

1 S.54

2 Representatives Young of Greensboro, Ancel of Calais, Anthony of Barre
3 City, Beck of St. Johnsbury, Brennan of Colchester, Browning of Arlington,
4 Canfield of Fair Haven, Donovan of Burlington, Masland of Thetford, Scheu
5 of Middlebury, and Till of Jericho move that the report of the Committee on
6 Government Operations, as amended by the Committee on Ways and Means,
7 be further amended as follows:

8 First: In Sec. 2, 7 V.S.A. § 845 (Cannabis Regulation Fund) by striking out
9 subsection (b) in its entirety and inserting in lieu thereof a new subsection (b)
10 to read as follows:

11 (b) The Fund shall be composed of all State application fees, annual license
12 fees, renewal fees, identification card fees, advertising review fees, and civil
13 penalties collected by the Board pursuant to this chapter and chapter 33 of this
14 title.

15 Second: In Sec. 2, by striking out 7 V.S.A. § 846 (fees) in its entirety and
16 inserting in lieu thereof a new 7 V.S.A. § 846 to read as follows:

17 § 846. FEES

18 (a) The Board shall have the authority to charge and collect State and local
19 fees as provided under this chapter and chapter 33 of this title. State and local
20 fees shall be due and payable at the time of application or renewal.

21 (b) The Board shall deposit State fees into the Cannabis Regulation Fund.

1 (c) After reduction for costs of administration and collection, the Board
2 shall pay local fees on a quarterly basis to the municipality in which the fees
3 were collected.

4 Third: In Sec. 5 (Cannabis Control Board report), by striking out
5 subsection (a) in its entirety and inserting in lieu thereof a new subsection (a)
6 to read as follows:

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

10 (1) Resources necessary for implementation of this act for fiscal years
11 2022 and 2023, including positions and funding. The Board shall consider
12 utilization of current expertise and resources within State government and
13 cooperation with other State departments and agencies where there may be an
14 overlap in duties.

15 (2) State fees to be charged and collected in accordance with the
16 Board’s authority pursuant to 7 V.S.A. § 846. The recommendations shall be
17 accompanied by information justifying the recommended rate as required by
18 32 V.S.A. § 605(d). The State fees submitted in accordance with this
19 subdivision shall be projected to be sufficient to fund the duties of the
20 Cannabis Control Board as provided in 7 V.S.A. § 843. To the extent possible,
21 the recommend fees shall include an amount to repay over a period, not greater

1 than 10 years, to the General Fund any application of excise taxes to the
2 Cannabis Regulation Fund made pursuant to Sec. 6c of this act.

3 (A) Application fees, initial annual license fees, and annual license
4 renewal fees for each type of cannabis establishment license as provided in
5 7 V.S.A. § 846: cultivator, product manufacturer, wholesaler, retailer, testing
6 laboratory, and integrated. If the Board establishes tiers within a licensing
7 category, it shall provide a fee recommendation for each tier.

8 (B) Fee for a cannabis establishment identification card as provided
9 in 7 V.S.A. § 884.

10 (C) Fee for advertisement review for a cannabis establishment
11 licensee as provided in 7 V.S.A. § 845.

12 (3) Whether monies expected to be generated by State fees identified in
13 subdivision (2) of this subsection are sufficient to support the statutory duties
14 of the Board and whether any portion of the tax established pursuant to
15 32 V.S.A. § 7902 should be allocated to the Cannabis Regulation Fund to
16 ensure these duties are met.

17 (4) Local fees to be charged and collected in accordance with the
18 Board's authority pursuant to 7 V.S.A. § 846. The recommendations shall be
19 accompanied by information justifying the recommended rate as required by
20 32 V.S.A. § 605(d). The Board shall recommend local fees that are designed

- 1 to help defray the costs incurred by municipalities in which cannabis
- 2 establishments are located.
- 3 Fourth: In Sec. 7, by striking out 7 V.S.A. § 910 (fees) in its entirety