

2001 DRAFTING REQUEST

Bill

Received: 02/12/2001

Received By: traderc

Wanted: As time permits

Identical to LRB:

For: Eugene Hahn (608) 266-3404

By/Representing: Heather

This file may be shown to any legislator: NO

Drafter: mlief

May Contact:

Addl. Drafters: rryan
traderc

Subject: Agriculture - miscellaneous
Higher Education - UW System
Criminal Law - drugs

Extra Copies: MGD

Submit via email: NO

Pre Topic:

No specific pre topic given

Topic:

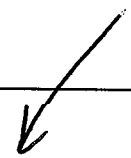
Authorize UW to conduct research on, and require UW to study, industrial hemp

Instructions:

Require UW to study the economic viability, identify legal or other obstacles, and report its findings
(Illinois has done something like this)

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	traderc 04/19/2001 mlief			_____			State



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	04/20/2001 mdsida 04/20/2001			_____			
/1	rryan 07/10/2001 rryan 10/31/2001	csicilia 07/11/2001	kfollet 07/12/2001	_____	lrb_docadmin 07/12/2001	lrb_docadminState 09/18/2001 [REDACTED] [REDACTED]	
/2	traderc 10/31/2001	csicilia 11/06/2001	jfrantze 11/06/2001	_____	lrb_docadmin 11/06/2001	lrb_docadmin 11/06/2001	

FE Sent For:

At Intro

<END>

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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1?	traderc 04/19/2001 mlief	1 cis 7/11	01 7/12	KJF/ps 7/12			

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

04/20/2001
mdsida
04/20/2001
rryan

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May Contact:

Addl. Drafters: **mdsida**

Subject: **Agriculture - miscellaneous
Higher Education - UW System**

Extra Copies:

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May Contact:

Alt. Drafters:

Subject: **Agriculture - miscellaneous
Higher Education - UW System**

Extra Copies: **MJL**

Pre Topic:

No specific pre topic given

Topic:

Authorize UW to conduct research on, and require UW to study, industrial hemp

Instructions:

Like 99-3640 but also require UW to study the economic viability, identify legal or other obstacles, and report its findings (Illinois has done something like this)

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/?	traderc						

FE Sent For:

<END>

1999 BILL

D-Note

These controlled substances include

1 AN ACT ^{Regen.} to create 94.55 and 961.32 (3) of the statutes; relating to: growing and
2 using industrial hemp ~~and granting rule-making authority~~

which are

requires the board of regents of the University of Wisconsin system
Analysis by the Legislative Reference Bureau

Current law places various restrictions on the possession, manufacture and delivery of controlled substances. ~~One such controlled substance is tetrahydrocannabinol, including tetrahydrocannabinol,~~ contained in or obtained from marijuana. Marijuana is all parts of the plants of the genus Cannabis, whether growing or not, and seeds and most derivatives or preparations of the plant (though it does not include, for instance, fiber produced from the stalks or certain other compounds or preparations of stalks, fiber, oil or cake of the plant). Tetrahydrocannabinol ^{are} currently placed in the most restrictive category of controlled substances; ~~it~~ ^{they} cannot be prescribed for medical use and may be manufactured and possessed only for particular uses (such as research) under special permits.

This bill ~~authorizes~~ ^{federal} the University of Wisconsin agricultural extension stations to ~~possess and conduct research on industrial hemp. The research may include growing industrial hemp.~~ The bill defines "industrial hemp" as the plant Cannabis sativa with a tetrahydrocannabinol concentration that does not exceed ~~1%~~ ^{0.3%} on a dry weight basis. The bill requires the department of agriculture, trade and consumer protection (DATCP) to promulgate rules for the licensing of persons to grow industrial hemp and for the inspection and testing of industrial hemp and products made from industrial hemp. In addition, the bill authorizes possession and growing of industrial hemp by a person licensed by DATCP. ~~Finally,~~ the bill requires that local

studies the feasibility and desirability of industrial hemp production in Wisconsin

for and to apply for any permit required by the federal government for research involving a substance.

also

BILL

law enforcement agencies be informed of industrial hemp being grown in their jurisdictions.

The bill changes only state law regarding industrial hemp. Federal law generally prohibits persons from manufacturing or possessing tetrahydrocannabinol or marijuana and applies to both intrastate and interstate violations.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

36.25(46)

SECTION 1. ~~94.55~~ of the statutes is created to read:

36.25(46)

plain

Industrial hemp. (1) In this section, "industrial hemp" means the plant *Cannabis sativa*, whether growing or not, if the tetrahydrocannabinol concentration of the plant does not exceed ~~1%~~ ^{0.3%}, on a dry weight basis, or any part of such a plant.

(b) The board of regents of the University of Wisconsin System, through the agricultural experiment stations, may conduct research on industrial hemp to

evaluate plant breeding and genetics, agronomic techniques, including nutrient requirements and pest and disease management on different types of soils, equipment needs and economic factors relating to growing and marketing industrial hemp and making products from industrial hemp. The research may include

~~growing industrial hemp. Before January 30 of each odd-numbered year, the board~~

shall submit a report under s. 13.172 (3), to the legislative committees with jurisdiction over agricultural issues, concerning the results of any research conducted under this paragraph ~~during the preceding year.~~

(c) An agricultural experiment station growing industrial hemp under par. (a) shall notify the sheriff of the county in which the industrial hemp is grown, and any other local law enforcement agency in whose jurisdiction the industrial hemp is

production in this state and shall attempt to obtain all federal permits needed to grow industrial hemp legally for fiber or seed production. If the board obtains all such permits, the board shall ensure that the study under this paragraph includes

in-the-ground seed variety trials and harvest methods.

BILL

1 grown, of the location at which the industrial hemp is being grown and the number
2 of acres of industrial hemp being grown.

3 (3) The department shall promulgate rules for all of the following:

4 (a) Licensing persons to grow industrial hemp.

5 (b) Inspection of industrial hemp fields and testing of industrial hemp and
6 products made from industrial hemp.

7 (c) Notifying sheriffs and other local law enforcement agencies in whose
8 jurisdiction industrial hemp is grown of the location at which the industrial hemp
9 is being grown, the name and address of the person licensed to grow hemp at that
10 location and the number of acres of industrial hemp being grown.

11 (d) Methods for obtaining, and monitoring the use and transfer of, industrial
12 hemp seeds.

13 (4) A person who is licensed by the department to grow industrial hemp may
14 obtain industrial hemp seeds and grow, possess and sell industrial hemp.

15 **SECTION 2.** 961.32 (3) of the statutes is created to read:

16 961.32 (3) (a) In this subsection, "industrial hemp" has the meaning given in
17 s. ~~94.55(1)~~^{36.25(4)(a)}.

18 (b) The board of regents of the University of Wisconsin System, and an agent
19 or employe of the board of regents acting in the usual course of the agent's or
20 employe's business or employment, may possess, grow and conduct research with
21 industrial hemp in this state to the extent authorized under s. ~~94.55(2)(a)~~^{36.25(4)(a)} and in
22 conformity with the provisions of this chapter.

23 (c) A person licensed by the department of agriculture, trade and consumer
24 protection under s. 94.55 (3) (a) to grow industrial hemp, and an agent or employe
25 of the person acting in the usual course of the agent's or employe's business or

BILL

1 employment, may grow and possess industrial hemp in this state to the extent
2 authorized by the person's license and in conformity with s. 94.55, the rules
3 promulgated under s. 94.55 and the provisions of this chapter.

4 **SECTION 3. Nonstatutory provisions.**

5 (1) The department of agriculture, trade and consumer protection shall submit
6 in proposed form the rules required under section 94.55 (3) of the statutes, as created
7 by this act, to the legislative council staff under section 227.15 (1) of the statutes no
8 later than the first day of the 10th month beginning after the effective date of this
9 subsection.

10

(END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2476/1dn

RLR:/:....

js

Heather:

to

This bill does not create a new exception, the prohibitions against manufacturing, distributing, delivering, or possessing controlled substances to exempt the UW industrial hemp research project from the prohibitions. A new exception is not necessary, because current law already exempts from controlled substances prohibitions those persons who are registered under federal law to manufacture, distribute, dispense, or conduct research with controlled substances. See s. 961.32 (1), stats. The provision of the bill that directs UW to study industrial hemp requires that the UW first obtain all required federal permits for the research. If UW obtains the requisite federal permits, it will be exempt from controlled substance criminal prohibitions under s. 961.32 (1), stats.

Robin Ryan
Legislative Attorney
Phone: (608) 261-6927
E-mail: robin.ryan@legis.state.wi.us

HOUSE

G.K.

SENATE BILL 1397 ENGROSSED

91ST GENERAL ASSEMBLY

State of Illinois

1999 and 2000

INTRODUCED _____, BY

AMENDED

SYNOPSIS AS INTRODUCED:

New Act

Creates the Industrial Hemp Act. Contains only a short title.

LRB9111501MWpc

A BILL FOR

1 AN ACT concerning industrial hemp. 34

2 Be it enacted by the People of the State of Illinois, 38
3 represented in the General Assembly: 39

4 Section 5. The University of Illinois Act is amended by 42
5 adding Section 20 as follows: 43

6 (110 ILCS 305/20 new) 46

7 Sec. 20. Industrial hemp study. 48

8 (a) In this Section, "industrial hemp" means any variety 50
9 of Cannabis sativa L. with a delta-9 tetrahydrocannabinol 51
10 concentration that does not exceed 0.3% on a dry weight 52
11 basis, that meets the standards set forth by Health Canada as 53
12 of July 1, 1999, and that is grown in compliance with federal 54
13 and State permit conditions.

14 (b) The University shall study the feasibility and 56
15 desirability of industrial hemp production in this State, 57
16 subject to an appropriation for that purpose. The study 58
17 shall include an analysis of required soils and growing 59
18 conditions, seed availability and varieties, including 60
19 in-the-ground seed variety trials, harvest methods, market 61
20 economies, and environmental benefits. The University shall
21 obtain all federal and State permits needed to legally grow 62
22 industrial hemp for fiber or seed production prior to 63
23 importing any non-sterilized industrial hemp seeds capable of 64
24 germination into the State. The University shall report its 65
25 findings and recommendations to the General Assembly by 66

26 *APRIL*
January 1, 2002. and annually thereafter

27 Section 10. The Southern Illinois University Management 69
28 Act is amended by adding Section 10 as follows: 70

29 (110 ILCS 520/10 new) 73

1 Sec. 10. Industrial hemp study. 75

2 (a) In this Section, "industrial hemp" means any variety 77

3 of Cannabis sativa L. with a delta-9 tetrahydrocannabinol 78

4 concentration that does not exceed 0.3% on a dry weight 79

5 basis, that meets the standards set forth by Health Canada as 80

6 of July 1, 1999, and that is grown in compliance with federal 81

7 and State permit conditions.

8 (b) The University shall study the feasibility and 83

9 desirability of industrial hemp production in this State, 84

10 subject to an appropriation for that purpose. The study 85

11 shall include an analysis of required soils and growing 86

12 conditions, seed availability and varieties, including 87

13 in-the-ground seed variety trials, harvest methods, market 88

14 economies, and environmental benefits. The University shall

15 obtain all federal and State permits needed to legally grow 89

16 industrial hemp for fiber or seed production prior to 90

17 importing any non-sterilized industrial hemp seeds capable of 91

18 germination into the State. The University shall report its 92

19 findings and recommendations to the General Assembly by 93

20 January 1, 2002.

21 Section 15. The Cannabis Control Act is amended by 96

22 changing Section 3 as follows: 97

23 (720 ILCS 550/3) (from Ch. 56 1/2, par. 703) 100

24 Sec. 3. As used in this Act, unless the context 102

25 otherwise requires:

26 (a) "Cannabis" includes marihuana, hashish and other 104

27 substances which are identified as including any parts of the 105

28 plant Cannabis Sativa, whether growing or not; the seeds 106

29 thereof, the resin extracted from any part of such plant; and 107

30 any compound, manufacture, salt, derivative, mixture, or

31 preparation of such plant, its seeds, or resin, including 108

32 tetrahydrocannabinol (THC) and all other cannabiniol 109

1 derivatives, including its naturally occurring or 110
2 synthetically produced ingredients, whether produced directly
3 or indirectly by extraction, or independently by means of 111
4 chemical synthesis or by a combination of extraction and 113
5 chemical synthesis; but shall not include the mature stalks
6 of such plant, fiber produced from such stalks, oil or cake 114
7 made from the seeds of such plant, any other compound, 115
8 manufacture, salt, derivative, mixture, or preparation of 116
9 such mature stalks (except the resin extracted therefrom), 117
10 fiber, oil or cake, or the sterilized seed of such plant
11 which is incapable of germination, or industrial hemp solely 118
12 as authorized for the purposes of Section 20 of the 119
13 University of Illinois Act and Section 10 of the Southern 120
14 Illinois University Management Act.

15 (b) "Casual delivery" means the delivery of not more 122
16 than 10 grams of any substance containing cannabis without 123
17 consideration.

18 (c) "Department" means the Illinois Department of Human 125
19 Services (as successor to the Department of Alcoholism and 126
20 Substance Abuse) or its successor agency. 127

21 (d) "Deliver" or "delivery" means the actual, 129
22 constructive or attempted transfer of possession of cannabis, 130
23 with or without consideration, whether or not there is an 131
24 agency relationship.

25 (e) "Department of State Police" means the Department of 134
26 State Police of the State of Illinois or its successor
27 agency.

28 (f) "Director" means the Director of the Department of 136
29 State Police or his designated agent. 137

30 (g) "Local authorities" means a duly organized State, 139
31 county, or municipal peace unit or police force. 140

32 (h) "Manufacture" means the production, preparation, 142
33 propagation, compounding, conversion or processing of 144
34 cannabis, either directly or indirectly, by extraction from 145

1 substances of natural origin, or independently by means of 146
2 chemical synthesis, or by a combination of extraction and
3 chemical synthesis, and includes any packaging or repackaging 148
4 of cannabis or labeling of its container, except that this 149
5 term does not include the preparation, compounding,
6 packaging, or labeling of cannabis as an incident to lawful 150
7 research, teaching, or chemical analysis and not for sale. 151

8 (i) "Person" means any individual, corporation, 153
9 government or governmental subdivision or agency, business 154
10 trust, estate, trust, partnership or association, or any 155
11 other entity.

12 (j) "Produce" or "production" means planting, 157
13 cultivating, tending or harvesting.

14 (k) "State" includes the State of Illinois and any 159
15 state, district, commonwealth, territory, insular possession 160
16 thereof, and any area subject to the legal authority of the 161
17 United States of America.

18 (l) "Subsequent offense" means an offense under this 163
19 Act, the offender of which, prior to his conviction of the 164
20 offense, has at any time been convicted under this Act or 166
21 under any laws of the United States or of any state relating
22 to cannabis, or any controlled substance as defined in the 167
23 Illinois Controlled Substances Act. 168
24 (Source: P.A. 89-507, eff. 7-1-97.) 170

25 Section 20. The Cannabis and Controlled Substances Tort 173
26 Claims Act is amended by changing Section 3 as follows: 174

27 (740 ILCS 20/3) (from Ch. 70, par. 903) 177

28 Sec. 3. Definitions. As used in this Act, unless the 179
29 context otherwise requires: 180

30 "Cannabis" includes marihuana, hashish, and other 182
31 substances that are identified as including any parts of the 183
32 plant Cannabis Sativa, whether growing or not, the seeds of 184

1 that plant, the resin extracted from any part of that plant, 185
2 and any compound, manufacture, salt, derivative, mixture, or
3 preparation of that plant, its seeds, or resin, including 186
4 tetrahydrocannabinol (THC) and all other cannabinol 187
5 derivatives, including its naturally occurring or 188
6 synthetically produced ingredients, whether produced directly 189
7 or indirectly by extraction, independently by means of
8 chemical synthesis, or by a combination of extraction and 190
9 chemical synthesis. "Cannabis" does not include the mature 191
10 stalks of that plant, fiber produced from those stalks, oil 192
11 or cake made from the seeds of that plant, any other 193
12 compound, manufacture, salt, derivative, mixture, or
13 preparation of mature stalks (except the extracted resin), 194
14 fiber, oil or cake, or the sterilized seeds of that plant 195
15 that are incapable of germination, or industrial hemp solely 196
16 as authorized for the purposes of Section 20 of the 197
17 University of Illinois Act and Section 10 of the Southern 198
18 Illinois University Management Act.
19 "Controlled substance" means a drug, substance, or 200
20 immediate precursor in the Schedules of Article II of the 201
21 Illinois Controlled Substances Act.
22 "Counterfeit substance" means a controlled substance or 203
23 the container or labeling of a controlled substance that, 204
24 without authorization, bears the trademark, trade name, or 205
25 other identifying mark, imprint, number, device, or any 206
26 likeness thereof of a manufacturer, distributor, or dispenser
27 other than the person who in fact manufactured, distributed, 207
28 or dispensed the substance. 208
29 "Deliver" or "delivery" means the actual, constructive, 210
30 or attempted transfer of possession of a controlled substance 211
31 or cannabis, with or without consideration, whether or not 212
32 there is an agency relationship.
33 "Manufacture" means the production, preparation, 214
34 propagation, compounding, conversion, or processing of a 215

1	controlled substance, either directly or indirectly, by	216
2	extraction from substances of natural origin, independently	217
3	by means of chemical synthesis, or by a combination of	
4	extraction and chemical synthesis, and includes any packaging	218
5	or repackaging of the substance or labeling of its container,	219
6	except that the term does not include:	220
7	(1) by an ultimate user, the preparation or	222
8	compounding of a controlled substance for his own use;	223
9	(2) by a practitioner or his authorized agent under	225
10	his supervision, the preparation, compounding, packaging,	226
11	or labeling of a controlled substance;	
12	(A) as an incident to his administering or	228
13	dispensing of a controlled substance in the course	229
14	of his professional practice; or	
15	(B) as an incident to lawful research,	231
16	teaching or chemical analysis and not for sale; or	232
17	(3) the preparation, compounding, packaging, or	234
18	labeling of cannabis as an incident to lawful research,	235
19	teaching, or chemical analysis and not for sale.	236
20	"Owner" means a person who has possession of or any	238
21	interest whatsoever in the property involved.	239
22	"Person" means an individual, a corporation, a	241
23	government, a governmental subdivision or agency, a business	242
24	trust, an estate, a trust, a partnership or association, or	243
25	any other entity.	
26	"Production" means planting, cultivating, tending, or	245
27	harvesting.	
28	"Property" means real property, including things growing	247
29	on, affixed to, and found in land, and tangible or intangible	248
30	personal property, including rights, services, privileges,	249
31	interests, claims, and securities.	250
32	(Source: P.A. 87-544.)	252
33	Section 99. Effective date. This Act takes effect upon	255

1 becoming law.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2476/1dn
RLR:ej:s:kjf

July 12, 2001

Heather:

This bill does not create a new exception to the prohibitions against manufacturing, distributing, delivering, or possessing controlled substances to exempt the UW industrial hemp research project from the prohibitions. A new exception is not necessary, because current law already exempts from controlled substances prohibitions those persons who are registered under federal law to manufacture, distribute, dispense, or conduct research with controlled substances. See s. 961.32 (1), stats. The provision of the bill that directs UW to study industrial hemp requires that the UW first obtain all required federal permits for the research. If UW obtains the requisite federal permits, it will be exempt from controlled substance criminal prohibitions under s. 961.32 (1), stats.

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Legislative Attorney
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State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
5TH FLOOR
MADISON, WI 53701-2037

STEPHEN R. MILLER
CHIEF

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

July 12, 2001

MEMORANDUM

To: Representative Hahn

From: Madelon J. Lief, Legislative Attorney

Re: LRB-2476/1 Authorize UW to conduct research on, and require UW to study, industrial hemp

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 267-7380 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.

Heather Schubert, Hahn's office 10/24
LRB-2476

Restore provisions from 99-3640
(allowing research on & growth of
industrial hemp)

require that STTCP cooperate w/
AG in writing rules

Keep provision from 2476 that
directs UW ext. to obtain a permit
from feds.

fixed
10-03-2001

Authorize UW to conduct research on, and require UW to study, industrial hemp

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

ENGROSSED 2001 BILL

Checked out to PE
created new doc
PE will strip attributes
PE version deleted JRP
Jandy

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Analysis by the Legislative Reference Bureau

Current law places various restrictions on the possession, manufacture and delivery of controlled substances. These controlled substances include tetrahydrocannabinols, which are contained in or obtained from marijuana. Marijuana is all parts of the plants of the genus Cannabis, whether growing or not, and seeds and most derivatives or preparations of the plant (though it does not include, for instance, fiber produced from the stalks or certain other compounds or preparations of stalks, fiber, oil, or cake of the plant). Tetrahydrocannabinols are currently placed in the most restrictive category of controlled substances; they cannot be prescribed for medical use and may be manufactured and possessed only for particular uses (such as research) under special federal permits.

This bill requires the board of regents of the University of Wisconsin System to study the feasibility and desirability of industrial hemp production in Wisconsin and to apply for any permit required by the federal government for research involving a controlled substance. The bill defines "industrial hemp" as the plant Cannabis sativa with a tetrahydrocannabinol concentration that does not exceed 0.3%, on a dry weight basis.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 36.25 (46) of the statutes is created to read:

2 **36.25 (46) INDUSTRIAL HEMP.** (a) In this section, "industrial hemp" means the
3 plant *Cannabis sativa*, whether growing or not, if the tetrahydrocannabinol
4 concentration of the plant does not exceed 0.3%, on a dry weight basis, or any part
5 of such a plant.

6 (b) The board shall study the feasibility and desirability of industrial hemp
7 production in this state and shall attempt to obtain all federal permits needed to
8 grow industrial hemp legally for fiber or seed production. If the board obtains all
9 such permits, the board shall ensure that the study under this paragraph includes
10 in-the-ground seed variety trials and harvest methods. By April 1, 2002, and
11 annually thereafter, the board shall submit a report under s. 13.172 (3), to the
12 legislative committees with jurisdiction over agricultural issues, concerning the
13 results of any research conducted under this paragraph.

14 (END)



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-2476/2

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2001 BILL

If this bill also requires the department of agriculture, trade and consumer protection to promulgate rules, in consultation with the attorney general, concerning industrial hemp, including rules for the inspection of industrial hemp fields and for notifying local law enforcement agencies in whose jurisdiction industrial hemp is being grown.

1 AN ACT to create 36.25 (46) of the statutes; relating to: growing and using
2 industrial hemp. *and granting rule-making authority Federal*

Analysis by the Legislative Reference Bureau

Current law places various restrictions on the possession, manufacture and delivery of controlled substances. These controlled substances include tetrahydrocannabinols, which are contained in or obtained from marijuana. Marijuana is all parts of the plants of the genus Cannabis, whether growing or not, and seeds and most derivatives or preparations of the plant (though it does not include, for instance, fiber produced from the stalks or certain other compounds or preparations of stalks, fiber, oil, or cake of the plant). Tetrahydrocannabinols are currently placed in the most restrictive category of controlled substances; they cannot be prescribed for medical use and may be manufactured and possessed only for particular uses (such as research) under special federal permits. *(paren defined (board))*

This bill requires the board of regents of the University of Wisconsin System to ~~study the feasibility and desirability of industrial hemp production in Wisconsin and to apply for any permit required by the federal government for research involving a controlled substance.~~ The bill defines "industrial hemp" as the plant Cannabis sativa with a tetrahydrocannabinol concentration that does not exceed 0.3%, on a dry weight basis). *no* If the board obtains these permits, it must *conduct* research on growing and marketing industrial hemp *annually* and report the results of its research to the legislature.

BILL

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 SECTION 1. 36.25 (46) of the statutes is created to read:

2 36.25 (46) INDUSTRIAL HEMP. (a) In this section, "industrial hemp" means the
3 plant Cannabis sativa, whether growing or not, if the tetrahydrocannabinol
4 concentration of the plant does not exceed 0.3%, on a dry weight basis, or any part
5 of such a plant.

6 (b) The board shall ~~study the feasibility and desirability of industrial hemp~~
7 ~~production in this state and shall~~ attempt to obtain all federal permits needed to
8 grow industrial hemp legally for fiber or seed production. If the board obtains all
9 such permits, the board shall ~~ensure that the study under this paragraph includes~~
10 ~~in the ground seed variety trials and harvest methods.~~ ^[INS A] ^{study} By April 1, 2002, and
11 annually thereafter, the board shall submit a report under s. 13.172 (3), to the
12 legislative committces with jurisdiction over agricultural issues, concerning the
13 results of any research conducted under this paragraph.

Insert →
14

(END)

BILL

law enforcement agencies be informed of industrial hemp being grown in their jurisdictions.

The bill changes only state law regarding industrial hemp. Federal law generally prohibits persons from manufacturing or possessing tetrahydrocannabinol or marijuana and applies to both intrastate and interstate violations.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 94.55 of the statutes is created to read:

2 **94.55 Industrial hemp.** (1) In this section, "industrial hemp" means the
3 plant *Cannabis sativa*, whether growing or not, if the tetrahydrocannabinol
4 concentration of the plant does not exceed 1%, on a dry weight basis, or any part of
5 such a plant.

6 (2) (a) The board of regents of the University of Wisconsin System, through the
7 agricultural experiment stations, may conduct research on industrial hemp to
8 evaluate plant breeding and genetics, agronomic techniques, including nutrient
9 requirements and pest and disease management on different types of soils,
10 equipment needs and economic factors relating to growing and marketing industrial
11 hemp and making products from industrial hemp. The research may include
12 growing industrial hemp. Before January 30 of each odd-numbered year, the board
13 shall submit a report under s. 13.172 (3), to the legislative committees with
14 jurisdiction over agricultural issues, concerning the results of any research
15 conducted under this paragraph during the 2 preceding years.

16 (b) An agricultural experiment station growing industrial hemp under par. (a)
17 shall notify the sheriff of the county in which the industrial hemp is grown, and any
18 other local law enforcement agency in whose jurisdiction the industrial hemp is

BILL

Insert 2-13 p. 1

law enforcement agencies be informed of industrial hemp being grown in their jurisdictions.

The bill changes only state law regarding industrial hemp. Federal law generally prohibits persons from manufacturing or possessing tetrahydrocannabinol or marijuana and applies to both intrastate and interstate violations.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 94.55 of the statutes is created to read:

has the meaning given in s. 36.25 (46)(a).

94.55 Industrial hemp. (1) In this section, "industrial hemp" means the ~~plant *Cannabis sativa*, whether growing or not, if the tetrahydrocannabinol concentration of the plant does not exceed 1%, on a dry weight basis, or any part of such a plant.~~

(2) (a) The board of regents of the University of Wisconsin System, through the agricultural experiment stations, may conduct research on industrial hemp to evaluate plant breeding and genetics, agronomic techniques, including nutrient requirements and pest and disease management on different types of soils, equipment needs and economic factors relating to growing and marketing industrial hemp and making products from industrial hemp. The research may include growing industrial hemp. Before January 30 of each odd-numbered year, the board shall submit a report under s. 13.172 (3), to the legislative committees with jurisdiction over agricultural issues, concerning the results of any research conducted under this paragraph during the 2 preceding years.

(b) An agricultural experiment station growing industrial hemp under par. (a) shall notify the sheriff of the county in which the industrial hemp is grown, and any other local law enforcement agency in whose jurisdiction the industrial hemp is

BILL

Insert 2-13, p. 2

1 ~~grown, of the location at which the industrial hemp is being grown and the number~~
2 ~~of acres of industrial hemp being grown.~~

3 ² (1) ^{in consultation with the attorney general,} The department shall promulgate rules for all of the following:

4 ~~(a) Licensing persons to grow industrial hemp~~

5 ^a (1) Inspection of industrial hemp fields and testing of industrial hemp and
6 products made from industrial hemp.

7 ^b (1) Notifying sheriffs and other local law enforcement agencies in whose
8 jurisdiction industrial hemp is grown of the location at which the industrial hemp

9 is being grown, the name and address of the person ~~licensed~~ ^{ing} grow hemp at that
10 location and the number of acres of industrial hemp being grown.

11 ^c (1) Methods for obtaining, and monitoring the use and transfer of, industrial
12 hemp seeds.

13 (4) A person who is licensed by the department to grow industrial hemp may
14 obtain industrial hemp seeds and grow, possess and sell industrial hemp.

15 SECTION 2. 961.32 (3) of the statutes is created to read:

16 961.32 (3) (a) In this subsection, "industrial hemp" has the meaning given in
17 s. 94.55 (1).

18 (b) The board of regents of the University of Wisconsin System, and an agent
19 or employe of the board of regents acting in the usual course of the agent's or
20 employe's business or employment, may possess, grow and conduct research with
21 industrial hemp in this state to the extent authorized under s. 94.55 (2) (a) and in
22 conformity with the provisions of this chapter.

23 (c) A person licensed by the department of agriculture, trade and consumer
24 protection under s. 94.55 (3) (a) to grow industrial hemp, and an agent or employe
25 of the person acting in the usual course of the agent's or employe's business or



BILL *Insert 2-13, p. 3*

1 employment, may grow and possess industrial hemp in this state to the extent
2 authorized by the person's license and in conformity with s. 94.55, the rules
3 promulgated under s. 94.55 and the provisions of this chapter.

4 **SECTION 3. Nonstatutory provisions.**

5 (1) The department of agriculture, trade and consumer protection shall submit
6 in proposed form the rules required under section 94.55 (1) of the statutes, as created
7 by this act, to the legislative council staff under section 227.15 (1) of the statutes no
8 later than the first day of the 10th month beginning after the effective date of this
9 subsection.

10

(END) *of insert 2-13*