

1 TO THE HONORABLE SENATE:

2 The Committee on Economic Development, Housing and General Affairs to  
3 which was referred Senate Bill No. 241 entitled “An act relating to personal  
4 possession and cultivation of cannabis and the regulation of commercial  
5 cannabis establishments” respectfully reports that it has considered the same  
6 and recommends that the bill be amended as follows:

7 First: In Sec. 9, 18 V.S.A. § 4230a(b), by striking out subdivision (6) in its  
8 entirety and by renumbering the remaining subdivisions in subsection (b) to be  
9 numerically correct.

10 Second: In Sec 9, 18 V.S.A. § 4230a, after subsection (d) by inserting a  
11 subsection (e) to read as follows:

12 (e) Nothing in this section shall be construed to do any of the following:

13 (1) require an employer to permit or accommodate the use,  
14 consumption, possession, transfer, display, transportation, sale, or growing of  
15 cannabis in the workplace;

16 (2) prevent an employer from adopting a policy that restricts the use of  
17 cannabis by employees;

18 (3) prevent an employer from adopting a policy that prohibits the use of  
19 cannabis in the workplace;

1           (4) create a cause of action against an employer that discharges an  
2           employee for violating a policy that restricts or prohibits the use of cannabis by  
3           employees; or

4           (5) prevent an employer from prohibiting or otherwise regulating the  
5           use, consumption, possession, transfer, display, transportation, sale, or growing  
6           of cannabis on the employer’s premises.

7           Third: In Sec. 12, 18 V.S.A. § 4547, in subdivision (??) by striking out the  
8           word “and” and by striking out subdivision (??) in its entirety and inserting in  
9           lieu thereof the following:

10           (??) study whether Vermont’s workers’ compensation and  
11           unemployment insurance systems are adversely impacted by marijuana use and  
12           identify regulatory or legislative measures to mitigate any adverse impacts;

13           (??) examine the issue of marijuana in the workplace and determine  
14           whether Vermont’s workplace drug testing laws should be amended to provide  
15           employers with broader authority to conduct drug testing, including by  
16           permitting drug testing based on a reasonable suspicion of drug use, or by  
17           authorizing employers to conduct post-accident, employer-wide, or  
18           post-rehabilitation follow-up testing of employees.

19           (??) examine the impact of marijuana use on workplace safety and  
20           identify regulatory or legislative measures to address adverse impacts and  
21           enhance workplace safety; and

1           (?) report any recommendations to the General Assembly or the  
2 Governor, or both, as needed.

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5           (Committee vote: \_\_\_\_\_)

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Senator \_\_\_\_\_

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FOR THE COMMITTEE

DRAFT