

2023 SENATE HUMAN SERVICES

SB 2102

2023 SENATE STANDING COMMITTEE MINUTES

Human Services Committee
Fort Lincoln Room, State Capitol

SB 2102
1/4/2023

Relating to fingerprint based criminal history record checks for the department of health and human services, and compassion centers.

9:12 AM **Madam Chair Lee** called the hearing to order. **Senators Lee, Cleary, Clemens, K. Roers, Weston** are present. **Senator Hogan** was absent.

9:14 AM **Jason Wahl, Director of Division of Medical Marijuana**, provided testimony on SB 2102 in favor. #12266

9:20 AM **Madam Chair Lee** closed the hearing.

Senator Lee called for discussion.

Senator K. Roers moved **DO PASS**.

Senator Cleary seconded the motion.

Roll call vote.

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

The motion passed 5-0-1.

Senator K. Roers carries SB 2102.

9:21AM **Madam Chair Lee** adjourned the hearing.

Patricia Lahr, Committee Clerk

REPORT OF STANDING COMMITTEE

SB 2102: Human Services Committee (Sen. Lee, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2102 was placed on the Eleventh order on the calendar. This bill affects workforce development.

2023 HOUSE HUMAN SERVICES

SB 2102

2023 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee Pioneer Room, State Capitol

SB 2102
3/6/2023

Relating to fingerprint-based criminal history record checks for the department of health and human services, and compassion centers.

Chairman Weisz called the meeting to order at 11:03 AM.

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. All present.

Discussion Topics:

- Services to victims of child abuse
- State medical marijuana program

Jason Wahl, with the North Dakota Medical Marijuana Program, supportive testimony (#21922).

Chairman Weisz closed the hearing on SB 2102 at 11:06 AM.

Rep. Porter moved a do pass on SB 2102.

Seconded by Rep. Beltz.

Roll Call Vote:

Representatives	Vote
Representative Robin Weisz	Y
Representative Matthew Ruby	AB
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	Y
Representative Karen M. Rohr	Y

Motion carries 12-0-2.

House Human Services Committee

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Carried by Rep. Prichard.

Chairman Weisz adjourned the meeting at 11:08 AM.

Phillip Jacobs, Committee Clerk

REPORT OF STANDING COMMITTEE

SB 2102: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2102 was placed on the Fourteenth order on the calendar.

TESTIMONY

SB 2102

Good morning Chairwoman Lee and members of the Senate Human Services Committee. My name is Jason Wahl, Director of the Division of Medical Marijuana within the Department of Health and Human Services (Department). I am here to provide information on Senate Bill 2102 related to proposed changes to language regarding criminal history record checks. The purposes of these changes are to provide clarification in state law and to provide details regarding individuals who are to be fingerprinted to obtain an agent registry identification card within the Medical Marijuana Program.

Under state law, the Department is to conduct a criminal history record check of designated caregivers and agents of manufacturing facilities and dispensaries. The criminal history record checks are to be performed upon initial application and biennially after the initial registration.

Last session, changes were made to state law related to criminal history record checks. The changes were a result of concerns voiced by representatives of the Federal Bureau of Investigation (FBI) who wanted clarification in state law. Unfortunately, after last session ended FBI representatives voiced additional concerns about language in state law and requested additional changes. Based on our conversations with other states, North Dakota is not unique in having to modify state law in attempt to alleviate concerns of the FBI to continue to have criminal history record checks performed on individuals registered in medical marijuana programs.

Our Assistant Attorney General worked with FBI representatives regarding changes and additions to state law to alleviate their concerns to allow the Division of Medical Marijuana to continue submitting fingerprints and receive criminal history record checks. Specifically, the changes in this bill:

- Modifies language related to the Department having criminal history record checks conducted (Section 1);

- Adds definitions for the terms 'agent,' 'manager,' and 'member' (Section2); and
- Removes language related to the State Health Officer (Section 3).

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

Good morning 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 to provide information on Senate Bill 2102 related to proposed changes to language regarding criminal history record checks. The purposes of these changes are to provide clarification in state law and to provide details regarding individuals who are to be fingerprinted to obtain an agent registry identification card within the Medical Marijuana Program.

Under state law, the Department is to conduct a criminal history record check of designated caregivers and agents of manufacturing facilities and dispensaries. The criminal history record checks are to be performed upon initial application and biennially after the initial registration.

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