

Committee: Senate Health and Human Services      Wednesday, March 02, 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 Steinhauer**

**MOTION:      TO APPROVE THE MINUTES OF MONDAY, FEBRUARY 28<sup>TH</sup>**

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

**HCR 6012 : Urging the development of options for ensuring continued visitation of patients and residents in nursing facilities and assisted living centers.**

Committee referral for HCR 6012 was waived by presiding officer pursuant to 6D-1

**HB 1129 : prohibit forms of discrimination in access to organ transplantation.**

Presented by: Representative Kirk Chaffee, District 29  
Proponents:      Jenna Howell, Department of Human Services  
Dale Allen Bartscher, South Dakota Right to Life, Rapid City  
Norman Woods, Family Heritage Alliance Action, Rapid City  
Linda Schauer, Concerned Women for America, Leola  
Dan Cross, Community Support Providers of South Dakota, Spearfish  
Opponents:      Tim Neyhart, Disability Rights South Dakota, Pierre (Handout(s) #1)  
Others:      Mitchell Rave, Sanford Health, Sioux Falls

**MOTION:      DO PASS HB 1129**

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

**HB 1134 : revise provisions related to medical cannabis for the protection of youth.**

Presented by: Representative Rhonda Milstead, District 9

**MOTION:      DO PASS HB 1134**

Moved by:      Bolin  
Second by:      Rusch  
Action:      Prevailed by Majority Members Elect (6-1-0-0)

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

Voting No: Foster

**HB 1211 : prohibit the enforcement of contracts limiting competition on certain matters of conscience.**

Presented by: Representative Spencer Gosch, District 23

Proponents: Representative Phil Jensen, District 33

Opponents: Nathan Sanderson, South Dakota Retailers Association, Pierre  
Justin G. Smith, Sioux Falls Area Chamber of Commerce, Sioux Falls  
Mitchell Rave, Sanford Health, Sioux Falls

**MOTION: DEFER HB 1211 TO THE 41<sup>ST</sup> LEGISLATIVE DAY**

Moved by: V. J. Smith

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

**HB 1258 : protect an individual's conscience from entities requiring the COVID-19 vaccine.**

Presented by: Representative Spencer Gosch, District 23

Proponents: Kathleen Puttmann, self, Colton  
Representative Phil Jensen, District 33  
Mya Olson, self, Bradley  
Sonja Vanerdewyk, self, Mitchell  
Senator Brock Greenfield, District 2

Opponents: Nathan Sanderson, South Dakota Retailers Association, Pierre  
Tim Rave, South Dakota Association of Healthcare Organizations, Sioux Falls  
Deb Fischer-Clemens, Avera Health, Sioux Falls  
David Owen, South Dakota Chamber of Commerce & Industry, Pierre  
Deb Mortenson, Associated General Contractors of South Dakota, Pierre  
Deb Mortenson, SD Wind Energy Association, Pierre  
Dean Krogman, SD Multi-Housing Association, Sioux Falls  
Dean Krogman, Independent Community of Bankers of South Dakota, Watertown  
Dean Krogman, State Medical Association SD, Sioux Falls  
Dean Krogman, Rapid City, Pierre & Eastern Railroad Inc, Pittsburgh, PA  
Dean Krogman, South Dakota Association of Realtors, Pierre  
Justin G. Smith, Sioux Falls Area Chamber of Commerce, Sioux Falls  
Terry Dosch, South Dakota Council of Community Behavioral Health, Pierre

**MOTION: DEFER HB 1258 TO THE 41<sup>ST</sup> LEGISLATIVE DAY**

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

**HB 1302 : modify tuition responsibilities for children in residential treatment centers.**

Presented by: Representative Linda Duba, District 15  
Proponents: Linda Turner, Department of Education  
Sam Nelson, Sioux Falls School District, Canton  
Rob Monson, School Administrators of South Dakota, Pierre  
Sandra Waltman, South Dakota Education Association, Pierre

**MOTION: DO PASS HB 1302**

Moved by: Bolin  
Second by: Foster  
Action: Prevailed by Majority Members Elect (6-0-1-0)

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

Excused: Tobin

**HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1302 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.**

Recess until 15 minutes after Senate Adjourns.

**HB 1136 : revise oversight and reporting requirements concerning cannabis.**

Presented by: Representative Rhonda Milstead, District 9  
Proponents: Richard Tieszen, South Dakota Sheriffs Association, Pierre  
Opponents: Rick Miller, Department of Public Safety  
Laura Ringling, Department of Social Services

**MOTION: AMEND HB 1136**

1136D

On page 1, line 11, of the House Engrossed bill, after "type," delete " and"  
On page 1, line 11, of the House Engrossed bill, after "violations" insert ", and any recommendations"  
On page 1, line 24, of the House Engrossed bill, after "report" insert " publicly available information"  
On page 2, line 3, of the House Engrossed bill, after "juveniles" delete " arrested for"  
On page 2, line 4, of the House Engrossed bill, after "for " insert "with "

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

**MOTION: DEFER HB 1136 TO THE 41<sup>ST</sup> LEGISLATIVE DAY**

Moved by: Tobin  
Second by: Bolin  
Action: Failed by Majority Members Elect (3-4-0-0)

Voting Yes: Foster, V. J. Smith, and Tobin

Voting No: Bolin, Curd, Rusch, and Steinhauer

**MOTION: DO PASS HB 1136 AS AMENDED**

Moved by: Bolin  
Second by: Tobin  
Action: Was not acted on.

**MOTION: SUBSTITUTE MOTION: WITHOUT RECOMMENDATION HB 1136 AS AMENDED**

Moved by: Foster  
Second by: V. J. Smith  
Action: Prevailed by Majority Members Elect (6-1-0-0)

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

Voting No: Bolin

**HB 1293 : limit liability for certain child welfare agency licensees.**

Presented by: Representative Erin Healy, District 14  
Proponents: Jennifer Stalley, Children's Home Society, Sioux Falls  
Terry Dosch, South Dakota Council of Community Behavioral Health, Pierre  
Justin G. Smith, South Dakota Association of Youth Care Providers, Sioux Falls  
Steve Siegel, South Dakota Trial Lawyers Association, Sioux Falls

**MOTION: DO PASS HB 1293**

Moved by: Bolin  
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 HB 1293 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.**

**HB 1228 : expand the ability for patients to seek investigational drugs, biological products, or devices.**

Presented by: Representative Steven Haugaard, District 10

**MOTION: DO PASS HB 1228**

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

Voting Yes: Bolin, Curd, Foster, and Steinhauer

Voting No: Rusch, V. J. Smith, and Tobin

**MOTION: ADJOURN**

Moved by: V. J. Smith

Second by: Bolin

Action: Prevailed by voice vote

Doug Mortenson, Committee Secretary

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