

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 525

H.P. 344

House of Representatives, February 19, 2013

An Act To Promote Industrial Hemp

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative HARVELL of Farmington.
Cosponsored by Representative SANDERSON of Chelsea, Senator PLUMMER of Cumberland and Representatives: BENNETT of Kennebunk, CHASE of Wells, HICKMAN of Winthrop, JONES of Freedom, KESCHL of Belgrade, PARRY of Arundel, RUSSELL of Portland, SIROCKI of Scarborough.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 7 MRSA §2231, sub-§3**, as enacted by PL 2009, c. 320, §1, is amended to
3 read:

4 **3. Application.** A person desiring to grow industrial hemp for commercial purposes
5 shall apply to the commissioner for a license on a form prescribed by the commissioner.
6 The application must include the name and address of the applicant, the legal description
7 of the land area to be used for the production of industrial hemp and a map, an aerial
8 photograph or global positioning coordinates sufficient for locating the production fields.
9 ~~Except for employees of the Maine Agricultural Experiment Station and the University of~~
10 ~~Maine System involved in research and related activities, an applicant for an initial~~
11 ~~licensure must submit a set of the applicant's fingerprints, taken by a law enforcement~~
12 ~~officer, and any other information necessary to complete a statewide and nationwide~~
13 ~~criminal history record check by the Department of Public Safety, State Bureau of~~
14 ~~Identification and the Federal Bureau of Investigation. All costs associated with the~~
15 ~~criminal history record check are the responsibility of the applicant and must be~~
16 ~~submitted with the fingerprints. Criminal history records provided to the commissioner~~
17 ~~under this section are confidential. The results of criminal records checks received under~~
18 ~~this subsection may only be used in determining an applicant's eligibility for licensure. A~~
19 ~~person with a prior criminal conviction is not eligible for licensure.~~

20 **Sec. 2. 7 MRSA §2231, sub-§4**, as enacted by PL 2009, c. 320, §1, is amended to
21 read:

22 **4. License issued.** Upon review and approval of an application, the commissioner
23 shall notify the applicant and request that the application fee determined under subsection
24 7 be submitted. Upon receipt of the appropriate fee ~~and in accordance with subsection 8~~,
25 the commissioner shall issue a license, which is valid for a period of one year and only
26 for the site or sites specified in the license.

27 **Sec. 3. 7 MRSA §2231, sub-§§5 and 8**, as enacted by PL 2009, c. 320, §1, are
28 repealed.

29 **SUMMARY**

30 This bill removes the requirements that an applicant for an initial license to grow
31 industrial hemp for commercial purposes must submit a set of the applicant's fingerprints
32 and file with the Commissioner of Agriculture, Conservation and Forestry documentation
33 indicating that the seeds planted were a type and variety of hemp approved by the
34 commissioner and also repeals the provision that licensure is contingent upon action by
35 the Federal Government.