



To: Government Operations Committee
From: Laura Subin, director, Vermont Coalition to Regulate Marijuana
Re: Supplemental Material and Sample Language on S. 54

§ 841 Cannabis Control Board

One of the best ways this legislation could promote equity priorities is to embed them in the composition of the Cannabis Control Board the bill would create. Vermont should follow the example of Massachusetts and reserve an appointment on that Board for someone with expertise in legal, policy and social and economic justice.

Massachusetts requires that one commissioner have: “a background in legal, policy or social justice issues related to a regulated industry.” However, the commissioner filling that appointment recommends changing the “or” to an “and” and adding the word “economic.”

The Committee expressed interest in more information about how other states have constituted marijuana boards and the expertise they require from appointees to those boards. A comprehensive list of the rules or legislation governing other states Cannabis Control Boards (or the equivalent) is available in the Governor’s Marijuana Commission [Taxation and Regulation Subcommittee Final Report](#) Appendix 1.3, Boards and Authorities in Other States (pp 61-70).

§863 Regulation by Local Government

The Committee expressed concern about the possibility of a municipality enacting restrictions that would effectively ban cannabis establishments, even where voters have not chosen to do so. We recommend the Committee consider adding language such as the following to avoid this possibility:

Sample Language: A municipality that has not prohibited cannabis establishments may not implement a permitting process, regulations, or bylaws that result in a de facto prohibition of cannabis establishments in the municipality or that require such a high investment of risk, money, time, or any other resource or asset that the operation of a cannabis establishment is not worthy of being carried out in practice by a reasonably prudent business person.