

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTIETH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**November 13, 2002 to November 14, 2002**

**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 4, 2002 to June 14, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**FEBRUARY 13, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 13, 2003**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2003**

expanding existing markets and developing new markets for traditional and underutilized species; ~~and~~

**Sec. 3. 12 MRSA §6052, sub-§4, ¶D**, as enacted by PL 1991, c. 285, §3, is amended to read:

D. Establishing a marine research revolving fund for soliciting and receiving funds for conducting marine research. A marine research fund established under this paragraph may be used only for research purposes set forth under paragraphs A and B and may not be used for research specific to any one company; ~~and~~

**Sec. 4. 12 MRSA §6052, sub-§5** is enacted to read:

**5. Safety and security services.** Provide safety and security services in the coastal waters of the State. The department shall coordinate with other local, state and federal agencies when the department provides such safety and security services.

**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective April 18, 2003.

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## CHAPTER 61

### H.P. 61 - L.D. 53

#### An Act To Allow Experimentation in the Cultivation of Industrial Hemp

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

**Sec. 1. 17-A MRSA §1101, sub-§22** is enacted to read:

**22.** "Industrial hemp" means any variety of Cannabis sativa L. with a delta-9-tetrahydrocannabinol concentration that does not exceed 0.3% on a dry weight basis and that is grown under a federal permit in compliance with the conditions of that permit.

**Sec. 2. 17-A MRSA §1103, sub-§7** is enacted to read:

**7.** It is an affirmative defense to prosecution under this section that the substance trafficked in is industrial hemp.

**Sec. 3. 17-A MRSA §1105-A, sub-§3** is enacted to read:

**3.** It is an affirmative defense to prosecution under this section that the substance trafficked in is industrial hemp.

**Sec. 4. 17-A MRSA §1105-C, sub-§3** is enacted to read:

**3.** It is an affirmative defense to prosecution under this section that the substance furnished is industrial hemp.

**Sec. 5. 17-A MRSA §1105-D, sub-§3** is enacted to read:

**3.** It is an affirmative defense to prosecution under this section that the substance cultivated or grown is industrial hemp.

**Sec. 6. 17-A MRSA §1106, sub-§6** is enacted to read:

**6.** It is an affirmative defense to prosecution under this section that the substance furnished is industrial hemp.

**Sec. 7. 17-A MRSA §1107-A, sub-§3** is enacted to read:

**3.** It is an affirmative defense to prosecution under this section that the substance possessed is industrial hemp.

**Sec. 8. 17-A MRSA §1111-A, sub-§10** is enacted to read:

**10.** It is an affirmative defense to prosecution under this section that the drug paraphernalia used or possessed is used or possessed for the propagation, cultivation or processing of industrial hemp.

**Sec. 9. 17-A MRSA §1117, sub-§3** is enacted to read:

**3.** It is an affirmative defense to prosecution under this section that the substance cultivated or grown is industrial hemp.

**Sec. 10. Authorization for Maine Agricultural Experiment Station to study cultivation of industrial hemp.** The Director of the Maine Agricultural Experiment Station may develop a study to explore the feasibility and desirability of industrial hemp production in this State. The study may include an analysis of required soils and growing conditions, seed availability and varieties, including in-the-ground seed variety trials, harvest methods, market economies and environmental benefits. Prior to undertaking a study and prior to importing any nonsterilized industrial hemp seeds capable of germination into the State, the director, in consultation with the Commissioner of Agriculture, Food and Rural Resources, shall obtain all federal permits needed to legally grow industrial hemp for fiber or seed production.

See title page for effective date.

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