

MINUTES

Medical Marijuana Oversight Committee

Representative Josephine Garcia, Chair
Senator John Carley, Vice Chair



Third Meeting, 2025 Interim
Tuesday, November 4, 2025

Room 413 – State Capitol
Pierre, South Dakota

The third interim meeting of the Medical Marijuana Oversight Committee was called to order by Representative Josephine Garcia at 10:00 a.m. (CT) on Tuesday, November 4, 2025, in Room 413 of the State Capitol, Pierre, South Dakota.

A quorum was determined with the following members answering roll call: Representatives Bobbi Andera, and Josephine Garcia, (Chair); and Senators John Carley, (Vice Chair), and Lauren Nelson; and Non-Legislators, Julie Bostic, Kasey Entwisle, Andrew Shock (remote), and Pat West. Non-Legislators Francine Arneson, Kristi Palmer, and Jon Thum were excused.

Staff members present included Matthew Server, Research Analyst; Bill Douglas, Fiscal Analyst; Dilyn Tramp, IT Support Specialist; and DeLaney Lewis, Administrative Assistant.

NOTE: For the purpose of continuity, the following minutes are not necessarily in chronological order. All referenced documents distributed at the meeting are hyperlinked to the document on the Legislative Research Council website. This meeting was live streamed. Each section contains a hyperlink to the time stamp pertaining to that item in the archived live stream available at sdlegislature.gov.

Approval of Minutes

Senator Nelson moved, seconded by Ms. Entwisle, to approve the minutes from the August 19, 2025, meeting. ([00:42.440](#))

Senator Carley moved, seconded by Senator Nelson, to approve the minutes from October 22, 2025, meeting. ([01:09.660](#))

The Testing Process for Cannabis Products and the Efficacy of Statutes and Rules to Protect Patient Safety

Mr. Jared Nieuwenhuis, President, Cannabis Chem Lab Inc., and Ms. Wendi Young, Chief Executive Officer, Triverty Analytical, shared a presentation on how the testing and accreditation process works. ([Document 1](#)) ([Document 2](#)). ([04:13.100](#))

Mr. Nieuwenhuis and Ms. Young answered questions from the committee. ([45:57.530](#))

Public Comment

Ms. Melissa Magstadt, Department Secretary, and Ms. Cassie Deffenbaugh, Licensure and Accreditation Division Director, South Dakota Department of Health (DOH) ([Document 3](#)) ([Document 4](#)) ([Document 5](#)) ([01:10:17.020](#))

Mr. Steve Haugaard, Self, Sioux Falls ([01:42:41.420](#))

Mr. Emmett Reistroffer, Self, Rapid City ([01:51:59.120](#))

Mr. Josh Wood, CEO, Dakota Natural Growers, Vermillion ([Document 6](#)) ([01:58:17.460](#))

Mr. Jeremiah Murphy, Cannabis Industry Association of South Dakota, Rapid City ([02:02:54.410](#))

Mr. Ned Horsted, CEO, 605 Cannabis, Worthing ([02:17:16.930](#))

Ms. Wendi Young, Chief Executive Officer, Triverty Analytical ([02:20:39.390](#))

Mr. Tyler Koehne, KKTK, LLC, Rapid City ([02:23:08.330](#))

Ms. Char Gamble, Cannabis Health, Rapid City ([02:30:39.530](#))

Mr. Alan Welsh, Dakota Herb, Sioux Falls ([02:36:41.110](#))

Committee Discussion

The committee discussed fines and policies for medical marijuana facilities. ([02:39:29.090](#))

Mr. Reistroffer provided public comment on the discussion. ([02:48:23.030](#))

Mr. Horsted provided public comment on the discussion. ([02:50:27.650](#))

Ms. Magstadt provided public comment on the discussion. ([02:50:27.650](#))

Senator Nelson moved, seconded by Ms. Bostic, to support collaboration with the Department of Health to ensure that fines for certified medical marijuana facilities regarding noncompliance are fair and equitable and policies established therefore. The motion prevailed on a roll call vote with 6 AYES, 1 NAY, and 4 EXCUSED. Voting AYE: Andera, Nelson, Entwisle, West, Carley, and Garcia. Voting NAY: Bostic. EXCUSED: Arneson, Palmer, Shock, and Thum. ([03:07:39.090](#))

The committee discussed requiring warning labels on medical marijuana. ([03:09:04.970](#))

Ms. Magstadt provided public comment on the discussion. ([03:11:52.250](#))

The committee discussed banning THC products in stores that are not licensed medical marijuana facilities. ([03:15:33.790](#))

Senator Carley moved, seconded by Senator Nelson, to recommend that THC products be banned in stores and THC products be sold only in licensed medical marijuana facilities. The motion prevailed on a roll call vote with 7 AYES, and 4 EXCUSED. Voting AYE: Andera, Nelson, Bostic, Entwisle, West, Carley, and Garcia. EXCUSED: Arneson, Palmer, Shock, and Thum. ([03:15:33.790](#))

The committee discussed law enforcement's access to the Prescription Drug Monitoring Program. ([03:22:13.950](#))

Ms. Magstadt provided public comment on the discussion. ([03:24:10.370](#))

Senator Nelson moved, seconded by Representative Andera, to recommend that law enforcement have access to the Prescription Drug Monitoring Program or medical marijuana card holders must produce a registry identification card to law enforcement when appropriate. The motion prevailed on a roll call vote with 6 AYES, 1 NAY, and 4 EXCUSED. Voting AYE: Andera, Nelson, Bostic, West, Carley, and Garcia. Voting NAY: Entwisle. EXCUSED: Arneson, Palmer, Shock, and Thum. ([03:19:53.930](#))

The committee discussed strengthening patient provider relationships with medical cannabis card holders. [\(03:41:19.130\)](#)

Ms. Magstadt provided public comment. [\(03:50:44.270\)](#)

Representative Garcia moved, seconded by Senator Carley, to support legislation that strengthens the patient provider relationship. [\(03:40:54.430\)](#)

The committee discussed putting caps on THC products. [\(03:53:08.910\)](#)

Senator Carley moved, seconded by Mr. West, to support putting a cap on THC percentage on medical marijuana products. The motion prevailed on a roll call vote with 4 AYES, 3 NAYS, and 4 EXCUSED. Voting AYE: Bostic, West, Carley, and Garcia. Voting NAY: Andera, Nelson, and Entwisle. EXCUSED: Arneson, Palmer, Shock, and Thum. [\(03:52:56.290\)](#)

The committee discussed consistency in inspections and fines. [\(04:00:37.330\)](#)

Representative Garcia moved, seconded by Representative Andera, to encourage continued discussion regarding consistency in inspections and fines in collaboration with the Department of Health. The motion prevailed on a roll call vote with 7 AYES and 4 EXCUSED. Voting AYE: Andera, Nelson, Bostic, Entwisle, West, Carley, and Garcia. EXCUSED: Arneson, Palmer, Shock, and Thum. [\(04:00:06.790\)](#)

The committee discussed including a pharmacist on the Medical Marijuana Oversight Committee panel. [\(04:03:43.830\)](#)

Representative Garcia moved, seconded by Senator Carley, to support legislation to revise the Medical Marijuana Oversight Committee membership to include a pharmacist, licensed in accordance with Chapter 36-11. The motion prevailed on a roll call vote with 7 AYES and 4 EXCUSED. Voting AYE: Andera, Nelson, Bostic, Entwisle, West, Carley, and Garcia. EXCUSED: Arneson, Palmer, Shock, and Thum. [\(04:03:20.350\)](#)

The committee discussed creating an interim study committee on illegal sale and distribution of products containing THC. [\(04:06:07.210\)](#)

Representative Garcia moved, seconded by Senator Carley, to support the creation of an interim study committee to study the illegal sale and distribution of products containing THC at smoke shops and other shops. The motion prevailed on a roll call vote with 6 AYES, 1 NAY, and 4 EXCUSED. Voting AYE: Andera, Bostic, Entwisle, West, Carley, and Garcia. Voting NAY: Nelson. EXCUSED: Arneson, Palmer, Shock, and Thum. [\(04:04:59.370\)](#)

The committee discussed the DOH providing education to the public on medicinal marijuana. [\(04:11:53.350\)](#)

Senator Carley moved, seconded by Julie Bostic, to recommend requiring the Department of Health to provide education to the public on marijuana and medical marijuana. The motion prevailed on a roll call vote with 6 AYES, 1 NAY, and 4 EXCUSED. Voting AYE: Andera, Nelson, Bostic, West, Carley, and Garcia. Voting NAY: Entwisle. EXCUSED: Arneson, Palmer, Shock, and Thum. [\(04:11:24.030\)](#)

The committee discussed telehealth for medical marijuana patients after the initial examination. [\(04:15:41.710\)](#)

Ms. Entwisle moved, seconded by Senator Nelson, to support legislation to provide telehealth services to patients of the medical marijuana program following the initial physical examination. The motion prevailed on a roll call vote with 5 AYES, 2 NAYS, and 4 EXCUSED. Voting AYE: Andera, Nelson, Bostic, Entwisle, and Garcia. Voting NAY: West and Carley. EXCUSED: Arneson, Palmer, Shock, and Thum. [\(04:14:35.770\)](#)

The committee discussed recommending mandatory reporting from the DOH related to marijuana hospitalizations in relation to medicinal marijuana. [\(04:23:42.250\)](#)

Senator Carley moved, seconded by Pat West, to recommend mandatory reporting from the Department of Health of hospitalizations, drugged driving, and poison control related to marijuana and indicating when it's medical marijuana. The motion prevailed on a roll call vote with 6 AYES, 1 NAY, and 4 EXCUSED. Voting AYE: Andera, Nelson, Bostic, West, Carley, and Garcia. Voting NAY: Entwisle. EXCUSED: Arneson, Palmer, Shock, and Thum. (04:22:33.310)

The committee discussed including a representative from the medical marijuana industry on the Medical Marijuana Oversight Committee panel. [\(04:26:30.250\)](#)

Representative Andera moved, seconded by Ms. Entwisle, to support legislation to revise the Medical Marijuana Oversight Committee membership to include a representative of the medical marijuana industry. The motion failed on a roll call vote with 3 AYES, 4 NAYS, and 4 EXCUSED. Voting AYE: Andera, Nelson, and Entwisle. Voting NAY: Bostic, West, Carley, and Garcia. EXCUSED: Arneson, Palmer, Shock, and Thum. (04:26:06.090)

Public Comment

Mr. Murphy [\(04:33:36.570\)](#)

Mr. Jeffries [\(04:34:56.530\)](#)

Mr. Reistroffer [\(04:40:21.170\)](#)

Mr. Horsted [\(04:43:18.670\)](#)

Mr. Mitch Richter, Genesis Farms, Rapid City [\(04:44:06.990\)](#)

Ms. Young [\(04:47:06.610\)](#)

Representative Travis Ismay, Self, Newell [\(04:48:54.570\)](#)

Ms. Char Gamble [\(04:50:13.630\)](#)

Ms. Magstadt [\(04:52:52.130\)](#)

Committee Discussion

Closing remarks from the committee. [\(04:53:59.530\)](#)

Adjournment

Representative Garcia moved, seconded by Representative Andera, that the Medical Marijuana Oversight Committee be adjourned. The motion prevailed on a voice vote. (05:02:31.170)

The Medical Marijuana Oversight Committee adjourned at 4:18 p.m. (CT).