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Date: (Filing No. H-)

AGRICULTURE, CONSERVATION AND FORESTRY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
126TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 344, L.D. 525, Bill, “An Act To Promote Industrial Hemp”

Amend the bill by inserting after the enacting clause the following:

Sec. 1. 7 MRSA §2231, sub-§2, as enacted by PL 2009, c. 320, §1, is amended to read:

2. Growing permitted. Notwithstanding any other provision of law, a person may plant, grow, harvest, possess, process, sell and buy industrial hemp if that person holds a license issued pursuant to subsection 4. A person licensed pursuant to subsection 4 may plant, grow and harvest hemp that is grown only from seeds acquired from an approved Canadian producer of hemp seeds. A person licensed pursuant to subsection 4 may acquire hemp seeds directly from a producer in Canada or from a hemp seed distributor licensed in this State distributing hemp seeds pursuant to subsection 2-A.

Sec. 2. 7 MRSA §2231, sub-§2-A is enacted to read:

2-A. Seed distribution. The commissioner may issue a license for a hemp seed distributor if the hemp seeds distributed by the hemp seed distributor are from an approved Canadian producer of hemp seeds that ensures that the hemp cultivated by a grower has a concentration of no more than 0.3% delta-9-tetrahydrocannabinol by dry weight. The commissioner may issue a license under this subsection to a holder of a seed labeling license pursuant to section 1044-A.'

Amend the bill by striking out all of section 3 and inserting the following:

Sec. 3. 7 MRSA §2231, sub-§5, as enacted by PL 2009, c. 320, §1, is repealed.

Sec. 4. 7 MRSA §2231, sub-§§6 and 7, as enacted by PL 2009, c. 320, §1, are amended to read:

6. Rules. The commissioner shall adopt rules to establish ~~approved varieties of industrial hemp, protocols for testing plant parts during growth for delta 9-tetrahydrocannabinol levels~~ an application fee, a license fee and guidelines for monitoring

COMMITTEE AMENDMENT

1 the growth and harvest of industrial hemp. Rules adopted pursuant to this subsection are
 2 major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

3 **7. Fees.** The commissioner shall establish through rulemaking under subsection 6 an
 4 application fee, and a license fee ~~and per acre fees for monitoring, sampling and testing~~
 5 ~~that are~~ reasonable and necessary to cover the costs of the department.

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

9 **Sec. 5. 7 MRSA §2231, sub-§8,** as enacted by PL 2009, c. 320, §1, is repealed.

10 **Sec. 6. Appropriations and allocations.** The following appropriations and
 11 allocations are made.

12 **AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**

13 **Division of Plant Industry 0831**

14 Initiative: Provides funding for one part-time Certified Seed Specialist position and
 15 related costs to conduct testing, inspection and monitoring related to the production of
 16 industrial hemp.

17	OTHER SPECIAL REVENUE FUNDS	2013-14	2014-15
18	POSITIONS - FTE COUNT	0.250	0.250
19	Personal Services	\$14,111	\$14,111
20	All Other	\$6,842	\$6,842
21			
22	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$20,953</u>	<u>\$20,953</u>

23 **Office of the Commissioner 0401**

24 Initiative: Provides funding for one part-time Certified Seed Specialist position and
 25 related costs to conduct testing, inspection and monitoring related to the production of
 26 industrial hemp.

27	OTHER SPECIAL REVENUE FUNDS	2013-14	2014-15
28	All Other	\$2,500	\$0
29			
30	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$2,500</u>	<u>\$0</u>

31 **AGRICULTURE, CONSERVATION AND**
 32 **FORESTRY, DEPARTMENT OF**
 33 **DEPARTMENT TOTALS**

34		2013-14	2014-15
35	OTHER SPECIAL REVENUE FUNDS	\$23,453	\$20,953

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DEPARTMENT TOTAL - ALL FUNDS

\$23,453

\$20,953

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment is the majority report. It requires that any hemp seeds acquired for cultivation of hemp in the State come from an approved Canadian producer of hemp seeds. The amendment allows the Commissioner of Agriculture, Conservation and Forestry to issue licenses for hemp seed distribution to holders of seed labeling licenses. The amendment also allows hemp growers licensed by the State to acquire hemp seeds directly from a producer in Canada or from a state-licensed hemp seed distributor. The amendment requires that application fees and license fees are established by major substantive rules. The amendment adds an appropriations and allocations section to the bill.

FISCAL NOTE REQUIRED

(See attached)