

Committee: Senate Health and Human Services Wednesday, January 24, 2024 7:45 AM

Roll Call

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

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Tobin

MOTION: TO APPROVE THE MINUTES OF MONDAY, JANUARY 22ND

Moved by: Reed
Second by: Bordeaux
Action: Prevailed by voice vote

**SB 82 : modify standards for a bona fide practitioner-patient relationship
required prior to the issuance of a medical cannabis certification.**

Presented by: Senator Jim Mehlhaff
Proponents: Justin Bell, South Dakota State Medical Association, Sioux Falls
 Tamara R Grove, Protecting South Dakota Kids Inc., RAPID CITY
Opponents: Jeremiah M. Murphy, Cannabis Industry Association of SD, Sioux Falls
 Craig Matson, Genesis Farms LLC, Sioux Falls
 Roger A. Tellinghuisen, Genesis Farms LLC, Sioux Falls
 Roger A. Tellinghuisen, Moyle Petroleum Company, Rapid City
 Charles Foley, Self, Rapid City

MOTION: DEFER SB 82 TO THE 41ST LEGISLATIVE DAY

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

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

Voting No: Hoffman and Novstrup

**HB 1024 : require that an application for a medical marijuana registry
identification card include a notice and acknowledgement of federal law regarding
firearms and the unlawful use of a controlled substance.**

Presented by: Representative Kevin Jensen (Handout(s) 1)
Proponents: Staci Ackerman, South Dakota Sheriffs' Association, Eureka
 Tamara R Grove, Protecting South Dakota Kids Inc., RAPID CITY
Opponents: Jeremiah M. Murphy, Cannabis Industry Association of SD, Sioux Falls

MOTION: AMEND HB 1024

1024A

On page 1, line 2, of the Introduced bill, after "notice" delete " and acknowledgement"

On page 1, line 16, of the Introduced bill, after "purposes." delete "The notice required by this section must be acknowledged by the separate signature of the qualifying patient or the patient's representative, in accordance with § 34-20G-30."

On page 1, line 19, of the Introduced bill, after "34-20G-30." delete "Section 2. That § 34-20G-34 be AMENDED:
"

On page 1, line 20, of the Introduced bill, after "AMENDED:" delete "34-20G-34. The department may deny an application or renewal of a qualifying patient's registry identification card only if the applicant:

- (1) Does not provide the required information, fee, or materials;
- (2) Does not meet the requirement to obtain a registry identification card as defined in § 34-20G-1;
- (3) Fails to acknowledge, by a separate signature, the notice required by section 1 of this Act;
- (4) Previously had a registry identification card revoked; or
- (4)(5) Provided false information."

Moved by: Rohl
Second by: Davis
Action: Prevailed by voice vote

MOTION: DO PASS HB 1024 AS AMENDED

Moved by: Rohl
Second by: Reed
Action: Prevailed by Majority Members Elect (7-0-0-0)

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

HB 1036 : require that a dispensary post notice of the federal law regarding possession of a firearm and the use of marijuana and to provide a civil penalty.

Presented by: Representative Kevin Jensen
Proponents: Senator Jim Stalzer
Tamara R Grove, Protecting South Dakota Kids Inc., RAPID CITY
Opponents: Jeremiah M. Murphy, Cannabis Industry Association of SD, Sioux Falls
Roger A. Tellinghuisen, Genesis Farms LLC, Sioux Falls
Roger A. Tellinghuisen, Moyle Petroleum Company, Rapid City

MOTION: AMEND HB 1036

1036A

On page 1, line 14, of the Introduced bill, after "of" delete " two hundred and"
On page 1, line 14, of the Introduced bill, after "day" insert " after notification of the violation"

Moved by: Novstrup
Second by: Hoffman
Action: Prevailed by Majority Members Elect (4-3-0-0)

Voting Yes: Hoffman, Novstrup, Reed, and Tobin

Voting No: Bordeaux, Rohl, and Davis

MOTION: DEFER HB 1036 TO THE 41ST LEGISLATIVE DAY

Moved by: Rohl
Second by: Davis
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION: DO PASS HB 1036 AS AMENDED

Moved by: Novstrup
Second by: Hoffman
Action: Failed by Majority Members Elect (3-4-0-0)

Voting Yes: Hoffman, Novstrup, and Tobin

Voting No: Bordeaux, Reed, Rohl, and Davis

Revert to previous motion

MOTION: DEFER HB 1036 TO THE 41ST LEGISLATIVE DAY

Moved by: Rohl
Second by: Davis
Action: Prevailed by Majority Members Elect (4-3-0-0)

Voting Yes: Bordeaux, Reed, Rohl, and Davis

Voting No: Hoffman, Novstrup, and Tobin

THE CHAIR DEFERRED HB 1012

MOTION: ADJOURN

Moved by: Rohl
Second by: Reed
Action: Prevailed by voice vote

Mary Kirk, Committee Secretary

/s/ ERIN TOBIN
Erin Tobin, Chair