

Highlights for Week Ending February 27, 2016

STATE OF VERMONT

S.241 – Personal possession and cultivation of cannabis and the regulation of commercial cannabis establishments (Legalization of Marijuana)

This bill was passed out of the Senate by a 17-12 vote on Thursday, allowing adults 21 years of age and older to possess up to one ounce of marijuana. The Senate Appropriations Committee approved \$2.1 million to be used toward marijuana regulation efforts. The bill now heads to the House Judiciary Committee and then to Appropriations and Ways & Means. It is projected that if passed through the House and signed in to law, this legislation would generate \$20 million annually for the state via a 25% tax. Starting on or before June 15, 2017, the Department of Public Safety would begin to issue licenses to up to 15 retailers and up to 27 cultivators.

A representative from the Associated General Contractors of Vermont spoke up against the bill, stating “the push to legalize marijuana has concerned many of the employers their trade group represents. The bill raises concerns about worker safety in a field that involves operation of heavy machinery and further, and does nothing to help the employers address workplace safety with a drug that’s deemed illegal by the federal government.”

Debate in the Senate prior to passage of the bill was fierce. More to follow on this controversial proposed legislation in the coming months.

H.261 – Criminal record inquiries by an employer (Ban the Box)

Governor Shumlin signed an executive order in April 2016 to “ban the box” for the hiring of State of Vermont Employees. All questions relative to criminal history have been removed from the first stage of job applications for any state position. If an applicant for a state job is clearly identified as being qualified for the position, only then is a background check conducted on the applicant.

H.261 proposes to include all employers in the “ban the box” rule, and would prohibit the disclosure of criminal history record information on a preliminary application. An employer could inquire about such history during an interview or once the applicant had been deemed qualified during the hiring process.

This bill is currently in the House General, Housing & Military Affairs Committee. More information can be found at: <http://legislature.vermont.gov/bill/status/2016/H.261>.

As a reminder, this coming week kicks off Town Meeting Week in Vermont and the legislature is not in session.

For more information about the SHRM Vermont State Council Legislative Employment Law and Legislative Advocacy Update, please contact Shelley Field at 802-772-2215 or shelley.field@casella.com.