

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 after Sec. ???, by inserting a Sec. ???
7 to read as follows:

8 Sec. ???. EMPLOYMENT DRUG TESTING; STUDY COMMITTEE;

9 REPORT

10 (a) Creation. There is created an Employment Drug Testing Study
11 Committee to study the potential expansion of Vermont’s employment drug
12 testing laws to permit employers to require an employee to submit to drug
13 testing following an accident that occurs in the course of employment.

14 (b) Membership. The Committee shall be composed of the following nine
15 members:

16 (1) the Secretary of Commerce and Community Development or
17 designee;

18 (2) the Commissioner of Labor or designee;

19 (3) the Commissioner of Health or designee;

20 (4) three individuals representing the interests of employees, one of
21 whom shall be appointed be appointed by the Speaker of the House, one of

1 whom shall be appointed by the Senate Committee on Committees, and one of
2 whom shall be appointed by the Governor; and

3 (5) three individuals representing the interests of employers, one of
4 whom shall be appointed be appointed by the Speaker of the House, one of
5 whom shall be appointed by the Senate Committee on Committees, and one of
6 whom shall be appointed by the Governor.

7 (c) Powers and duties. The Committee shall study the potential expansion
8 of Vermont’s employment drug testing laws to permit employers to require an
9 employee to submit to drug testing following an accident that occurs in the
10 course of employment, including the following questions:

11 (1) whether post-accident drug testing should be permitted for all
12 occupations or only for certain occupations, such as those related to public
13 safety or the operation of heavy equipment;

14 (2) whether other jurisdiction’s post-accident drug-testing requirements
15 might provide a model for the expansion of Vermont’s employment drug
16 testing laws; and

17 (3) whether any additional procedural requirements or protections would
18 be necessary to expand Vermont’s employment drug testing laws to permit
19 post-accident testing.

1 (d) Assistance. The Committee shall have the administrative, technical,
2 and legal assistance of the Agency of Commerce and Community
3 Development, the Department of Labor, and the Department of Health.

4 (e) Report. On or before December 1, 2016, the Committee shall submit a
5 written report to the House Committee on General, Housing and Military
6 Affairs and the Senate Committee on Economic Development, Housing and
7 General Affairs with its findings and any recommendations for legislative
8 action.

9 (f) Meetings.

10 (1) The Secretary of Commerce or designee shall call the first meeting
11 of the Committee to occur on or before September 15, 2016.

12 (2) The Committee shall select a chair from among its members at the
13 first meeting.

14 (3) A majority of the membership shall constitute a quorum.

15 (4) The Committee shall cease to exist on December 31, 2016.

16 (g) Reimbursement. Members of the Committee who are not employees of
17 the State of Vermont and who are not otherwise compensated or reimbursed
18 for their attendance shall be entitled to reimbursement of expenses pursuant to
19 32 V.S.A. § 1010 for no more than four meetings.

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1 (Committee vote: _____)

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Senator _____

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FOR THE COMMITTEE

DRAFT