



Arizona Department of Agriculture

1688 W. Adams Street, Phoenix, Arizona 85007
(602) 542-0955 FAX (602) 542-1004

Arizona Department of Agriculture Industrial Hemp Program Rules Committee Meeting Minutes 5-14-19

Call to Order. - Dwayne Alford, Committee Chairperson, called the meeting to order at 9:05 A.M.

Roll Call. - Brian McGrew called roll. Committee members present telephonically: Dwayne Alford, Chair; Paco Ollerton, Co-chair; Colleen Lanier; Sean Dugan and Michael Stoltz. Members absent: JL Echeverria; and Alex Holley. A quorum was indicated.

Approval of May 6, 2019 Minutes. - Mr. Alford called for discussion of the May 6, 2019 meeting minutes. Hearing none, Mr. Ollerton made a motion to approve the minutes as written, Mr. Dugan seconded the motion. All Committee members voted in favor of the motion.

Location Requirement Rule Language. Mr. McGrew reviewed the language of the previous discussion regarding the inclusion of language requiring a licensee to be compliance with county and local land use restrictions and ordinances. Ms. Lanier had expressed concerns that the language sounded as it was something the Department was going to enforce. Mr. McGrew provided alternative language where a licensee was still required to be in compliance, without the inclusion of the "shall" language. The language was changed from "A Licensee shall be in compliance with..." to, "A Licensee is responsible for maintaining compliance with all applicable city and county land use restrictions, zoning laws, codes and ordinances." After discussion, Mr. Dugan motioned to approve the rule language for Section 607 with the alternative language in subsection (A)(2). Mr. Ollerton seconded the motion. All members present voted in favor of the motion.

Rule Language Updates. - Mr. McGrew reviewed the inclusion of Section 601, Definitions rule. One draft term in the definitions that defined what Total Delta-9 THC was discussed. Mr. McGrew indicated that in reviewing the terminology in statute there was need to further clarify this term and asked for the Committee to review and provide comments. Mr. McGrew reviewed minor updates and changes in the Sections. Mr. McGrew asked the Committee if the inclusion of separate rule language would be needed at this time to include provisions for Certified Seed, since there were current seed law and rules for the certification of agricultural seed that would cover industrial hemp seed certification. Mr. Alford asked about the rule making process and if there would be an opportunity to adopt rules if necessary at a later date. Mr. McGrew indicated that there would be and then described the steps for exempt rulemaking (which applies for this program until August 3rd) and the regular rulemaking process. The Committee agreed that this item should be addressed at a later date. After discussion of the changes provided Mr. Dugan made a motion to accept changes and Mr. Stoltz seconded the motions. All members voted to approve changes.

Next Meeting. Mr. McGrew provided the information for the next meeting on May 20, 2019 @ 10:00AM located at the Arizona State University, Beus Center for Law and Society, 111 E Taylor St, Phoenix, AZ 85004. Parking details will be made available. Mr. Alford asked about additional meetings. Mr. McGrew indicated that the Committee may need to do a quick meeting to approve any minor changes. Otherwise, it will be sometime after June 4th to re-convene and draft rules for the Advisory Council rule and any other areas to be addressed.

Mr. Ollerton made a motion to adjourn, Ms. Lanier seconded the motion. Meeting adjourned at 10:03 A.M.