

Senate Bill 0249

Testimony Of

Scott Webber

Before the

Maryland Senate Finance Committee

Feb. 3, 2022

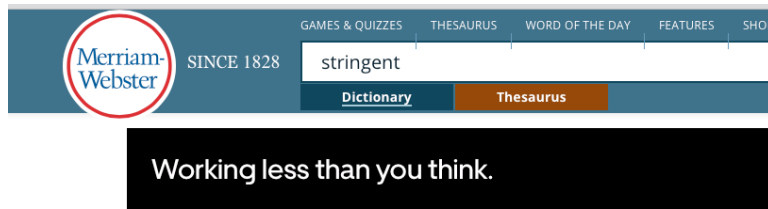
UNFAVORABLE

Distinguished Members of the Committee,

When it comes to law, words matter... because that is what defines the law.

SB0249 provides muddlement beyond reasonable understanding, and as such, is bad legislation.

For the purposes of this brief testimony, I am going to focus on the bill text 'stringent'.



stringent adjective

Save Word

stringent | \ˈstrɪŋ-jənt\

Definition of *stringent*

- 1 : TIGHT, CONSTRICTED
- 2 : marked by rigor, *strictness*, or severity especially with regard to rule or standard
// stringent decontamination procedures
- 3 : marked by money scarcity and credit strictness
// a stringent budget

For a 'local law' to be given legal authority to be "at least as stringent as..." means that it has to comply 'at least as strictly' to the original law, as the original law itself.

Any law that is 'less stringent' than the actual law, is in violation of the law, because by definition, it is not following 'the letter of the law'.

Any law that is 'more stringent' than the actual law to which it is being compared, can only reach the point where it is more rigorous in adherence, and more tightly in conformance to the original law, than the original law, which is a linguistic, and legalistic, impossibility; once you get to full 100% conformity... you cannot become any more 'stringent', lest one now start deviating from the original law, which is exactly the opposite of being 'stringent'.

There is also no definition of 'stringent' in the context of tobacco regulation.

In the Altadis case, Prince George's County sought to make it law that cigarettes be sold in larger packages. Is this more 'stringent' than other laws that require smaller packages? Could Baltimore – or any other local body – impose a more 'stringent' law that requires/restricts each tobacco purchaser to purchase at least six cartons of cigarettes in each transaction, and no smaller? Or is it more 'stringent' to pass a law or ordinance that requires/restricts the sale of tobacco to a single carton at any one transaction?

Is it more 'stringent' to require vape shops to remain open 24 hours a day to serve the needs of the smoking public who are trying to quit? Or more 'stringent' to limit their operation hours to 3-4am?

The language is ambiguous, and amorphous, and will lead to confusion and chaos.

Please Vote Unfavorably.

Most Sincerely,

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