



# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 525

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H.P. 344

House of Representatives, February 19, 2013

### An Act To Promote Industrial Hemp

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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.