



**MOTION: DO PASS SB 9**

Moved by: Tobin  
Second by: Rusch  
Action: Prevailed by Majority Members Elect (7-0-0-0)

Voting Yes: Bolin, Curd, Foster, Rusch, V. J. Smith, Tobin, and Steinhauer

**HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 9 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.**

**SB 14 : revise provisions related to the confidential list of medical cannabis cardholders maintained by the Department of Health.**

Presented by: Senator Bryan Breitling, District 23  
Proponents: Tim Rave, South Dakota Association of Healthcare Organizations, Sioux Falls  
Dean Krogman, State Medical Association SD, Sioux Falls

**MOTION: AMEND SB 14**

14A

On page 1, line 9, of the Introduced bill, after "card;" insert " and"  
On page 1, line 9, of the Introduced bill, after "card;" delete "  
(b) The name, address, and phone number of the practice of a registered qualifying patient's practitioner; and"  
On page 1, line 12, of the Introduced bill, delete "(c)" and insert "(b)"  
Moved by: Tobin  
Second by: V. J. Smith  
Action: Prevailed by voice vote

**MOTION: DO PASS SB 14 AS AMENDED**

Moved by: Tobin  
Second by: V. J. Smith  
Action: Prevailed by Majority Members Elect (7-0-0-0)

Voting Yes: Bolin, Curd, Foster, Rusch, V. J. Smith, Tobin, and Steinhauer

**HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 14 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.**

**SB 8 : revise provisions concerning civil penalties imposed for violations related to medical cannabis.**

Presented by: Senator Bryan Breitling, District 23  
Opponents: Jeremiah M. Murphy, Cannabis Industry Association of SD, Sioux Falls

**MOTION: DO PASS SB 8**

Moved by: Tobin  
Second by: V. J. Smith  
Action: Was not acted on.

**MOTION:    SUBSTITUTE MOTION:    TO TABLE SB 8**

Moved by:     Curd  
 Second by:    Foster  
 Action:        Prevailed by Majority Members Elect (4-3-0-0)

Voting Yes:    Bolin, Curd, Foster, and V. J. Smith

Voting No:     Rusch, Tobin, and Steinhauer

**SB 13 :        repeal provisions permitting certain documents to serve as temporary registry identification cards for medical cannabis.**

Presented by: Senator Bryan Breitling, District 23 (Handout(s) #2)  
 Opponents:    Kittrick Jeffries, Dakota Cannabis Consulting, Rapid City (Handout(s) #1)  
                   Ned Horsted, Cannabis Industry Association of SD, Sioux Falls

**MOTION:    AMEND SB 13**

13A

On page 1, line 1, of the Introduced bill, after "to " insert "modify and "  
 On page 1, after line 3, of the Introduced bill, insert: "

**Section 1. That § 34-20G-38 be AMENDED:**

**34-20G-38.** ~~Until a qualifying patient who has submitted an application and the required fee to Pending receipt of a registry identification card from the department, receives a registry identification card or a denial, a copy of the patient's application, written certification, and proof that the application was submitted to a printed copy of proof that the application was approved by the department is deemed a valid registry identification card for a period of thirty days from the date of approval."~~

On page 1, line 4, of the Introduced bill, after "Dakota:" delete "Section 1. That § 34-20G-38 be REPEALED:

"

On page 1, line 5, of the Introduced bill, after "REPEALED:" delete "Until a qualifying patient who has submitted an application and the required fee to the department receives a registry identification card or a denial, a copy of the patient's application, written certification, and proof that the application was submitted to the department is deemed a registry identification card."

Moved by:     Curd  
 Second by:    Tobin  
 Action:        Failed by roll call vote (3-4-0-0)

Voting Yes:    Curd, Foster, and Tobin

Voting No:     Bolin, Rusch, V. J. Smith, and Steinhauer

**MOTION:    DO PASS SB 13**

Moved by:     Rusch  
 Second by:    Bolin  
 Action:        Prevailed by Majority Members Elect (4-3-0-0)

Voting Yes: Bolin, Rusch, V. J. Smith, and Steinhauer

Voting No: Curd, Foster, and Tobin

**SB 24 : establish a maximum number of cannabis plants that may be cultivated by a medical cannabis cardholder.**

Presented by: Senator V.J. Smith, District 7

Proponents: Tim Rave, South Dakota Association of Healthcare Organizations, Sioux Falls  
Dean Krogman, State Medical Association SD, Sioux Falls

Opponents: Ned Horsted, Cannabis Industry Association of SD, Sioux Falls  
Kittrick Jeffries, Dakota Cannabis Consulting, Rapid City

**MOTION: DO PASS SB 24**

Moved by: V. J. Smith

Second by: Rusch

Action: Failed by Majority Members Elect (3-4-0-0)

Voting Yes: Rusch, V. J. Smith, and Steinhauer

Voting No: Bolin, Curd, Foster, and Tobin

**MOTION: AMEND SB 24**

24A

On page 1, line 11, of the Introduced bill, after "physician" delete " maximum"

Moved by: Curd

Second by: Tobin

Action: Prevailed by voice vote

**MOTION: DO PASS SB 24 AS AMENDED**

Moved by: Curd

Second by: Tobin

Action: Prevailed by Majority Members Elect (7-0-0-0)

Voting Yes: Bolin, Curd, Foster, Rusch, V. J. Smith, Tobin, and Steinhauer

**SB 5 : revise acceptable conduct related to the medical use of cannabis.**

Presented by: Senator David Wheeler, District 22

Proponents: Tim Rave, South Dakota Association of Healthcare Organizations, Sioux Falls  
Mitchell Rave, Sanford Health, SIOUX FALLS  
Deb Fischer-Clemens, Avera Health, Sioux Falls  
Mark B Deak, South Dakota Health Care Association, Sioux Falls  
Deb Mortenson, Associated General Contractors of South Dakota, Pierre

**MOTION: DO PASS SB 5**

Moved by: Bolin

Second by: Curd  
Action: Prevailed by Majority Members Elect (7-0-0-0)

Voting Yes: Bolin, Curd, Foster, Rusch, V. J. Smith, Tobin, and Steinhauer

**HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 5 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.**

**SB 10 : require a cardholder or nonresident cardholder to present photographic identification to receive medical cannabis.**

Presented by: Senator Michael Rohl, District 1  
Proponents: Representative Linda Duba, District 15

**MOTION: DO PASS SB 10**

Moved by: Rusch  
Second by: Tobin  
Action: Prevailed by Majority Members Elect (7-0-0-0)

Voting Yes: Bolin, Curd, Foster, Rusch, V. J. Smith, Tobin, and Steinhauer

**HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 10 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.**

**SB 11 : revise provisions regarding the medical marijuana oversight committee.**

Presented by: Senator V.J. Smith, District 7  
Proponents: Senator Bryan Breitling, District 23

**MOTION: DO PASS SB 11**

Moved by: Bolin  
Second by: Rusch  
Action: Prevailed by Majority Members Elect (7-0-0-0)

Voting Yes: Bolin, Curd, Foster, Rusch, V. J. Smith, Tobin, and Steinhauer

**HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 11 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.**

**SB 12 : revise the annual report on medical cannabis by the Department of Health to the Legislature.**

Presented by: Senator V.J. Smith, District 7

**MOTION: DO PASS SB 12**

Moved by: Tobin  
Second by: Bolin  
Action: Prevailed by Majority Members Elect (7-0-0-0)

Voting Yes: Bolin, Curd, Foster, Rusch, V. J. Smith, Tobin, and Steinhauer

**HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 12 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.**

**SB 15 : revise provisions providing that certain professions are not subject to discipline for certain conduct relating to medical cannabis.**

Presented by: Senator Jim Stalzer, District 11

Proponents: Jeremiah M. Murphy, Cannabis Industry Association of SD, Sioux Falls  
Brian Burge, Self, Beresford

**MOTION: DO PASS SB 15**

Moved by: Tobin

Second by: V. J. Smith

Action: Prevailed by Majority Members Elect (7-0-0-0)

Voting Yes: Bolin, Curd, Foster, Rusch, V. J. Smith, Tobin, and Steinhauer

**HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 15 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.**

**SB 23 : revise the definition of bona fide practitioner-patient relationship.**

Presented by: Senator V.J. Smith, District 7

Proponents: Jeremiah M. Murphy, Cannabis Industry Association of SD, Sioux Falls  
Mitchell Rave, Sanford Health, SIOUX FALLS  
Deb Fischer-Clemens, Avera Health, Sioux Falls  
Tim Rave, South Dakota Association of Healthcare Organizations, Sioux Falls  
Senator Bryan Breitling, District 23

**MOTION: AMEND SB 23**

23C

On page 1, line 15, of the Introduced bill, after "relationship,":" insert " a treatment or consulting relationship between a practitioner and patient, during which:"

On page 1, line 16, of the Introduced bill, after "have " delete "a treatment or consulting relationship between a practitioner and patient, during "

On page 1, line 17, of the Introduced bill, after "of " delete "which the practitioner "

On page 1, line 17, of the Introduced bill, after "completed" delete " completes, at every visit, an assessment of the patient's medical history and current medical condition, including an appropriate in-person physical examination"

On page 1, line 25, of the Introduced bill, delete "and during which the following circumstances are present:

(a) The patient is under the practitioner's continued care for the debilitating medical condition that qualifies the patient for the medical use of cannabis;

(b) The patient has a reasonable expectation that the practitioner will continue to provide in-person follow-up care to the patient to monitor the medical use of cannabis; and

(c) The relationship is not for the sole purpose of providing a written certification for the medical use of cannabis;" and insert "

(a) The practitioner completes, at the initial visit, an assessment of the patient's medical history and current medical condition, including an appropriate in-person physical examination;

- (b) The patient is under the practitioner's care for the debilitating medical condition that qualifies the patient for the medical use of cannabis or has been referred by the practitioner caring for the patient's debilitating medical condition that qualifies the patient for the medical use of cannabis to another practitioner;
- (c) The patient has a reasonable expectation that the practitioner providing the written certification will continue to provide follow-up care to the patient to monitor the medical use of cannabis; and
- (d) The relationship is not for the sole purpose of providing a written certification for the medical use of cannabis unless the patient has been referred by a practitioner providing care for the debilitating medical condition that qualifies the patient for the medical use of cannabis.

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Moved by: V. J. Smith  
Second by: Tobin  
Action: Prevailed by voice vote

**MOTION: DO PASS SB 23 AS AMENDED**

Moved by: Tobin  
Second by: V. J. Smith  
Action: Prevailed by Majority Members Elect (7-0-0-0)

Voting Yes: Bolin, Curd, Foster, Rusch, V. J. Smith, Tobin, and Steinhauer

**MOTION: ADJOURN**

Moved by: Rusch  
Second by: Tobin  
Action: Prevailed by voice vote

Doug Mortenson, Committee Secretary

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/s/ WAYNE H. STEINHAUER  
Wayne H. Steinhauer, Chair