

ITEM 1: Amend the following definition for “crop site” in 96.1 as follows:

“*Crop site*” or “*site*” means a single contiguous parcel of land suitable for the planting, growing, or harvesting of hemp, if the ~~parcel~~ tract of land does not exceed ~~40~~ 320 acres. All the area within the contiguous ~~parcel tract~~ tract is part of the crop site. Unplanted areas, including spacing between planted rows, are part of the crop site for purposes of determining the size of a ~~parcel~~ site. The crop site shall not be a dwelling.

ITEM 2: Repeal 96.5 and replace with the following:

21—96.5(204) Fees. The department shall impose, assess, and collect fees, which shall be paid by a licensee. All fees shall be collected by the department before the department takes any action for which the fee is applicable. All fees are nonrefundable. All inspection fees shall include the collection of an official sample and an official laboratory test of that sample. Fees are set as follows:

TABLE 1
CROP SITE LICENSE FEES

Acres	License Fee	
0 - 5	\$500 + \$5 per acre	Paid at application
5.1 - 10	\$750 + \$5 per acre	
10.1 – 40 320	\$1,000 + \$5 per acre	

INSPECTION FEES

Primary Inspection Fee	\$500	Paid at application
Secondary Inspection Fee	\$500	Paid upon inspection request
Supplemental Inspection Fee	\$150	Paid upon inspection request
Remediation Inspection Fee	\$500	Paid upon inspection request

RETESTING FEE

Retesting Fee	\$150	Paid upon retesting request
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96.5(1) Fees paid at time of license application. The license fee and primary inspection fee shall be paid prior to acceptance of a license application. License fees shall be based on the number of acres in a crop site. A primary inspection fee shall secure a preharvest inspection of one lot or sub-lot.

96.5(2) Fees for preharvest inspection of additional hemp lots and sub-lots. A licensee may request official sampling of additional lots and sub-lots. All inspection fees shall be paid prior to performance of any official test.

a. If the additional preharvest inspection is to occur at the same time as the primary preharvest inspection, then a supplemental inspection fee shall be paid for each additional lot or sub-lot to be inspected.

b. If the additional preharvest inspection is to occur on a different day than the primary preharvest inspection, then the licensee shall pay a secondary inspection fee for the first lot or sub-lot to be inspected, and each lot or sub-lot after that shall each be assigned a supplemental inspection fee.

96.5(3) Retesting fee. A licensee may request a single retest of a preharvest sample previously collected for

a lot or sub-lot if the licensee believes the original official laboratory test result was in error. The licensee may not request the collection of a new sample. The licensee requesting the retest of the sample shall pay the retesting fee prior to performance of official retest.

96.5(4) Remediation inspection fee. A licensee may request a single post-remediation sample for a lot or sub-lot if the licensee receives permission from the department to remediate a crop with a official test result that exceeds the acceptable hemp THC concentration. The remediation inspection fee shall be paid prior to performance of official test.

ITEM 3: Amend 96.7(9) as follows:

96.7(9) The official sample collected by the department shall consist of approximately 2-inch cuttings of flowering material, meaning inflorescences (the flower of bud of plant), from the top one-third of the plant, based on the following table:

TABLE 42

NUMBER OF PLANTS SAMPLED, BASED ON LOT AND SUB LOT ACREAGE SIZE

Number of acres	Number of plants sampled	-	Number of acres	Number of plants sampled	-	Number of acres	Number of plants sampled	-	Number of acres	Number of plants sampled
1	10	-	11	11	-	21	20	-	31	29
2	10	-	12	12	-	22	21	-	32	29
3	10	-	13	13	-	23	22	-	33	30
4	10	-	14	14	-	24	23	-	34	31
5	10	-	15	15	-	25	24	-	35	32
6	10	-	16	16	-	26	24	-	36	33
7	10	-	17	17	-	27	25	-	37	34
8	10	-	18	18	-	28	26	-	38	34
9	10	-	19	18	-	29	27	-	39	35
10	10	-	20	19	-	30	28	-	40	36

NUMBER OF PLANTS SAMPLED, BASED ON LOT AND SUB-LOT ACREAGE SIZE

Number of acres	Number of plants sampled	Number of acres	Number of plants sampled	Number of acres	Number of plants sampled	Number of acres	Number of plants sampled
1 - 10	10	81 - 90	69	161 - 170	108	241 - 250	136
11 - 20	19	91 - 100	75	171 - 180	112	251 - 260	139
21 - 30	27	101 - 110	81	181 - 190	116	261 - 270	142
31 - 40	35	111 - 120	86	191 - 200	120	271 - 280	145

<u>41 - 50</u>	<u>43</u>	<u>121 - 130</u>	<u>91</u>	<u>201 - 210</u>	<u>123</u>	<u>281 - 290</u>	<u>147</u>
<u>51 - 60</u>	<u>50</u>	<u>131 - 140</u>	<u>95</u>	<u>211 - 220</u>	<u>127</u>	<u>291 - 300</u>	<u>150</u>
<u>61 - 70</u>	<u>57</u>	<u>141 - 150</u>	<u>100</u>	<u>221 - 230</u>	<u>130</u>	<u>301 - 310</u>	<u>152</u>
<u>71 - 80</u>	<u>63</u>	<u>151 - 160</u>	<u>104</u>	<u>231 - 240</u>	<u>133</u>	<u>311 - 320</u>	<u>155</u>

This table reflects a sampling scheme with a 95% confidence interval that no more than 1% of the plants in each lot would exceed the acceptable hemp THC level

Emergency Rule-Making Document Filed by Agency