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Date: (Filing No. H-)

AGRICULTURE, CONSERVATION AND FORESTRY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
127TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 7, L.D. 4, Bill, “An Act To Promote Industrial Hemp”

Amend the bill by inserting after the title and before the enacting clause the following:

'Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, farmers need adequate time to prepare for their upcoming growing seasons and industrial hemp cultivation involves numerous time-sensitive planning considerations; and

Whereas, cultivation of industrial hemp may provide a valuable economic opportunity for farmers that begin cultivating as soon as possible; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,'

Amend the bill in section 1 in §2231 in subsection 1 in the last line (page 1, line 7 in L.D.) by inserting after the following: "chapter." the following: 'As used in this chapter, unless the context otherwise indicates, "certified seed source" means a source of hemp seeds that are certified by a 3rd party as producing hemp having a delta-9-tetrahydrocannabinol concentration that does not exceed 0.3% on a dry weight basis.'

Amend the bill in section 1 in §2231 in subsection 2 in the 4th and 5th lines (page 1, lines 11 and 12 in L.D.) by striking out the following: "an approved Canadian producer of hemp seeds" and inserting the following: 'a certified seed source'

Amend the bill in section 1 in §2231 in subsection 2 in the 6th line (page 1, line 13 in L.D.) by striking out the following: "producer in Canada" and inserting the following: 'certified seed source'

COMMITTEE AMENDMENT

1 Amend the bill in section 1 in §2231 in subsection 2-A in the 2nd to 5th lines (page 1,
2 lines 16 to 19 in L.D.) by striking out the following: "an approved Canadian producer of
3 hemp seeds that ensures that the hemp cultivated by a grower has a concentration of no
4 more than 0.3% delta-9-tetrahydrocannabinol by dry weight." and inserting the following:
5 'a certified seed source.'

6 Amend the bill in section 1 in §2231 in subsection 6 in the 3rd line (page 2, line 10 in
7 L.D.) by inserting after the following: "a license fee" the following: ', per acre fees for
8 monitoring, sampling and testing'

9 Amend the bill in section 1 in §2231 in subsection 6 in the last line (page 2, line 12 in
10 L.D.) by striking out the following: "major substantive" and inserting the following:
11 '~~major substantive~~ routine technical'

12 Amend the bill in section 1 in §2231 by striking out all of subsection 7 (page 2, lines
13 13 to 18 in L.D.) and inserting the following:

14 **7. Fees.** The commissioner shall establish through rulemaking under subsection 6
15 an application fee, a license fee and per acre fees for monitoring, sampling and testing
16 that are reasonable and necessary to cover the costs of the department. The application
17 fee must be no less than \$50 and no more than \$100, the license fee must be no less than
18 \$100 and no more than \$500, and the fees for monitoring, sampling and testing must be
19 no less than \$1 per acre and no more than \$100 per acre.

20 All fees received pursuant to this subsection must be paid to the Treasurer of State and
21 credited to a separate, nonlapsing account in the department. Money received pursuant to
22 this subsection must be used for the expenses of administering this chapter.'

23 Amend the bill by striking out all of section 2 and inserting the following.

24 **'Sec. 2. Appropriations and allocations.** The following appropriations and
25 allocations are made.

26 **AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**
27 **Division of Plant Industry 0831**

28 Initiative: Provides funding to adopt routine technical rules establishing an application
29 fee, a license fee, a per acre fee for monitoring, sampling and testing and guidelines for
30 monitoring the growth and harvest of industrial hemp.

31	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
32	All Other	\$2,500	\$0
33			
34	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$2,500</u>	<u>\$0</u>

35 **Division of Plant Industry 0831**

36 Initiative: Provides funding for one half-time Certified Seed Specialist position and
37 related costs to conduct testing, inspection and monitoring related to the production of
38 industrial hemp.

1	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
2	POSITIONS - LEGISLATIVE COUNT	0.500	0.500
3	Personal Services	\$30,032	\$30,032
4	All Other	\$8,197	\$7,911
5			
6	OTHER SPECIAL REVENUE FUNDS TOTAL	\$38,229	\$37,943

7 **Office of the Commissioner 0401**

8 Initiative: Provides funds for the Department of Administrative and Financial Services,
 9 Office of Information Technology costs associated with the Certified Seed Specialist
 10 position.

11	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
12	All Other	\$1,968	\$1,968
13			
14	OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,968	\$1,968

15 **AGRICULTURE, CONSERVATION AND**
 16 **FORESTRY, DEPARTMENT OF**
 17 **DEPARTMENT TOTALS**

18		2015-16	2016-17
19	OTHER SPECIAL REVENUE FUNDS	\$42,697	\$39,911
20			
21	DEPARTMENT TOTAL - ALL FUNDS	\$42,697	\$39,911
22			

23 Amend the bill by adding before the summary the following:

24 **'Emergency clause.** In view of the emergency cited in the preamble, this
 25 legislation takes effect when approved.'

26 **SUMMARY**

27 This amendment adds an emergency preamble and emergency clause to the bill.

28 This amendment provides that hemp seeds acquired for cultivation of hemp in the
 29 State may come from any certified seed source rather than only approved Canadian
 30 producers of hemp seeds.

31 This amendment provides that rules adopted by the Department of Agriculture,
 32 Conservation and Forestry pursuant to the Maine Revised Statutes, Title 7, section 2231
 33 are routine technical rules.

34 This amendment includes the addition of per acre fees for monitoring, sampling and
 35 testing and establishes a range and cap for all fees established by the Commissioner of
 36 Agriculture, Conservation and Forestry related to industrial hemp production.

37

1 This amendment replaces the appropriations and allocations section.

2 **FISCAL NOTE REQUIRED**

3 **(See attached)**