2023 SENATE HUMAN SERVICES

SB 2078

2023 SENATE STANDING COMMITTEE MINUTES

Human Services Committee
Fort Lincoln Room, State Capitol

SB 2078
2/7/2023
9:00 AM

Relating to the appeals process for a medical marijuana registry identification card for qualified patients and designated caregivers, referral of credible criminal complaints, and the appeals process for a compassion center agent or compassion center.

9:00 AM **Madam Chair Lee** called the hearing to order. **Senators Lee, Cleary, Clemens, K. Roers, Weston** were present**. Hogan** was absent**.**

Discussion Topics:

- Appeal 30 days
- Complaint notification

9:01 AM **Jason Wahl, Medical Marijuana Director, North Dakota Department of Health and Human Services** introduced SB 2078 in favor #19325

9:04 AM **Madam Chair Lee** closed the hearing.

Senator Cleary moves **DO PASS.**
Senator Clemens seconded.

Roll call vote.

Senators	Vote
Senator Judy Lee	Y
Senator Sean Cleary	Y
Senator David A. Clemens	Y
Senator Kathy Hogan	Y
Senator Kristin Roers	Y
Senator Kent Weston	Y

Motion passed 6-0-0.

Held vote open for **Senator Hogan** at 9:00 AM 2/7/2023**; Senator Hogan** voted **Yes** on SB 2078 at 9:25 AM on 2/7/2023.

Senator Cleary will carry SB 2078.

9:05 AM **Madam Chair Lee** closes the hearing.

Patricia Lahr, Committee Clerk

REPORT OF STANDING COMMITTEE

SB 2078: Human Services Committee (Sen. Lee, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2078 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

2023 SENATE STANDING COMMITTEE MINUTES

Human Services Committee
Fort Lincoln Room, State Capitol

SB 2078
2/7/2023
9:24 AM

Relating to the appeals process for a medical marijuana registry identification card for qualified patients and designated caregivers, referral of credible criminal complaints, and the appeals process for a compassion center agent or compassion center.

9:25 AM **Madam Chair Lee** called the meeting to order. **Senators Lee, Cleary, Clemens, K. Roers, Weston, Hogan** are present.

Held vote open for **Senator Hogan** at 9:00 AM 2/7/2023**; Senator Hogan** voted **Yes** on SB 2078 at 9:25 AM on 2/7/2023.

9:25 AM **Madam Chair Lee** closes the meeting.

Patricia Lahr, Committee Clerk

2023 HOUSE HUMAN SERVICES

SB 2078

2023 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee
Pioneer Room, State Capitol

SB 2078
3/20/2023

Relating to the appeals process for a medical marijuana registry identification card for qualified patients and designated caregivers, referral of credible criminal complaints, and the appeals process for a compassion center agent or compassion center.

Chairman Weisz called the meeting to order at 3:01 PM.

Chairman Robin Weisz, Vice Chairman Matthew Ruby, Reps. Karen A. Anderson, Mike Beltz, Clayton Fegley, Kathy Frelich, Dawson Holle, Dwight Kiefert, Carrie McLeod, Todd Porter, Brandon Prichard, Karen M. Rohr, Jayme Davis, and Gretchen Dobervich present. Rep. Prichard and Rep. Davis not present.

Discussion Topics:

- Registration Application Denials
- Medical Marijuana Program
- Appeals
- Credible Criminal Complaints

Sen. Lee introduced SB 2078, no written testimony.

Jason Wahl, North Dakota Medical Marijuana Program, supportive testimony #25802.

Rep. Porter moved a do pass on SB 2078.

Seconded by Rep. Beltz.

Roll call vote:

Representatives	Vote
Representative Robin Weisz	Y
Representative Matthew Ruby	Y
Representative Karen A. Anderson	Y
Representative Mike Beltz	Y
Representative Jayme Davis	AB
Representative Gretchen Dobervich	Y
Representative Clayton Fegley	Y
Representative Kathy Frelich	Y
Representative Dawson Holle	Y
Representative Dwight Kiefert	Y
Representative Carrie McLeod	Y
Representative Todd Porter	Y
Representative Brandon Prichard	AB
Representative Karen M. Rohr	Y

Motion carries 12-0-2. Carried by Rep. Fegley.

Chairman Weisz adjourned the meeting at 3:11 PM.

Phillip Jacobs, Committee Clerk

REPORT OF STANDING COMMITTEE

SB 2078: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2078 was placed on the Fourteenth order on the calendar.

TESTIMONY

SB 2078

NORTH Dakota | Health & Human Services
Be Legendary.

Senate Bill 2078
Human Services
February 7, 2023 9:00 am

Good morning Chairwoman Lee and members of the Senate Human Services Committee. My name is Jason Wahl, Medical Marijuana Director within the Department of Health and Human Services (Department). I am here in favor of Senate Bill 2078 related to proposed additional language for appeals and a modification to referring credible criminal complaints to law enforcement.

The changes in the bill relate to two areas:

1. Sections 1, 3, and 4 propose language to add a time period for the appeals process when the Department denies an application for a registry identification card or revokes a registry identification card. While state law identifies such decisions may be appeals to the district court of Burleigh County, there is no time period set as to when an appeal is to be filed. Our Assistant Attorney General recommended the law have a specified time period and 30 days was determined to be a reasonable amount of time.
2. Section 2 would change the word 'shall' to 'may' for referring credible criminal complaints against a cardholder to law enforcement. Thus, the Department would not be required to contact law enforcement when minor issues arise and burden law enforcement personnel who are already facing resource challenges.

This concludes my testimony. I am happy to answer questions you may have.

NORTH Dakota | Health & Human Services
Be Legendary.

Senate Bill 2078
Human Services
March 20, 2023 3:00 pm

Good afternoon, Chair Weisz and members of the House Human Services Committee. My name is Jason Wahl, Medical Marijuana Director within the Department of Health and Human Services (Department). I am here in favor of Senate Bill 2078 related to proposed additional language for appeals and a modification to referring credible criminal complaints to law enforcement.

The changes in the bill relate to two areas:

1. Sections 1, 3, and 4 propose language to add a time period for the appeals process when the Department denies an application for a registry identification card or revokes a registry identification card. While state law identifies such decisions may be appealed to the district court of Burleigh County, there is no time period set as to when an appeal is to be filed. Our Assistant Attorney General recommended the law have a specified time period and 30 days was determined to be a reasonable amount of time.
2. Section 2 would change the word 'shall' to 'may' for referring credible criminal complaints against a cardholder to law enforcement. Thus, the Department would not be required to contact law enforcement when minor issues arise and burden law enforcement personnel who are already facing resource challenges.

This concludes my testimony. I am happy to answer questions you may have.