

**Sixty-first Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2009**

SENATE BILL NO. 2039
(Legislative Council)
(Industry, Business, and Labor Committee)

AN ACT to amend and reenact sections 43-15-03, 43-15-12, 43-15-25, and 43-15-26 of the North Dakota Century Code, relating to the board of pharmacy, the North Dakota pharmaceutical association, and pharmacist license fees; and to repeal sections 43-15-13.1, 43-15-13.2, 43-15-13.3, 43-15-13.4, 43-15-13.5, 43-15-13.6, and 43-15-30 of the North Dakota Century Code, relating to membership in the North Dakota pharmaceutical association.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 43-15-03 of the North Dakota Century Code is amended and reenacted as follows:

43-15-03. Board of pharmacy - Appointment ~~Qualifications~~. The state board of pharmacy shall ~~consist~~ consists of ~~five~~ seven members appointed by the governor ~~upon the recommendation of the North Dakota pharmaceutical association. The persons appointed~~ Five members of the board must be licensed pharmacists and members of such association, one member must be a registered pharmacy technician, and one member must represent the public and may not be affiliated with any group or profession that provides or regulates any type of health care.

SECTION 2. AMENDMENT. Section 43-15-12 of the North Dakota Century Code is amended and reenacted as follows:

43-15-12. State board of pharmacy - Report. The board may submit a biennial report to the governor and the secretary of state in accordance with section 54-06-04. ~~The board shall submit an annual report to the North Dakota pharmaceutical association rendering an account of all moneys received and disbursed by it.~~

SECTION 3. AMENDMENT. Section 43-15-25 of the North Dakota Century Code is amended and reenacted as follows:

43-15-25. Term of license - Renewal - Fee - Where displayed. The license issued by the board to a pharmacist under ~~the provisions of~~ this chapter, and the registration thereof, ~~shall entitle~~ entitles the holder to act in the capacity therein stated for one year unless duly canceled, suspended, or revoked. Every licensee who desires to retain a license, on or before the first day of March in each year, shall pay to the secretary of the board a renewal fee in an amount to be fixed by the board not to exceed ~~two~~ one hundred dollars. Upon payment of the fee, the board shall issue a renewal license ~~must be issued~~. The license and renewal must be displayed in a conspicuous place in the pharmacy and drugstore where the holder is employed. After a licensee has held licenses duly issued over a period of fifty consecutive years, the secretary of the board may issue the licensee a lifetime license ~~which will entitle~~ that entitles the licensee to act in the capacity of pharmacist thereafter without further payment unless ~~such~~ the license is canceled, revoked, or suspended.

SECTION 4. AMENDMENT. Section 43-15-26 of the North Dakota Century Code is amended and reenacted as follows:

43-15-26. Failure to renew license - Renewal fee - Cancellation of license - Reinstatement. If a licensed pharmacist in this state fails to pay the fee for a renewal of a license within the time required, the secretary of the board shall mail the pharmacist a notice, addressed to the pharmacist's last-known place of residence, notifying the pharmacist of failure to obtain a renewal license. The delinquent licenseholder, within sixty days after the notice is mailed, may procure a

renewal license upon the payment of a renewal fee to be set by the board not to exceed ~~two~~ one hundred dollars. If the licenseholder fails to have a license renewed within sixty days after the notice is mailed, the original or renewal license, as the case may be, ~~shall become~~ becomes void and the registry thereof ~~shall~~ must be canceled. The board, on application of the delinquent licenseholder and upon the payment of all unpaid fees, may authorize the issuance of a new license without examination, if it is satisfied that the applicant is a proper ~~person~~ individual to receive the same.

SECTION 5. REPEAL. Sections 43-15-13.1, 43-15-13.2, 43-15-13.3, 43-15-13.4, 43-15-13.5, 43-15-13.6, and 43-15-30 of the North Dakota Century Code are repealed.

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-first Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2039.

Senate Vote: Yeas 43 Nays 0 Absent 4

House Vote: Yeas 89 Nays 3 Absent 2

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2009.

Approved at _____ M. on _____, 2009.

Governor

Filed in this office this _____ day of _____, 2009,
at _____ o'clock _____ M.

Secretary of State