

Committee: Senate Health and Human Services

Monday, January 31, 2022 10:00 AM

Roll Call

Present: Sen. Bolin, Sen. Curd, Sen. Foster, Sen. Rusch, Sen. V. J. Smith, Sen. Tobin, and Sen. Steinhauer

OTHERS PRESENT: See Original Minutes

**The meeting was called to order by Senator Tobin**

**MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, JANUARY 26<sup>TH</sup>**

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

**SB 20 : revise the medical purpose defense related to the medical use of cannabis.**

Presented by: Senator Helene Duhamel, District 32  
Proponents: Senator Bryan Breitling, District 23  
Kittrick Jeffries, Dakota Cannabis Consulting, Rapid City  
Paul Bachand, South Dakota States Attorneys Association, Pierre  
Opponents: Terra Larson, SD Association of Criminal Defense Lawyers, Rapid City  
(Handout(s) #1)  
Emmett Reistroffer, self, Sioux Falls

**MOTION: AMEND SB 20**

20B

On page 1, line 4, of the Introduced bill, after "section," delete " a person may assert the medical purpose for using cannabis as a"  
On page 1, line 5, of the Introduced bill, after "a " insert "it is an affirmative "  
On page 1, line 5, of the Introduced bill, after "prosecution" delete " involving"  
On page 1, line 6, of the Introduced bill, after "involving " insert "for using or possessing "  
On page 1, line 6, of the Introduced bill, after "such " insert "affirmative "  
On page 1, line 6, of the Introduced bill, after "valid" insert the comma  
On page 2, line 1, of the Introduced bill, delete "If the" and insert "The"  
On page 2, line 1, of the Introduced bill, after "patient" insert " and the person is not in physical possession of the registry identification card"  
On page 2, line 3, of the Introduced bill, delete "If the" and insert "The"  
On page 2, line 5, of the Introduced bill, after "offense" insert " or produces the registry identification card to law enforcement within twenty-four hours of the alleged offense"  
Moved by: Steinhauer  
Second by: V. J. Smith  
Action: Prevailed by voice vote

**MOTION: AMEND THE PREVIOUSLY ADOPTED AMENDMENT (20B)**

20D

On the previously adopted amendment (20B), On page 2, line 7, delete " within twenty-four hours of the alleged offense" and insert " before a finding of guilt"

Moved by: Foster  
Second by: Bolin  
Action: Prevailed by voice vote

**MOTION: AMEND THE PREVIOUSLY ADOPTED AMENDMENT (20D)**

20E

- On the previously adopted amendment (20D), On page 2, line 7, remove the overstrikes from " within"
- On the previously adopted amendment (20D), On page 2, line 7, after "twenty-four" insert " forty-eight"
- On the previously adopted amendment (20D), On page 2, line 7, remove the overstrikes from " hours of the alleged offense"
- On the previously adopted amendment (20D), On page 2, line 7, after "offense" delete " before a finding of guilt"

Moved by: Steinhauer  
Second by: Rusch  
Action: Prevailed by Majority Members Elect (5-2-0-0)

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

Voting No: Bolin and Foster

**MOTION: DO PASS SB 20 AS AMENDED**

Moved by: Steinhauer  
Second by: Rusch  
Action: Failed by Majority Members Elect (3-4-0-0)

Voting Yes: Rusch, Tobin, and Steinhauer

Voting No: Bolin, Curd, Foster, and V. J. Smith

**THE CHAIR DEFERRED SB 20 UNTIL TO A LATER DATE**

**SB 86 : revise certain definitions in laws regarding physical therapists.**

Presented by: Senator Helene Duhamel, District 32  
Proponents: Tim Dougherty, South Dakota Chapter of American Physical Therapy Association, Sioux Falls  
Brett Hoffman, South Dakota Health Care Association, Sioux Falls

**MOTION: DO PASS SB 86**

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 86 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.**

**SB 93 :       revise certain provisions related to the use of epinephrine and supraglottic airway devices by ambulance services.**

Presented by: Senator Jean Hunhoff, District 18

Proponents:   Maynard Konechne, South Dakota Emergency Medical Services Asso, Kimball  
                  Lynne Valenti, Department of Health  
                  Tim Rave, South Dakota Association of Healthcare Organizations, Sioux Falls

**MOTION:     DO PASS SB 93**

Moved by:     Bolin

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 93 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.**

**SB 102 :       create the medicaid expansion fund and to provide for the receipt of monies received as a result of expanding medicaid eligibility.**

**THE CHAIR DEFERRED SB 102 UNTIL FRIDAY FEBRUARY 4TH, 2022**

**SB 109 :       make an appropriation to pay increased costs incurred in the construction of an appropriate regional facility and to declare an emergency.**

**THE CHAIR DEFERRED SB 109 UNTIL WEDNESDAY, FEBRUARY 02<sup>ND</sup> 2022**

**MOTION:     ADJOURN**

Moved by:     V. J. Smith

Second by:    Steinhauer

Action:        Prevailed by voice vote

Doug Mortenson, Committee Secretary

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