HCR 3039.

HCR 3020 and HCR 3039, as amended, were placed on the Tenth order of business on the calendar for the succeeding legislative day.

Engrossed HB 1110 HB 1121, HB 1161, HB 1162, HB 1243, HB 1297, HB 1317, HB 1322, HB 1381, HB 1384, HB 1394, HB 1439, HB 1445, HB 1449, Engrossed HB 1451, HB 1455, HB 1469, HB 1479, HB 1499 and HCR 3027, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

## SECOND READING OF HOUSE BILL

**HB 1038:** A BILL for an Act to create and enact a new section to chapter 65-05 of the North Dakota Century Code, relating to workers' compensation additional benefits payable; to amend and reenact subsection 5 of section 65-05-07 and sections 65-05-16, 65-05.1-08, and 65-05.2-01 of the North Dakota Century Code, relating to workers' compensation benefits for the catastrophically injured, additional benefits payable, death benefits, supplemental benefits, loans for education; to provide for application; and to declare an emergency.

## ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**NAYS:** Ruby

**ABSENT AND NOT VOTING:** Boe; Pinkerton

HB 1038 passed, the title was agreed to, and the emergency clause was declared carried.

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## SECOND READING OF HOUSE BILL

**HB 1140:** A BILL for an Act to create and enact a new section to chapter 65-05 of the North Dakota Century Code, relating to a workers' compensation inflationary adjustment for injured employees with long-term temporary partial disabilities; and to provide for application.

access low-cost pharmaceuticals and pharmacy and pharmacists' services;

- c. The pharmacy ownership restrictions, the relevance of those restrictions in terms of marketplace competition, and the impact of those restrictions on the price and availability of pharmaceuticals and on pharmacy and pharmacists' services; and
  - d. The statutory interplay between the state board of pharmacy and the North Dakota pharmaceutical association and whether the regulatory function of the board conflicts with the advocacy function of the association.
2. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1308: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **DO PASS** (14 YEAS, 6 NAYS, 4 ABSENT AND NOT VOTING). HB 1308 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1309: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **DO PASS** (16 YEAS, 7 NAYS, 1 ABSENT AND NOT VOTING). HB 1309 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1340, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **DO PASS** (19 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). Engrossed HB 1340 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1344: Political Subdivisions Committee (Rep. Herbel, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1344 was placed on the Sixth order on the calendar.

Page 1, line 6, remove "**adjacent**", replace "**an**" with "**a surface**", and after "**in**" insert "**a parcel of**"

Page 1, line 7, replace "**adjoining**" with "**connected by**", after "**line**" insert "**to another parcel of land in which that person has a surface interest or to a highway**", and after "**commissioners**" insert "**in an unorganized township or the board of township supervisors in an organized township**"

Page 1, line 8, after the second "**line**" insert "**for the purpose of travel for agricultural purposes. The petition may be approved**"

Page 1, line 10, replace "**other property in which the petitioner has an**" with "**the parcel of land**"

Page 1, line 11, remove "**interest**"

Page 1, line 12, replace "**provide minimal maintenance for the improvement, and assume liability for**" with "**to standards approved by the board.**"

Page 1, remove lines 13 through 17

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1348, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **DO PASS** (18 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1348 was placed on the Eleventh order on the calendar.