



February 10, 2012

The Honorable Peter A. Hammen  
Health and Government Operations Committee  
Room 241, House Office Building  
Annapolis, MD 21401-1912

Re: HB15 – Maryland Medical Marijuana - **Oppose**

Dear Delegate Hammen:

HB15 seeks to allow the use of medical marijuana and outlines actions to be taken to regulate the production, distribution and use of marijuana for medical use. Although easing the suffering of people with medical conditions is a humane and laudable endeavor, the Legislative Committee of the Carroll County Chamber of Commerce opposes this bill. As written, it does not provide adequate protection to businesses regarding the potential presence of marijuana in the workplace, as well as the possible risks of having employees in the workplace under the influence of marijuana.

Specifically, how does an employer comply with both the federal law, which still prohibits the manufacture, sale or use of marijuana for any reason and a new state law allowing it? The same question can be asked concerning DOT, Department of Defense and other federal agencies who are subject to enforcement of the Drug Free Workplace Act. Should an employer have immunity if an employee using marijuana injures another? Will state workers' compensation and unemployment laws need to be modified? If an employee injures him/herself while under the influence of marijuana, will he/she be eligible for workers' compensation benefits? OSHA requires an employer provide a safe workplace; how can an employer meet this requirement if it cannot maintain a drug-free workplace? The bill does attempt to protect employers by prohibiting the usage of marijuana in the workplace, but prevents employers from terminating an employee based on a positive marijuana test. With no other testing available, how can an employer even prove that an employee is under the influence of marijuana while at the workplace?

These are simply a few of the many reasons this bill, as written, is inadequate to address the needs of the business community. Therefore, the Carroll County Chamber of Commerce asks that you render a negative report on this bill.

Sincerely,

A handwritten signature in black ink that reads 'Michael McMullin'.

Michael McMullin  
President  
Carroll County Chamber of Commerce

CC: Senator Joseph M. Getty  
Delegate Susan W. Krebs