

Committee: Senate Health and Human Services Wednesday, February 22, 2023 7:45 AM

Roll Call

Present: Sen. Reed, Sen. Rohl, Sen. Bordeaux, Sen. Novstrup, Sen. Davis, and
 Sen. Tobin

Excused: Sen. Diedrich

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Davis

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, FEBRUARY 15TH

Moved by: Bordeaux

Second by: Reed

Action: Prevailed by voice vote

HB 1129 : modify and establish provisions related to medical cannabis.

Presented by: Representative Fred Deutsch (Handout(s) 1,2,3)

Proponents: Richard Tieszen, South Dakota Sheriffs' Association, Eureka

 Jenna R Severyn, South Dakota Police Chiefs Association, Fort Pierre

Opponents: Jeremiah M. Murphy, Cannabis Industry Association of SD, Sioux Falls

MOTION: DEFER HB 1129 TO THE 41ST LEGISLATIVE DAY

Moved by: Tobin

Second by: Reed

Action: Was not acted on.

MOTION: SUBSTITUTE MOTION: DO PASS HB 1129

Moved by: Novstrup

Action: Died for lack of a second

Revert to previous motion

MOTION: DEFER HB 1129 TO THE 41ST LEGISLATIVE DAY

Moved by: Tobin

Second by: Reed

Action: Prevailed by Majority Members Elect (4-1-2-0)

Voting Yes: Reed, Rohl, Davis, and Tobin

Voting No: Novstrup

Excused: Diedrich and Bordeaux

HB 1132 : revise provisions regarding the duties of the medical marijuana oversight committee.

Presented by: Representative Fred Deutsch

MOTION: DO PASS HB 1132

Moved by: Tobin
Second by: Rohl
Action: Prevailed by Majority Members Elect (5-0-2-0)

Voting Yes: Reed, Rohl, Novstrup, Davis, and Tobin

Excused: Diedrich and Bordeaux

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1132 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

HB 1150 : provide a medical cannabis patient a registry identification card fee waiver in certain circumstances.

Presented by: Senator Erin Tobin

MOTION: DO PASS HB 1150

Moved by: Reed
Second by: Rohl
Action: Prevailed by Majority Members Elect (5-0-2-0)

Voting Yes: Reed, Rohl, Novstrup, Davis, and Tobin

Excused: Diedrich and Bordeaux

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1150 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

HB 1172 : require a practitioner's medical assessment of a patient to occur in certain facilities for purposes of medical cannabis use.

Presented by: Representative Fred Deutsch

Staci Ackerman, South Dakota Sheriffs' Association, Eureka
Jenna R Severyn, South Dakota Police Chiefs Association, Fort Pierre
Opponents: Jeremiah M. Murphy, Cannabis Industry Association of SD, Sioux Falls
Kittrick Jeffries, Dakota Cannabis Consulting, Rapid City
Deb Peters, Cannabis Chem Lab, Dell Rapids

MOTION: AMEND HB 1172

1172D

On page 1, line 1, of the House Health and Human Services Engrossed bill, delete " in" and insert " at"
On page 1, line 1, of the House Health and Human Services Engrossed bill, delete " facilities" and
insert " locations"

On page 5, line 14, of the House Health and Human Services Engrossed bill, delete " of the facility "
and insert

On page 5, line 26, of the House Health and Human Services Engrossed bill, after "facility " insert "or
at the patient's home "

On page 6, line 3, of the House Health and Human Services Engrossed bill, after "36-5;

(6)" delete "A dentist, dental hygienist, or dental auxiliary licensed under chapter 36-6A;

(7) An optometrist licensed under chapter 36-7;

(8) "

On page 6, line 6, of the House Health and Human Services Engrossed bill, delete "(9)" and insert
"(7)"

On page 6, line 7, of the House Health and Human Services Engrossed bill, delete "(10)" and insert
"(8)"

On page 6, line 9, of the House Health and Human Services Engrossed bill, delete "(11)" and insert
"(9)"

On page 6, line 10, of the House Health and Human Services Engrossed bill, delete "(12)" and insert
"(10)"

On page 6, line 11, of the House Health and Human Services Engrossed bill, delete "(13)" and insert
"(11)"

On page 6, line 11, of the House Health and Human Services Engrossed bill, after "36-10B." insert "
Notwithstanding the requirements of this section, if a patient is home confined, the patient's medical
assessment, required to establish a bona fide practitioner-patient relationship, may
occur at the patient's home. For the purposes of this section, the term, home confined,
means that a patient is physically unable to leave the home without another person's
assistance or without medical equipment."

Moved by: Reed

Second by: Tobin

Action: Prevailed by voice vote

MOTION: DEFER HB 1172 TO THE 41ST LEGISLATIVE DAY

Moved by: Tobin

Second by: Rohl

Action: Prevailed by Majority Members Elect (4-1-2-0)

Voting Yes: Rohl, Bordeaux, Davis, and Tobin

Voting No: Novstrup

Excused: Diedrich and Reed

MOTION: ADJOURN

Moved by: Tobin

Second by: Reed

Action: Prevailed by voice vote

Mary Kirk, Committee Secretary

/s/ SYDNEY DAVIS
Sydney Davis, Vice-Chair