



MARYLAND
Chamber of Commerce

LEGISLATIVE POSITION:

Informational

House Bill 1

Constitutional Amendment - Cannabis - Adult Use & Possession

House Judiciary Committee

Monday, February 14, 2022

Dear Chairman Clippinger and Members of the Committee:

Founded in 1968, the Maryland Chamber of Commerce is the leading voice for business in Maryland. We are a statewide coalition of more than 5,500 members and federated partners working to develop and promote strong public policy that ensures sustained economic recovery and growth for Maryland businesses, employees, and families.

HB 1 is a proposed constitutional amendment that, if passed by Maryland voters, would authorize an individual that is at least 21 years of age to use and possess cannabis in the state beginning July 1, 2023, subject to the requirement that the General Assembly provide for the use, distribution, possession, regulation, and taxation of cannabis through legislation.

While the Maryland Chamber of Commerce does not have a position on the policy of the legalization of cannabis for adult use, we would like to highlight some of the concerns shared by Maryland employers and their current and expected experiences relating to adult use legalization.

A primary concern is ensuring workplace safety. Maryland employers take seriously their role in providing a safe environment and experience for their employees and customers which has been aptly demonstrated throughout the COVID-19 pandemic. However, Maryland businesses are concerned that the legalization of adult use will lead to an increase in the number of individuals using cannabis and therefore an increase in the number of individuals under the influence at work. Without an accurate and reliable way to test for impairment during a shift, employers will face an additional challenge to maintain a safe working environment. For example, when operating heavy equipment and machinery is involved, an impaired employee could endanger their life and the lives of their coworkers. Further, the issue of impairment in the workplace will have ramifications for workers' compensation claims and an employee's ability to receive unemployment insurance benefits.

Commented [EG1]: Is a position in the works? If so it would be a stronger statement to say "While the MDCC is still forming an official position on the policy..."

Commented [EG2]: Any that you can quickly mention?

Commented [AG3R2]: no specific example - they simply can't receive UI benefits if they use cannabis and aren't eligible for WC benefits if they were under the influence

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An additional concern voiced by Maryland employers is the impact a rise in the use of cannabis may have on workforce eligibility, particularly during such a challenging labor market. Maryland is home to many federal government contractors and small businesses that provide services to the federal government and federal installations. Many employers in these industries already face the challenge of finding qualified job candidates that must maintain a drug free lifestyle, as required by the federal government. Maryland's legalization of cannabis for adult use could stand to further winnow that eligible labor pool, resulting in a detrimental impact on many Maryland employers.

Finally, we have concern over the language used in the proposed Constitutional Amendment question. By only asking if Maryland citizens favor the legalization of adult-use, it leaves out the entire possession side of the policy.

Many Maryland employers are already experiencing these challenges since the legalization of medical cannabis in 2014. While these discrepancies will continue to exist without federal action on cannabis, we ask that you please consider the concerns of the Maryland business community when making this very important policy decision.

The Maryland Chamber of Commerce appreciates your consideration of our comments on **HB 1**.

