

2001 ASSEMBLY BILL 679

December 7, 2001 – Introduced by Representatives HAHN, GRONEMUS, FREESE, SYKORA, MILLER, JESKEWITZ, OWENS, ALBERS, POCAN and COLON. Referred to Committee on Agriculture.

1 **AN ACT** *to create* 36.25 (46) and 94.55 of the statutes; **relating to:** growing and
2 using industrial hemp and granting rule-making authority.

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 (board) to apply for any federal permits required for research involving “industrial hemp” (defined as the plant *Cannabis sativa* with a tetrahydrocannabinol concentration that does not exceed 0.3%, on a dry weight basis). If the board obtains these permits, it must conduct research on growing and marketing industrial hemp and annually report the results of the research to the legislature.

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.

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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 attempt to obtain all federal permits needed to grow
7 industrial hemp legally for fiber or seed production. If the board obtains all such
8 permits, the board shall conduct research on industrial hemp to evaluate plant
9 breeding and genetics, agronomic techniques, including nutrient requirements and
10 pest and disease management on different types of soils, equipment needs, and
11 economic factors relating to growing and marketing industrial hemp and making
12 products from industrial hemp. The research may include growing industrial hemp.
13 By April 1, 2002, and annually thereafter, the board shall submit a report under s.
14 13.172 (3), to the legislative committees with jurisdiction over agricultural issues,
15 concerning the results of any research conducted under this paragraph.

16 **SECTION 2.** 94.55 of the statutes is created to read:

17 **94.55 Industrial hemp. (1)** In this section, “industrial hemp” has the
18 meaning given in s. 36.25 (46) (a).

19 **(2)** The department, in consultation with the attorney general, shall
20 promulgate rules for all of the following:

