

**Sixty-first Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2009**

HOUSE CONCURRENT RESOLUTION NO. 3026
(Representatives Monson, Glassheim, Nelson)
(Senators Fischer, Miller, Warner)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

Filed in this office this _____ day of _____, 2009,
at _____ o'clock _____ M.

Secretary of State