

House Appropriations Amendment 1.1 Guidance

See doc #346044 for amendment

Highlights indicate changes to HGO amendment;
~~strike through~~ indicate deleted HGO language;
italics indicate new language proposed by Appropriations

Sec. 2. 7 V.S.A. chapter 31 is added to read:

CHAPTER 31. CANNABIS

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Subchapter 2. Cannabis Control Board

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§ 843. CANNABIS CONTROL BOARD; DUTIES; MEMBERS

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(c) Membership.

(1) The Board shall be composed of a chair and ~~four~~ **two** members appointed by the Governor in accordance with sections 841 and 842 of this title.

(2) All Board members shall serve for a term of three years or until a successor is appointed and shall be eligible for reappointment, provided that no member may serve more than three terms.

(3) A vacancy created before the expiration of a term shall be filled in the same manner as the original appointment for the unexpired portion of the term. A member appointed to fill a vacancy created before the expiration of a term shall not be deemed to have served a term for the purpose of subdivision (2) of this subsection.

(4) A member may be removed only for cause by the remaining members of the Commission in accordance with the Vermont Administrative Procedure Act.

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Sec. 3. IMPLEMENTATION OF THE CANNABIS CONTROL BOARD

(a) The Cannabis Control Board, created in Sec. 2 of this act, is established on June 1, 2020.

(b) Members of the Board shall be appointed on or before September 1, 2020 and terms of members shall officially begin on such date.

(c)(1) In order to stagger the terms of the members of the Board, the initial terms of those members shall be as follows:

(A) the Chair shall serve for a three-year term;

(B) ~~two members~~ *one member* shall serve for a two-year term; and

(C) ~~two members~~ *one member* shall serve for a one-year term.

(2) After the expiration of the initial terms set forth in subdivision (1) of this subsection, Board member terms shall be as set forth in 7 V.S.A. § 843.

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Sec. 5. CANNABIS CONTROL BOARD REPORT TO THE GENERAL

ASSEMBLY; PROPOSAL FOR POSITIONS, FEES, AND
 APPROPRIATIONS FOR FISCAL YEARS 2022 AND 2023; LAND
 USE, ENVIRONMENTAL, ENERGY, AND EFFICIENCY
 REQUIREMENTS OR STANDARDS; OUTREACH, TRAINING,
 AND EMPLOYMENT PROGRAMS; ONLINE ORDERING AND
 DELIVERY; ADDITIONAL TYPES OF LICENSES

(a) On or before January 15, 2021, the Executive Director of the Cannabis Control Board shall provide recommendations to the General Assembly on the following:

* * *

(2) Fees to be charged and collected in accordance with the Board's authority pursuant to 7 V.S.A. § 847. The recommendations shall be accompanied by information justifying the recommended rate as required by 32 V.S.A. § 605(d). The fees submitted in accordance with this subdivision are projected, at a minimum, to equal the cost of application and license fees for marijuana establishments in the Commonwealth of Massachusetts that are collected by the Cannabis Control Commission. The Board may recommend fees that are lower or higher, provided they are designed to provide sufficient funding to meet the duties of the Cannabis Control Board as provided in 7 V.S.A. § 843 and retire and deficit in the fund by the close of fiscal year 2025.

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Sec. 6. CANNABIS CONTROL BOARD; POSITIONS

The following new permanent positions are created in the Cannabis Control Board:

- (1) ~~five~~ *three* full-time, exempt members of the Board;
- (2) one full-time, exempt Executive Director of the Board; and
- (3) one full-time, classified Administrative Assistant.

Sec. 6b. APPROPRIATION

In fiscal year 2021, ~~\$810,000.00~~ *\$860,000.00* is appropriated from the Cannabis Regulation Fund to the Cannabis Control Board. This appropriation is made in anticipation of receipts in the Fund.

Sec. 6c. CONTINGENT CANNABIS REGULATION FUND DEFICIT

OFFSET

To the extent that the Cannabis Regulation Fund has a negative balance at the close of the fiscal year ~~2022~~ 2025, proceeds in that amount from the tax established in 32 V.S.A. § 7901 in fiscal year ~~2023~~ 2026 shall be deposited into the Cannabis Regulation Fund.

Sec. 6e. REPEAL OF CANNABIS CONTROL BOARD

The following are repealed on July 1, 2024:

(1) 7 V.S.A. § 841 (Cannabis Control Board; appointment);

(2) 7 V.S.A. § 842 (Cannabis Control Board Nominating Committee); and

(3) 7 V.S.A. § 843 (Cannabis Control Board; members; duties).

Sec. 22. EFFECTIVE DATES

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(d) ~~Secs. 6c and Sec. 6d~~ shall take effect on July 1, 2022.

(e) Sec. 6e (repeal of Cannabis Control Board) shall take effect on January 1, 2024.

(f) Sec. 6c (contingent Cannabis Regulation Fund deficit offset) shall take effect on July 1, 2024.