

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

3033

2001 HOUSE AGRICULTURE

HCR 3033

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3033

House Agriculture Committee

☐ Conference Committee

Hearing Date 2--16--01

Tape Number	Side A	Side B	Meter #
ONE	A		2380 TO 3798
THREE	A		451 TO 552
Committee Clerk Signature <i>Charles D. Ellyson</i>			

Minutes:

1A: 2380 CHAIRMAN NICHOLAS: Chairman Nicholas opened on HCR 3033.

Representative Monson: For the record I am Representative Dave Monson. I am here to testify in favor of HCR 3033. This is the same resolution that was before me two years ago. We are still fighting the same fight. The only change in this resolution is that on page two it states that we will send it to some more people other than just congress etc. Any questions.

Representative Onstad: How many acres. Demand or what.

REPRESENTATIVE MONSON: If we could open it up right now, I think it would be a small acreage. There is a market out there. We are in a catch 22 situation. There is a supply and demand situation. There is industrial hemp being grown in Canada. Germany is a user of industrial hemp. On Sunday, I am going to be seeing some people to see if we can get a plant going in N.D.

CHAIRMAN NICHOLAS: Any other question on HCR 3033 JEFF OLSON: Program Manager of the Department of Agriculture. I am here to testify in support of HCR 1033. My testimony basically give you information as to what our office has done the last couple of years. Since legalization of industrial hemp in ND. We have been contacted by a number of rollers wanting to produce industrial hemp. We also have a processor in Fargo know as the hem grower. We are having problems getting information from the D.E.A. They don't have the rules written for them to follow themselves. We have not got any guide lines from them. I know NDSU applied for a permit last year to do research on industrial hem. They were denied. We have worked with Sen. B. Dorgans office.

Industrial hem is non toxic form of cannabis. Nine states have passed resolutions to produce industrial hemp. The interest is out there in other states. That is where we are at our office at this time. There is the enforcement aspect. It is going very slowly. Federal level has not allowed it. We are hoping that the new Administration will look at it differently then what the prior one did as to allowing growing of hemp.

The biggest problem is enforcement.

CHAIRMAN NICHOLAS: Any other testimony. Anyone else appearing in support of 3033. Anyone in opposition.

O.K. we will close the hearing on HCR 3033

1A:451 CHAIRMAN JOHNSON: WE WILL REOPEN THE HEARING ON

HCR 3033

Representative Mueller moved for a DO PASS and it was seconded by Representative PIETSCH.

ANY QUESTION? The clerk will take a Roll Call Vote on HCR 3033.

THERE WERE "13 YES....0 NO.....2 ABSENT" Representative Sandvig will carry the
resolution. 1A:552

2-16-01

Date:
Roll Call Vote #:

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

1100 3033

House AGRICULTURE Committee

☐ Subcommittee on _____

or

☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS

Motion Made By Mueller Seconded By Pietsch

Representatives	Yes	No	Representatives	Yes	No
Eugene Nicholas, Chairman			Rod Froelich	<input checked="" type="checkbox"/>	
Dennis E. Johnson - Vice Chairman	<input checked="" type="checkbox"/>		Doug Lemieux	<input checked="" type="checkbox"/>	
Rick Berg			Philip Mueller	<input checked="" type="checkbox"/>	
Michael Brandenburg	<input checked="" type="checkbox"/>		Kenton Onstad	<input checked="" type="checkbox"/>	
Joyce Kingsbury	<input checked="" type="checkbox"/>		Sally M. Slandvig	<input checked="" type="checkbox"/>	
Myron Koppang	<input checked="" type="checkbox"/>		Dennis J. Renner	<input checked="" type="checkbox"/>	
Edward H. Lloyd	<input checked="" type="checkbox"/>		Dwight Wrangham		
Bill Pietsch	<input checked="" type="checkbox"/>				

Total (Yes) 13 No 2

Absent 2

Floor Assignment Slandvig

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
February 16, 2001 2:37 p.m.

Module No: HR-29-3724
Carrier: Sandvig
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HCR 3033: Agriculture Committee (Rep. Nicholas, Chairman) recommends DO PASS
(13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3033 was placed on the
Eleventh order on the calendar.

2001 SENATE AGRICULTURE

HCR 3033


2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3033

Senate Agriculture Committee

☐ Conference Committee

Hearing Date March 16, 2001

Tape Number	Side A	Side B	Meter #
March 16 1		X	30.2 - End
Committee Clerk Signature 			

Minutes:

REP. MONSON; Sponsor, introduced this resolution to the committee. Nothing has changed on the federal level. We have passed all the laws and resolutions in North Dakota to go ahead and allow our farmers to once again raise industrial hemp but the federal government is dragging their feet. There seems to some progress being make, other states are passing similar legislation to what we have passes. The only change to this resolution from what was before us two years ago that we passed out is who we are sending it to. We have added the President of the United States and the Drug Czar and the head of the DEA as well as Congress, that is the only change.

SENATOR NICHOLS; What is happening in Canada with the work they are doing on industrial hemp?

REP. MONSON; Industrial hemp has had its ups and downs in Canada as well. They are looking at probably looking at not even contracting any acres in Ontario because there is a large amount of fiber, the straw, baled up in Manitoba and they have a big enough supply in Manitoba

that they can ship that over to Ontario where they have car factories that are making door panels and other auto body parts. There are very interested in putting together a straw board plant together. The main value would probably be in the fiber, making fiber board, carpet and upholstery for cars.

SENATOR WANZEL: The main objection that this ever gets is the law enforcement concerns because of its familiarity to the marijuana plants?

REP. MONSON: That is right. The TSE content is the problem and when we talk about industrial hemp, we are talking about low THZ content, .3 is what Canada has used as their standard and we have modeled our legislation after theirs and .3 is considered to be not a drug in almost every other industrialized country. We are one of the few countries that does not allow any industrial hemp.

SENATOR URLACHER: Is there any research going on to reduce that level?

REP. MONSON: There are several places that are doing research besides Hawaii.

JEFF OLSON: North Dakota Dept. of Agriculture - Program Manager Plant Industries, testified in support of this resolution. See attached testimony.

SENATOR NICHOLS: It doesn't appear that based on this letter that there is very much interest by DDA to look favorably on this when they are calling it industrial marijuana?

JEFF OLSON: You are correct, their biggest worry is the enforcement portion of this and the ability for someone to grow marijuana within a field of industrial hemp. For the research plots they do have very strict security measures that you have to follow. To put those same security measures in an agronomic situation would be cost prohibited for a farmer to do because they are required to put up a certain type of fence with 24 hour security and you are only limited to so many acres in a particular spot. Some areas would have to be changed. Their concern as far as

the Drug Enforcement Act and the inter growth of marijuana is the biggest concern the DEA has.

SENATOR WANZEL: Are the working on some agronomic research issues that would provide for some distinguishable characteristics that will help differentiate the industrial versus the marijuana?

JEFF OLSON: The comment that I made was NDSU when they applied for their permit wanted to research to determine what kind of fertilization would be required to produce hemp, what kind of pest control management tools, what type soil does it grow best in and that is the main concern NDSU had. There has been discussion on putting a color gene into industrial hemp to distinguish it from marijuana.

The hearing was closed.

SENATOR KLEIN moved a DO PASS and placed on the Consent Calendar.

SENATOR NICHOLS seconded the motion.

Roll call vote: 6 Yeas, 0 No, 0 Absent and Not voting.

SENATOR KLEIN will carry the bill.

Date: 3-16-01
Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. Her 3033

Senate Agriculture Committee

☐ Subcommittee on _____
or
☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass.

Motion Made By Sen. Klein Seconded By Sen. Nichols

Senators	Yes	No	Senators	Yes	No
Senator Wanzek - Chairman	✓		Senator Kroeplin	✓	
Senator Erbele - Vice Chairman	✓		Senator Nichols	✓	
Senator Klein	✓				
Senator Urlacher	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Senator Klein

If the vote is on an amendment, briefly indicate intent:

Consent call

REPORT OF STANDING COMMITTEE (410)
March 16, 2001 1:36 p.m.

Module No: SR-46-5875
Carrier: Klein
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HCR 3033: Agriculture Committee (Sen. Wanzek, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3033 was placed on the Tenth order on the calendar.

2001 TESTIMONY

HCR 3033

TESTIMONY IN FAVOR OF HCR 3033

Presented by Rep. David Monson, Dist. 10
House Agriculture Committee
Feb. 16, 2001

Chairman Nicholas and members of the House Agriculture Committee, I am here to testify in favor of HCR3033. This is virtually the same resolution that was before you two years ago. The only reason this resolution is before you again is that we still cannot grow Industrial Hemp in ND or anywhere in the US. Even though we have favorable laws on the books in ND, the DEA and the drug czar still consider it illegal despite the wishes of past Congressional laws to exempt Industrial Hemp from drug laws. Since resolutions are only valid for one session at a time, it is my hope that you would renew this resolution's message with a "Do Pass".

There is one minor change to this resolution from that of two years ago. That is on page 2 where it states to whom the resolution is being sent. This resolution, if passed, would be sent to several places besides just to Congress as the resolution last session was directed. It is hoped that by sending it to other people and agencies that it would perhaps have more of an impact than the past resolution.

Mr. Chairman and members of the committee, I would be happy to answer any questions you may have. Thank you for your time and consideration.

COMMISSIONER OF AGRICULTURE
ROGER JOHNSON



PHONE (701) 328-2231
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DEPARTMENT OF AGRICULTURE
State of North Dakota
600 E. Boulevard Ave. Dept. 602
Bismarck, ND 58505-0020

**NORTH DAKOTA DEPARTMENT OF AGRICULTURE
LEGISLATIVE TESTIMONY**

Testimony of Jeff Olson, Program Manager
Plant Industries
North Dakota Department of Agriculture
House Concurrent Resolution NO. 3033
February 16, 2001
9:00 a.m.
House Agriculture Committee
Peace Garden Room

Chairman Nicholas and members of the committee. My name is Jeff Olson. I am the Program Manager for the Plant Industries Program Area in the Department of Agriculture. I am here to testify in support of HCR 3033.

The Fifty-sixth Legislative Assembly passed legislation to define industrial hemp as an oilseed crop and authorize its production in North Dakota. The North Dakota Department of Agriculture has been working with the Bureau of Investigation, North Dakota State University, HempCo, and Senator Dorgan's office to obtain a copy of the Drug Enforcement Administration (DEA) federal guidelines regarding the field production and security requirements for industrial hemp. To this date, we have not received this information. We sent a letter to Donnie Marshall, Director of DEA on April

4, 2000, requesting a copy of the DEA rules and regulations regarding agriculture research and field production of industrial hemp. We received a response on June 13, 2000, from the Office of Congressional Affairs (attached). In this letter, the author used the terms "Industrial hemp" and "marijuana" interchangeably. Industrial hemp, *Cannabis sativa*, is a non-toxic form of marijuana. Industrial hemp has a THC level of three-tenths of 1 percent while marijuana has a THC level of greater than 10 percent.

We have received numerous inquiries from individual farmers and processors regarding the production of industrial hemp. Although North Dakota has authorized the production of industrial hemp in the state, federal law prohibits production. Five states have passed similar legislation, six states have legislation in process; and nine states have passed resolutions or initiatives to allow agricultural production of industrial hemp. Industrial hemp is currently legal in more than 25 countries. The University of Hawaii at Hilo is the only entity in the United States that has been permitted by DEA to perform research on industrial hemp.

We have been involved in conferences and meetings gathering information on the production of industrial hemp. We have also supported NDSU's attempt to gain a research permit from DEA. We continue to pursue DEA for copies of the federal laws and to persuade them to allow NDSU to conduct research.

Thank you for your consideration. I would be happy to answer any questions you may have.



U. S. Department of Justice
Drug Enforcement Administration

*copy John L, O/c -
response, John?*

Washington, D.C. 20537

R.

Mr. Roger Johnson
Commissioner
Department of Agriculture
State of North Dakota
600 E. Boulevard Avenue, Dept. 602
Bismarck, North Dakota 58505-0020

Dear Commissioner Johnson:

This is in response to your letter of April 4, 2000, to the Drug Enforcement Administration (DEA) regarding the cultivation of marijuana for industrial use. Specifically, you requested a copy of DEA's rules and regulations regarding the security requirements for agricultural research and field production of industrial marijuana.

The cultivation of marijuana involves a variety of interests at the federal level. DEA has been consulting with the appropriate federal authorities regarding the potential impact that the cultivation of marijuana for industrial uses will have on their programs. If DEA determines that this issue can best be resolved through an administrative rule, DEA will publish such rule in the Federal Register in accordance with the Administrative Procedure Act, 5 U.S.C., Sections 551 *et seq.*

I trust that the above responds to your concerns. If I may be of further assistance, please feel free to contact me.

Sincerely,

Toni P. Teresi
Chief, Office of Congressional Affairs

COMMISSIONER OF AGRICULTURE
ROGER JOHNSON



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Bismarck, ND 58505-0020

**NORTH DAKOTA DEPARTMENT OF AGRICULTURE
LEGISLATIVE TESTIMONY**

Testimony of Jeff Olson, Program Manager
Plant Industries
North Dakota Department of Agriculture
House Concurrent Resolution NO. 3033
March 16, 2001
11:00 a.m.
Senate Agriculture Committee
Roosevelt Room

Chairman Wanzek and members of the committee. My name is Jeff Olson. I am the Program Manager for the Plant Industries Program Area in the Department of Agriculture. I am here to testify in support of HCR 3033.

The Fifty-sixth Legislative Assembly passed legislation to define industrial hemp as an oilseed crop and authorize its production in North Dakota. The North Dakota Department of Agriculture has been working with the Bureau of Investigation, North Dakota State University, HempCo, and Senator Dorgan's office to obtain a copy of the Drug Enforcement Administration (DEA) federal guidelines regarding the field production and security requirements for industrial hemp. To this date, we have not received this information. We sent a letter to Donnie Marshall, Director of DEA on April

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Thank you for your consideration. I would be happy to answer any questions you may have.