

HOUSE CONCURRENT RESOLUTION NO. 3026

Introduced by

Representatives Monson, Glassheim, Nelson

Senators Fischer, Miller, Warner

1 A concurrent resolution urging the United States Drug Enforcement Administration to allow  
2 North Dakota to regulate industrial hemp farming without requiring federal applications,  
3 licenses, or fees.

4 **WHEREAS**, industrial hemp refers to the nondrug oilseed and fiber varieties of cannabis  
5 that have less than three-tenths of one percent tetrahydrocannabinol and which are genetically  
6 distinct from the drug varieties of cannabis, also known as marijuana; and

7 **WHEREAS**, the flowering tops of industrial hemp cannot produce any drug effect when  
8 smoked or ingested; and

9 **WHEREAS**, it was never the intent of Congress to interfere with or otherwise prohibit  
10 the farming, production, and utilization of industrial hemp when it enacted the original Marijuana  
11 Tax Act of 1937; and

12 **WHEREAS**, industrial hemp is grown commercially in more than 30 countries, without  
13 undue restriction or complications; and

14 **WHEREAS**, American companies are forced to import millions of dollars worth of hemp  
15 seed and fiber products annually from Canada, Europe, and China, thereby effectively denying  
16 American farmers an opportunity to compete and share in the profits; and

17 **WHEREAS**, nutritious hemp foods can be found in grocery stores nationwide and strong  
18 durable hemp fibers can be found in the interior parts of millions of American cars; and

19 **WHEREAS**, buildings are being constructed using a hemp and lime mixture; and

20 **WHEREAS**, retail sales of hemp products in this country are estimated to be \$365  
21 million annually; and

22 **WHEREAS**, the reluctance of the United States Drug Enforcement Administration to  
23 permit industrial hemp farming is denying agricultural producers in this country the ability to  
24 benefit from a high-value, low-input crop, which can provide significant economic benefits to  
25 producers and manufacturers; and

1           **WHEREAS**, North Dakota State University applied for licensure to conduct multiyear  
2 research on industrial hemp in 1999 and received the license from the United States Drug  
3 Enforcement Administration in 2008; and

4           **WHEREAS**, North Dakota State University's license to conduct multiyear research on  
5 industrial hemp is valid for only one year; and

6           **WHEREAS**, North Dakota State University is exceedingly concerned about future  
7 license renewals being made in a timely manner, especially in light of the fact that the enclosure  
8 required for the research has a construction cost of \$100,000; and

9           **WHEREAS**, North Dakota has enacted statutes that would allow only stalk, fiber,  
10 sterilized seed, and seed oil, which are legal to import, sell, and possess under federal law, to  
11 leave the farm and enter commerce; and

12           **WHEREAS**, the United States Drug Enforcement Administration has the authority under  
13 the Controlled Substances Act to allow this state to regulate industrial hemp farming under  
14 existing laws and without requiring individual federal applications and licenses;

15           **NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES**  
16 **OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

17           That the Sixty-first Legislative Assembly urges the United States Drug Enforcement  
18 Administration to allow North Dakota to regulate industrial hemp farming under existing state  
19 laws, without requiring federal applications, licenses, or fees; and

20           **BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this  
21 resolution to the President of the United States, the Attorney General of the United States, the  
22 Administrator of the United States Drug Enforcement Administration, the United States  
23 Secretary of Agriculture, and to each member of the North Dakota Congressional Delegation.