

From: Noonan, Annie [Annie.Noonan@vermont.gov]
Sent: Tuesday, January 26, 2016 7:11 PM
To: Pepper, James; Allen, Susan
CC: Coriell, Scott
Subject: Re: Confidential and Privileged (new issue also listed in this email)

I don't believe that VDOL will be called in on marijuana, but I will let you know if we get any questions at all.

Also, what's going on with Paid Sick Days vis-a-vis TEMPS and Judicial employees? VDOL got the fiscal issue from VDOL off the table, but now the Committee is focused on State of Vermont Temporary employees and other in the exclusion list. Jahala heard the testimony this morning, and I am sure filled you in.

I stopped by the statehouse office after Senate Ec today to discuss, and ran into Lindsay Deslaurier who informed me that there was discussion relating to how to handle the State Temps -- and that it was likely being "punted" to VDOL to resolve in VDOL's Rule-making process. I told her that this kind of decision, i.e. who is covered, who is not, and the financial cost implications to State government agencies and departments of any such decisions, are not the kind of issues that gets decided and promulgated through rules. She said that the idea was being discussed with you all and Tom Cheney. She apparently discussed it with Tom and Matt Hill before I came along.

If there are discussions on this issue that may or will further impact VDOL, please call or text me for the discussions. VDOL is already on the hook for more work and more money than anyone else in state government as it related to this bill, which you know. Asking VDOL to address critical questions though rules, that the legislature needs to decide, is not prudent. I know you agree with this, but it was disconcerting to have Lindsay D "advising me" of this alleged strategy in the hallway. It puts me in the position of having to come across to her as negative on the bill, when we are truly trying to help get it across the finish line; but I can't let that kind of idea float out there from her without providing both a reaction and a reality check.

I am scheduled with Dirk to go back in tomorrow. We have tried to assist Damien Leonard this afternoon and evening with redrafting / questions.

Anne M. Noonan
Commissioner
Vermont Department of Labor
802-828-4301
email: annie.noonan@vermont.gov

On Jan 26, 2016, at 6:38 PM, "Pepper, James" <James.Pepper@vermont.gov> wrote:

Thanks for the heads up Annie. Currently the bill does not have any changes to the drug testing provisions. Economic development is going to be looking at the bill on Thursday.

I think they are going to make suggestions but not formally take up the bill. If there are going to be any changes, they would probably come from those suggestions. I'll keep you posted, but please let me know if economic development asks you to come in on this issue.

Sent from my iPhone

On Jan 26, 2016, at 6:26 PM, Allen, Susan <Susan.Allen@vermont.gov> wrote:

Thanks Annie. I'm copying Pepper, who is our front-guy on pot. Sue

From: Noonan, Annie [<mailto:Annie.Noonan@vermont.gov>]
Sent: Tuesday, January 26, 2016 6:01 PM
To: Coriell, Scott <Scott.Coriell@vermont.gov>; Allen, Susan <Susan.Allen@vermont.gov>
Subject: Confidential and Privileged

Scott and Sue:

I believe that I have mentioned this before, but as a reminder....
One of the things I have been asked by some Vermont employers is if the statutory provisions restricting drug testing for employees will be "adjusted" in light of legalization. I have said that I am unaware of any proposed changes. As you might imagine, any changes would be like a can of gasoline and a match vis-a-vis the Labor community. But that is the chatter I have heard from some business folks. Heads up.
Annie

Anne M. Noonan
Commissioner
Vermont Department of Labor
802-828-4301
email: annie.noonan@vermont.gov

On Jan 26, 2016, at 2:19 PM, "Coriell, Scott"
<Scott.Coriell@vermont.gov> wrote:

FOR IMMEDIATE RELEASE
January 26, 2016

**Gov. Shumlin Statement on Bill to Legalize
Marijuana in Vermont**

MONTPELIER – Gov. Peter Shumlin and
Chairman of the Senate Judiciary Committee
Richard Sears (D-Bennington) today detailed

legislation to cautiously and deliberately legalize marijuana in Vermont. The move comes after the Governor announced in his State of the State Address that he and Senator Sears would work to draft common-sense legislation to better regulate and eliminate the black market for a substance that over 80,000 Vermonters – almost one in eight – already report using on a monthly basis.

“The War on Drugs has failed when it comes to marijuana prohibition,” Gov. Shumlin said. “Under the status quo, marijuana use is widespread, Vermonters have little difficulty procuring it for personal use, and the shadows of prohibition make it nearly impossible to address key issues like prevention, keeping marijuana out of the hands of minors, and dealing with those driving under the influence who are already on Vermont’s roads. The system has failed. The question for us is how do we deal with that failure. Vermont can take a smarter approach that regulates marijuana in a thoughtful way, and this bill provides a framework for us to do that.”

In his State of the State Address, the Governor outlined five principles he will insist on in any legislation to legalize marijuana.

- A legal market must keep marijuana and other drugs out of the hands of underage kids. With 83 percent of Vermont youth saying that marijuana is easy or somewhat easy to obtain, the current system doesn’t do this.
- The tax imposed must be low enough to wipe out the black market and get rid of the illegal drug dealers.
- Revenue from legalization must be used to expand addiction prevention programs.
- Law enforcement’s capacity to improve the response to impaired drivers under the influence of marijuana who are already on Vermont’s roads must be strengthened.
- The sale of edibles must be prohibited at first.

“The legislation outlined today meets these criteria,” Gov. Shumlin said. “I want to thank Senator Sears for his thoughtful approach on this issue.”

Because Vermont has already taken steps to decriminalize small amounts of marijuana, the legislation introduced today does not require repealing any criminal penalties under Vermont law.

On the critical issue of keeping marijuana out of the hands of underage kids, the legislation outlines a number of steps, including:

- No person under the age of 21 will be permitted on the premises of a marijuana establishment.
- Advertising and labeling may not be used to appeal to children or youth.
- Marijuana establishments are prohibited from being located within 1,000 feet of a school or child care center.
- And civil and criminal penalties will be established for furnishing marijuana to those under 21. Current civil and criminal penalties will also remain in place for those using or possessing marijuana underage.

In order to improve the response to impaired drivers under the influence of marijuana, alcohol, and other substances already on Vermont’s roads, the legislation calls for ten additional law enforcement officers to be trained as drug recognition experts and an additional 25 new State Troopers to be added over the next three years. It also calls for the Governor’s Highway Safety Program to expand its public education and prevention campaign to discourage impaired or drugged driving and adds to Vermont’s open container law, preventing its use in a motor vehicle.

Going forward, the Senate Health and Welfare Committee will work with the Department of Health to include prevention provisions and the Senate Finance Committee will work to set a tax

rate that undercuts the black market, both priorities of the Governor.

###