

**SB**

**6**

<TARGET><BILL>SB 6</BILL><SUBJECT>SB  
6</SUBJECT><COMM>SRES30</COMM></TARGET>

# Alaska State Legislature

**SESSION ADDRESS:**

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Juneau Alaska 99801  
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Senator Shelley Hughes

Senate District F – Greater Palmer, Butte, Fairview Loop, Eldutna, Chugiak, Peters Creek, Lazy Mountain

## SB 6 Alaska Grown Industrial Hemp Act

### Sponsor Statement Version U

Senate Bill 6 is an act defining hemp as an agricultural product in the state of Alaska, allowing for the commercial farming of hemp in the state of Alaska, instructing the Department of Resource's Division of Agriculture to develop a registry of hemp farming operations in Alaska and allowing for a pilot program on industrial hemp. This bill also removes industrial hemp from the state of Alaska's list of controlled substances.

Industrial hemp has been grown in the United States since the first European settlers arrived in the early 1600's. The Declaration of Independence was drafted on hemp paper and even founding fathers George Washington, Thomas Jefferson and John Adams grew hemp and advocated for its commercial productions. Industrial hemp was a staple crop of the 19<sup>th</sup> century American farmer. In Alaska, there are references to the growing of hemp in the early 20<sup>th</sup> century.

Industrial hemp is defined as the plant *Cannabis Sativa L*, the same plant as what is commonly referred to as marijuana, but with a THC (tetrahydrocannabinol) level of 0.3% or lower. THC is the intoxicant component of the *Cannabis Sativa L* plant, and numerous scientific studies have shown the intoxication threshold as 1%. Thus the definition of hemp in this bill is well below the levels needed to gain intoxication. This definition of hemp is in accordance with the definition given by the federal government in the 2014 Farm Bill. In 2016 a key provision of the Omnibus Appropriations Act of 2016 was added by Senator McConnell that now allows for the transportation, processing and sale of hemp from the Farm Bill 2014 compliant programs.

The commercial possibilities of hemp are numerous and versatile. Hemp can be used for fiber products such as clothing and paper, it can be used for building materials and insulation, farmers have used it for animal feed and most notably the hemp oil that it produces continues to be researched for its medical possibilities including treatment for those suffering from epilepsy and other diseases.

Each year more states in our nation are opening up the possibilities to additional research and application of commercial hemp by legalizing its commercial growth. Currently there are thirty states that have passed legislation related to industrial hemp. I urge your support to add Alaska to this ever growing number and allow our farmers the ability to pursue hemp as a viable commercial product.

Staff contact: Buddy Whitt, (907) 465-5265

# Alaska State Legislature

**SESSION ADDRESS:**

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Juneau Alaska 99801  
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Wasilla AK 99654  
907-376-3725

Senator Shelley Hughes

Senate District F – Greater Palmer, Chugiak, Peters Creek, Eklutna, Fairview Loop, Gateway, Butte, Lazy Mountain

## SB 6 Alaska Grown Industrial Hemp Act

### Sectional Analysis-Version U

*"An Act relating to the regulation and production of industrial hemp; relating to industrial hemp pilot programs; providing that industrial hemp is not included in the definition of 'marijuana'; and clarifying that adding industrial hemp to food does not create and adulterated food product."*

**Sec. 1 – AS 03.05.078**

- (a) Industrial Hemp will be classified as an agricultural crop in the state of Alaska.
- (b) An individual who is registered with the state of Alaska may produce industrial hemp.
- (c) Those wishing to produce industrial hemp must register with the Division of Agriculture with information that must include but is not limited to; name, address, and global positioning coordinates of the area to be used for production.
- (d) Registration is valid for one year and registrants may renew on an annual basis.
- (e) The Division of Agriculture may assign application, registration, or renewal fees necessary to regulate the industrial hemp industry and shall review those fee structures annually to ensure those fees collected cover regulatory costs.
- (f) The Division of Agriculture may issue a stop sale order or issue a violation notice if someone is producing industrial hemp without a current registration.
- (g) A person registered with the Division of Agriculture may use any propagation method needed to produce industrial hemp.
- (h) The Division of Agriculture, a registered producer, or any institution of higher education may import and/or sell industrial hemp seeds.
- (i) A person with a registration may retain hemp seeds for the purpose of growing hemp in the future.
- (j) A person registered with the Division of Agriculture to produce industrial hemp may retain and recondition hemp that tests between .3% and 1% THC on a dry weight basis, but industrial hemp intended for consumption in any form cannot exceed a .3% THC level.

(k) Division of Agriculture may create regulations for approved shipping documentation for transporting industrial hemp.

(l) Registered producers of industrial hemp must retain record of sale for three years, including the name and address of the person who received the industrial hemp and the amount sold.

(m) Records in section (l) are to be made available to the department during normal business hours and the department must give three days' notice of inspection.

**Sec. 2 – AS 03.05.079**

In keeping with federal law, this section adds language regarding a pilot program for industrial hemp, that the Division of Agriculture, institute of higher education or a registered grower may participate in the pilot program and the Division of Agriculture may adopt regulations for this section.

**Sec. 3 – AS 03.05.100**

The definition of industrial hemp, which meets the definition in federal statute, is the plant *Cannabis Sativa L* containing less than 0.3 percent delta-9 tetrahydrocannabinol (THC).

**Sec. 4 – AS 11.71.900**

Amendment in statute to remove industrial hemp as defined in AS 03.05.100 from the list of controlled substances.

**Sec. 5 – AS 17.20.020**

Food containing industrial hemp as defined in AS 03.05.100 is not considered adulterated.

**Sec. 6 – AS 17.38.900**

Amendment in statute to further remove industrial hemp as defined in AS 03.05.100 from marijuana definitions.

Staff contact: Buddy Whitt, (907) 465-5265

# Fiscal Note

State of Alaska  
2017 Legislative Session

Bill Version: SB 6  
Fiscal Note Number: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Identifier: SB006-LAW-CRIM-02-03-17  
Title: INDUSTRIAL HEMP PRODUCTION  
Sponsor: HUGHES  
Requester: (S) RES

Department: Department of Law  
Appropriation: Criminal Division  
Allocation: Criminal Justice Litigation  
OMB Component Number: 2202

**Expenditures/Revenues**

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2018	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2018 Request	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
<b>OPERATING EXPENDITURES</b>	<b>FY 2018</b>	<b>FY 2018</b>					
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Fund Source (Operating Only)**

None							
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Positions**

Full-time							
Part-time							
Temporary							

**Change in Revenues**

None							
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Estimated SUPPLEMENTAL (FY2017) cost:** 0.0 *(separate supplemental appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**Estimated CAPITAL (FY2018) cost:** 0.0 *(separate capital appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**ASSOCIATED REGULATIONS**

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No  
If yes, by what date are the regulations to be adopted, amended or repealed?

**Why this fiscal note differs from previous version:**

Not applicable, initial version.

Prepared By:	Valerie Rose, Budget Analyst	Phone:	(907)465-3674
Division:	Administrative Services	Date:	02/03/2017 09:00 AM
Approved By:	Jahna Lindemuth, Attorney General	Date:	02/03/17
Agency:	Department of Law		

FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2017 LEGISLATIVE SESSION

BILL NO. SB 06

**Analysis**

This legislation defines industrial hemp as all parts of the Cannabis sativa L. plant which contains not more than .3 percent tetrahydrocannabinol. It also creates an affirmative defense to Alaska's misconduct involving a controlled substance laws if the person was manufacturing, delivering, possessing, or manufacturing with the intent to deliver, or displaying industrial hemp.

The Department of Law does not anticipate a fiscal impact at this time.

# Fiscal Note

State of Alaska  
2017 Legislative Session

Bill Version: SB 6  
Fiscal Note Number: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Identifier: SB006-DPS-SDAEU-02-03-17  
Title: INDUSTRIAL HEMP PRODUCTION  
Sponsor: HUGHES  
Requester: (S) RES

Department: Department of Public Safety  
Appropriation: Alaska State Troopers  
Allocation: Statewide Drug and Alcohol Enforcement Unit  
OMB Component Number: 3052

**Expenditures/Revenues**

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2018	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2018 Request	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
<b>OPERATING EXPENDITURES</b>	<b>FY 2018</b>	<b>FY 2018</b>					
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Fund Source (Operating Only)**

None							
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Positions**

Full-time							
Part-time							
Temporary							

**Change in Revenues**

None							
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Estimated SUPPLEMENTAL (FY2017) cost:** 0.0 (separate supplemental appropriation required)  
*(discuss reasons and fund source(s) in analysis section)*

**Estimated CAPITAL (FY2018) cost:** 0.0 (separate capital appropriation required)  
*(discuss reasons and fund source(s) in analysis section)*

**ASSOCIATED REGULATIONS**

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No  
If yes, by what date are the regulations to be adopted, amended or repealed?

**Why this fiscal note differs from previous version:**

Not applicable, initial version.

Prepared By: Kelly Howell	Phone: (907)465-4336
Division: Administrative Services	Date: 02/03/2017 08:05 PM
Approved By: Walt Monegan	Date: 02/03/17
Agency: Public Safety	

FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2017 LEGISLATIVE SESSION

BILL NO. SB 6

**Analysis**

This legislation amends the controlled substances laws under AS 11.71.090 by adding a new paragraph defining "industrial hemp" and by adding a new section to provide an affirmative defense to a prosecution charging the manufacture, delivery, or possession of a schedule VIA controlled substance if the material is industrial hemp.

Passage of this legislation is not expected to have an impact on the enforcement efforts of the Alaska State Troopers. Therefore, a zero fiscal note is being submitted.

# Fiscal Note

State of Alaska  
2017 Legislative Session

Bill Version: SB 6  
Fiscal Note Number: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Identifier: SB006-DPS-LAB-02-03-17  
Title: INDUSTRIAL HEMP PRODUCTION  
Sponsor: HUGHES  
Requester: (S) RES

Department: Department of Public Safety  
Appropriation: Statewide Support  
Allocation: Laboratory Services  
OMB Component Number: 527

**Expenditures/Revenues**

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2018	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2018 Request	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
<b>OPERATING EXPENDITURES</b>	<b>FY 2018</b>	<b>FY 2018</b>					
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Fund Source (Operating Only)**

None							
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Positions**

Full-time							
Part-time							
Temporary							

**Change in Revenues**

None							
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Estimated SUPPLEMENTAL (FY2017) cost:** 0.0 (separate supplemental appropriation required)  
(discuss reasons and fund source(s) in analysis section)

**Estimated CAPITAL (FY2018) cost:** 0.0 (separate capital appropriation required)  
(discuss reasons and fund source(s) in analysis section)

**ASSOCIATED REGULATIONS**

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No  
If yes, by what date are the regulations to be adopted, amended or repealed?

**Why this fiscal note differs from previous version:**

Not applicable, initial version.

Prepared By: Kelly Howell	Phone: (907)465-4336
Division: Administrative Services	Date: 02/03/2017 08:15 PM
Approved By: Walt Monegan	Date: 02/03/17
Agency: Public Safety	

FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2017 LEGISLATIVE SESSION

BILL NO. SB 6

**Analysis**

This legislation amends the controlled substances laws under AS 11.71.090 by adding a new paragraph defining "industrial hemp" and by adding a new section to provide an affirmative defense to a prosecution charging the manufacture, delivery, or possession of a schedule VIA controlled substance if the material is industrial hemp.

The Scientific Crime Detection Laboratory (crime lab) provides analysis of suspected controlled substances, issues reports, and provides expert testimony for the State of Alaska.

Under this legislation, industrial hemp is defined as the plant *Cannabis sativa* L. containing not more than 0.3 percent tetrahydrocannabinol (THC). The threshold amount of THC listed is very likely below the crime lab's detection limits, meaning the crime lab would need to do a threshold study to demonstrate their testing would not inadvertently identify something as marijuana that was actually industrial hemp. This threshold study can be accomplished within the lab's existing budget.

Passage of this legislation is not expected to result in a significant increase in the crime lab's controlled substance analysis workload. Therefore, no fiscal impact to the crime lab is anticipated.

# Fiscal Note

State of Alaska  
2017 Legislative Session

Bill Version: SB 6  
Fiscal Note Number: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Identifier: SB006CS(RES)-LAW-CRIM-02-15-17  
Title: INDUSTRIAL HEMP PRODUCTION  
Sponsor: HUGHES  
Requester: (S) RES

Department: Department of Law  
Appropriation: Criminal Division  
Allocation: Criminal Justice Litigation  
OMB Component Number: 2202

**Expenditures/Revenues**

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2018 Appropriation Requested	Included in Governor's FY2018 Request	Out-Year Cost Estimates					
			FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants & Benefits								
Miscellaneous								
<b>Total Operating</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Fund Source (Operating Only)**

None								
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Positions**

Full-time								
Part-time								
Temporary								

**Change in Revenues**

None								
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Estimated SUPPLEMENTAL (FY2017) cost:** 0.0 *(separate supplemental appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**Estimated CAPITAL (FY2018) cost:** 0.0 *(separate capital appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**ASSOCIATED REGULATIONS**

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No  
If yes, by what date are the regulations to be adopted, amended or repealed?

**Why this fiscal note differs from previous version:**

This fiscal note addresses the committee substitute for SB 6 that was adopted. The committee substitute moves most of the bill under the Department of Natural Resources.

Prepared By:	Valerie Rose, Budget Analyst	Phone:	(907)465-3674
Division:	Administrative Services	Date:	02/15/2017 10:40 AM
Approved By:	Jahna Lindemuth, Attorney General	Date:	02/15/17
Agency:	Department of Law		

FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2017 LEGISLATIVE SESSION

BILL NO. SB 06

**Analysis**

This legislation establishes industrial hemp as an agricultural crop regulated by the Department of Natural Resources. Industrial hemp is defined as all parts of the Cannabis sativa L. plant which contains not more than .3 percent delta-9 tetrahydrocannabinol. Under this legislation, industrial hemp is not marijuana and is not a controlled substance.

The Department of Law does not anticipate a fiscal impact at this time.

# Fiscal Note

State of Alaska  
2017 Legislative Session

Bill Version: SB 6  
Fiscal Note Number: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Identifier: SB006CS(RES)-DNR-PMC-2-15-17  
Title: INDUSTRIAL HEMP PRODUCTION  
Sponsor: HUGHES  
Requester: (S) RES

Department: Department of Natural Resources  
Appropriation: Agriculture  
Allocation: North Latitude Plant Material Center  
OMB Component Number: 2204

**Expenditures/Revenues**

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2018	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2018 Request	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
<b>OPERATING EXPENDITURES</b>	<b>FY 2018</b>	<b>FY 2018</b>					
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Fund Source (Operating Only)**

None							
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Positions**

Full-time							
Part-time							
Temporary							

**Change in Revenues**

None	***		***	***	***	***	***
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Estimated SUPPLEMENTAL (FY2017) cost:** 0.0 *(separate supplemental appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**Estimated CAPITAL (FY2018) cost:** 0.0 *(separate capital appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**ASSOCIATED REGULATIONS**

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? Yes  
If yes, by what date are the regulations to be adopted, amended or repealed? 06/30/18

**Why this fiscal note differs from previous version:**

This fiscal note takes into account the committee substitute changes including adopting regulations and a registration process.

Prepared By:	Arthur Keyes, Director	Phone:	(907)745-7200
Division:	Division of Agriculture	Date:	02/15/2017 11:00 AM
Approved By:	Andrew T. Mack, Commissioner	Date:	02/15/17
Agency:	Department of Natural Resources		

FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2017 LEGISLATIVE SESSION

BILL NO. CSSB 6

Analysis

This bill allows for the regulation and production of industrial hemp in Alaska.

The Department of Natural Resources (DNR), Division of Agriculture will adopt regulations and manage associated registrations through existing staff. The registration fee structure will be created that approximately equals the regulatory costs incurred by DNR.

The cost of administering the registration program will be determined after regulations are drafted. Those costs will be recovered by approximately 25 farms the department anticipates to register in the first year. Additionally, the department anticipates a 10 percent growth of interest from the Agricultural community each year after.

**THE ALASKA AGRICULTURAL  
EXPERIMENT STATIONS.  
1916.**

**UNDER THE SUPERVISION OF  
STATES RELATIONS SERVICE,  
Office of Experiment Stations,  
U. S. DEPARTMENT OF AGRICULTURE.**

**HEMP.**

*Plat No. 179, hemp No. 307-2.*—A small plat of 4 drill rows seeded May 21 began to bloom June 30 and was harvested September 14. The best plants were 40 inches tall, the poorest 12 inches. The plants fruited abundantly, about 75 per cent of the crop ripening.

Dear Senator Hughes,

What an exciting time to have SB 6 in the Resources committee! We are so pleased that you are continuing this mission to allow Alaskans the freedom to grow Agricultural hemp. Thank you for bringing this important bill up for vote.

There are so many Alaskans who are invested and will benefit from the passing of SB 6.

My husband Chris and I own Denali Hemp Company located North of Willow, and are very passionate about Hemp/Cannabis Sativa L.

We create salves, balms, lotions, oils, butters and soaps using Hemp Seeds and Hemp Seed Oil. We infuse and blend the oils with organically grown or wild crafted herbs, roots and plants. We currently have to out-source the legal hemp seed and hemp seed oil that is incorporated into our products.

In addition to utilizing hemp seed in our handcrafted sundries, we also provide on-going Hemp education to the public via our online sites and also our retail store-front on Main Street in Talkeetna.

For the last several years Denali Hemp Company has received generous sponsorship through "Hemp History Week"(hemp advocates on a national level), allowing us to share a large variety of hemp products and information with the public. The positive response we have received has been very encouraging.

When I first started incorporating hemp seed oil into my products, there were many skeptical customers who were uninformed on the benefits of hemp seed oil. Now, 10 years later the general public is growing more educated and excited about hemp. The main question I'm asked went from "will this get me high?" to "why is growing hemp still illegal in Alaska?"

Chris and I also raise farm livestock on our small acreage, and would love to supplement our animals with greens, fodder and bedding provided by a small crop of hemp. We have been using bedding made of hemp herds which has low dust and high absorption.

There is of course controversy when discussing the growing and harvesting of hemp. We have contact with several mentors in Colorado who help us keep tabs on the industry there, as well as what to strive for in an Alaskan hemp market.

We believe fields of hemp could easily be grown in areas of non-prime agriculture, and also used as a cover crop, and beneficial soil remediation. Farmers in Tennessee are using the same equipment used for tobacco crops to harvest hemp fields. Small patches of hemp are able to be planted, harvested, and processed by hand.

Although Alaska's summer light period does not easily allow for hemp to mature into a flower/seed crop, the products made from the hemp stalk are useful and desired by many. Hoop houses (to allow for light deprivation) planted with strains of hemp for flower and seed are also easily feasible. Many fields of hemp in Colorado and California are monitored with testing to ensure harvest is within legal limits of less than .3% THC.

Hemp that is harvested for the stalks does not need to be mature. This opens up a wide spectrum of uses ranging from animal bedding made from hurd to insulation and building material made from hempcrete.

Hemp seeds have the perfect ratio of Omega 3 and 6 fatty acids for our body and are a wonderful source of protein. Hemp seeds are considered a super food. I personally would like the opportunity to sprout viable hemp seeds to improve the diet of my family along with my chickens, turkeys, pigs, sheep and goats.

We are very optimistic for the prospects of agricultural Cannabis up here in Alaska. There are so many uses for this plant, and so many options for how it is grown. It is just a matter of finding the right strain of hemp for the microclimate it is being grown in.

Ember Haynes

Denali Hemp Company

My name is Jack Bennett originally from Fairbanks, Alaska and I am writing in support of SB6 commercialization of Industrial Hemp, (IH). I am building a model home using IH insulation material to present to rural Alaska as a solution to affordable housing and solving the rising cost of energy living in the bush.

55% of the world energy consumption is construction waste related. IH as a construction material has a zero footprint. Sustainability really does save. The high insulation value lowers heating costs up to 70%, annually. Europe has been building VOC FREE homes for the last 20 years with hemp insulation. Lime-based hemp insulation replaces drywall, OSB plywood, house wrap, and fiberglass insulation that releases flame-retardants impacting people and planet. The lifecycle of these homes is over a hundred years, and are fire, mildew, moisture, and termite resistant. Worldwide marketing data estimates green building as a 200 billion dollar industry. There is a shortage of 6000 units in rural AK. My team and I will work to start a pilot home in rural AK educating communities on how to build with this material. 2½ acres of IH can be harvested in 100 days and supplies enough building material for a 1000sqft shell in 8 days.

A year ago, I didn't know what IH was. I thought it was rope. I didn't realize it had 25,000 industry applications. As a homeowner, I was looking at doing my part to lower my carbon footprint and build affordably. I studied the problems in rural AK and developed rapport with IH industries from all over the world to bring ecological and economical solutions to my state of Alaska. I have presented IH as a solution to affordable housing to 200 tribes represented at the Alaska Rural Energy Conference. I have presented all over the state of Alaska to venues such as, Prince William Sound Citizens Advisory in Cordova, Alaska Regional Response Team in Nome as a green response technology used in oil spills and bioremediation. These plant fiber technologies replace polypropylene products and chemical dispersants used in oil spills. I was able to present IH agriculture as an alternative cash crop to Governor Walker who invited me to meet with his senior advisor about specific business models for AK. US Senator Lisa Murkowski helped me set up the first workshop with the Oil Response Teams that was held at Kenai Economic Development Center.

98% percent of the produce is shipped to rural AK from the Port of Anchorage. On soil-less hemp growing mediums, a community can grow 80 varieties of produce under energy efficient LEDs. As a service to community and passionate about bringing solutions, I am working with rural AK to start their own green house and farm in a container with aquaponics for food security.

I am currently setting up a factory to supply green response technology to oil and chemical up teams throughout AK. My company has the ability to process 40 million pounds of IH annually using machinery called a decorticator. It strips the fiber from the woody core of the plant. All of the plant's output has value added products, from cosmetics, to clothes, to biomass, medicine, foods, construction material, and bio composites. I will work to bring a decorticator to AK once SB 6 passes. I will work with the Alaska farmer to collect the material, enabling jobs in AK. IH in the US is a

600 million dollar industry, and an estimated 1 billion by 2020. Last year was America's first commercial hemp harvest along with the 30 states that passed their own rules and regulations on IH. Last year eliminated importing costs by 30%-40%. The IH food industry is a \$280 million dollar industry in the US. All of our company's fiber is sold out to its automotive partner, using bio composites. Hemp plastics are stronger than fiberglass on a boat and more flexible and lighter than an Indy 500 racecar. At the end of the car's life cycle the ingredients are 100% biodegradable. Tesla is working on the next super capacitor to double the life of the car's battery using hemp thermal resins known as graphene. The age of graphene is the future of energy storage powered by hemp. Replacing microchip boards and silicone. Lastly, give Alaskan farmers the freedom to grow and help turn the fiscal crisis around. I support the passage of SB6 commercialization of Industrial Hemp for the future of Alaska.

My Hand,  
Jack Bennett, Homer, AK  
Google: Jack Bennett Hemp

My name is Constance Fredenberg and I am writing in support of SB6 commercialization of Industrial Hemp, (IH).

I have lived in and/or worked for rural Alaskan villages for the past 39 years. I know firsthand about the high cost of inappropriate housing in villages with extreme weather as the norm. There is a dire shortage of housing and an even greater need for more affordable and appropriate construction.

My home base is now in the heart of Alaska's farmland in the Mat-Su Borough. Jack Bennett recently shared some information with me that is very encouraging for both Rural AK and Alaska's farmers. A year ago, I didn't know what IH was. I thought it was rope. I didn't realize it had 25,000 industry applications. It appears that Hemp is a crop that can be grown in Alaska. 2½ acres of IH can be harvested in 100 days and supplies enough building material for a 1000sq.ft. shell for a house.

55% of the world energy consumption is construction waste related. IH as a construction material has a zero footprint. The high insulation value lowers heating costs up to 70%, annually. Europe has been building VOC FREE homes for the last 20 years with hemp insulation. Lime-based hemp insulation replaces drywall, OSB plywood, house wrap, and fiberglass insulation that releases flame-retardants impacting people and planet. The lifecycle of these homes is over a hundred years, and are fire, mildew, moisture, and termite resistant. Worldwide marketing data estimates green building as a 200 billion-dollar industry.

All of the plant's output has value added products from cosmetics to clothes, to biomass, medicine, foods, construction material, and bio composites. IH in the US is a 600 million-dollar industry, and an estimated 1 billion by 2020. Last year was America's first commercial hemp harvest along with the 30 states that passed their own rules and regulations on IH. Last year eliminated importing costs by 30%-40%. The IH food industry is a \$280 million dollar industry in the US. Hemp plastics are stronger than fiberglass on a boat and more flexible and lighter than an Indy 500 racecar. At the end of the car's life cycle the ingredients are 100% biodegradable. Tesla is working on the next super capacitor to double the life of the car's battery using hemp thermal resins known as graphene. The age of graphene is the future of energy storage powered by hemp, replacing microchip boards and silicone.

Give Alaskan farmers the freedom to grow hemp and help turn the fiscal crisis around. I support the passage of SB6 commercialization of Industrial Hemp for the future of Alaska!

Sincerely,  
Constance Fredenberg  
Utility Management Assistance  
PO Box 3513  
Palmer, AK 99645  
[conniefredenberg@mtaonline.net](mailto:conniefredenberg@mtaonline.net)

I am in full support of SB6.

I just have one recommendation. Put in a provision that allows a person to import "industrial hemp" products from other states. Recently numerous businesses were raided by AMCO.

The products they confiscated were products that were derived from Industrial Hemp products. If there is a way to allow importation, under an affirmative defense, I believe that would cure this issue.

Warm Regards,

Jeremiah Emmerson

Representative Pruitt and Senator Giessel,

I am a resident of the Scenic Foothills neighborhood in Anchorage and wanted to contact you as my Alaska State Legislative representatives regarding a potential revenue source that could help our State re-balance its budget.

Vis-a-vis the popularity and success of a legalized recreational marijuana industry in the state, I urge you both to consider proposing a law to our State statutes that legalizes the cultivation of industrial hemp. Of the several strains of *Cannabis*, *Cannabis sativa* has the lowest levels of THC and is not suitable for recreational consumption. The plant has been grown for thousands of years in Europe and parts of Russia, and some strains survive even at 66-Degrees N Latitude. Canada produces hemp products and domestically grows the plant in BC, Saskatchewan, and Ontario. Unlike its recreational cousin, it can survive and grow in moist, temperate, northern climates.

The uses of the plant fiber are multitudinous. The stalk flesh is a cotton- or wool-like material that produces linen and rope. The stalk core has a pulpy nature suitable for building materials, including insulation, particle board, and concrete. Its high insulative properties and flexibility lends itself to construction in Alaska.

Other uses exist for the seeds, including food production.

Currently legal in 31 states, the production and cultivation of the plant is a \$580 Mil. industry. The sale and development of hemp products could provide a welcome source of income for the state, and one that could continue for decades. Our oil resources will not last forever and the State has the opportunity to invest in other—perhaps less damaging—industries. Please consider joining the majority of the Nation in supporting industrial hemp development. As a note, I have no business affiliation with any hemp organization or production. I merely am a concerned citizen interested in pursuing other forms of resource development and revenue.

Respectfully Yours,

-Connor Scher



**Industrial Hemp Manufacturing, LLC**

1436 Highway 581 North  
Spring Hope, NC 27882  
252-478-3646

February 14, 2017

To: Senate Resource Committee

Re: SB8

Dear Madam Chair,

This is Jack Bennett of Homer, Alaska with Industrial Hemp Manufacturing LLC. IHM has the largest IH commercial processing plant in North America, devoted to supply green technologies to the automotive industry and oil well companies throughout the world. Thank you Madam Chair for opening up the session to public testimony last week. I wanted to take advantage of writing further testimony to share with the Senate Resource Committee.

I've spoken at many town halls, industry and science venues throughout the state in the last year educating on the economic and ecological value of IH. When I was on my little brother's hemp fields in Oregon, Andy was 1 of 9 Oregon Hemp Farmers that specifically grew for the CBD markets. CBD is a non-psychoactive superfood that gives relief to children impacted by epilepsy seizures. There are case studies where children have 200 seizures per year, and now reports of seizures dropping to 1 or 2 per year using CBD. People impacted by Parkinson's take the oil orally to give relief and calm to the body within several minutes. CBD is used as an alternative to opiates and morphine that could lead to over sedation and abuse. This total plant product gives relief to pain, anxiety, sleeplessness, and after work fatigue without any psychoactive effects

Andy, was told by the state that he lost his crop and to stop harvesting for exceeding .3% Tetrahydrocannabinol levels. The testing came back .31%, a dot over. American Hemp Farmers crops were coming up .4%, .5% (still not enough for psychoactive effects) while the marijuana farmer has 20% THC and gets to keep their crop.

I brought this knowledge to ensure future Alaskan Hemp Farmers are not impacted this way. The 0.3% standard stems from a 1976 taxonomic report by Canadian plant scientists who did not intend for it to be used as a legal demarcation.

My aim was to shape the IHAK Bill to be in full compliance with Federal Regulations to help other states pass IH at the Federal Level and to completely remove it from

the controlled substance category. It has never been heard at the Federal Level. I am getting ready to set up introductions with my dear friend, Courtney Moran, an IH attorney specializing on the agriculture laws of IH with an Alaska US Senator to co-sponsor the Hemp on The Hill.

IH in France has never been in prohibition. France is growing 2 million acres for their solution to netzero affordable housing. This plant fiber is a bridge to a greener world. The state is in a fiscal crisis and to me, it's an opportunity because we're the generation that get's to fix it. To me, this plant fiber is the tree of life that keeps on giving.

Our model hemp home in Homer is halfway completed. We used 350 yards of Rammed Earth (RE) to build the first floor walls, the glacier silt, aggregates, and clay found right beneath the surface of the land. The second floor will be framed and installed with lime-based hemp insulation material tailored for cold climate Alaska.

Hemp also replaces current technologies in the oil and gas industries, replacing chemical based mud additives for drilling operations and chemical dispersants for recovery and remediation of spills. I could use everyone's help in my efforts to reeducate on these new technologies. I am currently seeking introductions with oil well companies in Alaska to field test our technology. We can help fracking companies drill faster, lighter, and cheaper without compromising safety and production using a total plant product. This is a something that will help the fluids engineer, this is what they'll use from now on. It's a technology only available overseas and iHempman.com just changed the dynamic in the supply chain where no one else has been able to do that. We sell to BP, Nuparc, and Ultra Petroleum, the largest petroleum company in North America.

Thank you for all your efforts in bringing this industry to Alaska and Alaskans.

Kind regards,  
Jack Bennett, Homer, AK  
(415) 990-7963  
[JackLeeBennettJr@gmail.com](mailto:JackLeeBennettJr@gmail.com)  
[iHempMan.com](http://iHempMan.com)

Hello

I support growing hemp in Alaska. I do not use marijuana....

It is a crop of minor importance with possibilities but low economic value.

There is a game though about marijuana and hemp.

It is the same plant with different concentrations of THC. It grows along the ditches on roadsides.

The possibility of producing illegal marijuana and hemp side by side is the great challenge.

They are identical without testing.

Handheld Device Lets You Test And Verify Your Own Cannabis



[Link to one handheld testing device](#)

Please consider: Hemp as

- An agricultural commodity and
  - A Garden homeowner hobby grower product
- should be unregulated but subject to field testing/

A really good example of another important Alaskan Commodities the current Seed Potato Program.

There are many unresolved issues as marijuana and hemp become more mainstream grown. cross polarization can make it hemp? or Marijuana naturally. Seed Production can be a commodity or abused for potency goals. AG genetics concern

It requires:  
registration  
Quarantine  
and Dept of Agriculture Regulations

Please consider this existing program as a possible model that could be tweaked to suit this new but also old Hemp Agricultural Crop.

Field inspections and severe penalties and prosecution if high THC levels are found to include civil fines and forfeiture

The marijuana issue is currently little growers hoping to be big growers someday.

I am a big grower with no interest in producing marijuana but understand the plant with 40 years of Alaskan Horticulturist experience.

Please consider the legalization issue and yet collect taxes on the bootleggers and take their property too....

revenue to aid law enforcement in Alaska..

I support SB6 as a start....

respectfully

Ken Ray

Wasilla AK

907-376-5199

Hemp Hearts

Ac ret



33 95  
Add to Cart  
Quantity

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Customers also viewed these products

- 12.54  
12.12  
18.24  
18.98  
24.40

Nutiva Organic Hemp Oil, 8 fl oz



31.40  
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Quantity

To Whom it may concern,

I fully support Senator Hughes's legislation to facilitate the growing of industrial hemp in Alaska - SB 6.

It is unfortunate that hemp and marijuana fall in the same species because there are no negative impacts that I know of associated with hemp. I have seen it grown in other countries and believe it would grow here. It should be treated entirely separately from marijuana because it is not mind altering or addictive. Aside from some medicinal value its primary values are for the strength of the fiber.

Please open this opportunity to those farmers in our State that are looking for a new niche.

Thank you

Larry DeVilbiss

Greetings esteemed members of the Alaskan Legislature,

My name is Sara Williams and I am Chair of the Marijuana Advisory Committee for the Matanuska Susitna Borough and I have a personal dream. I have a dream of self sustainability for the Alaskan economy with Industrial Cannabis.

The time has come for innovative ideas on how we are going to revolutionize the Alaskan economy and I have a dream. Can I share with you my 30 year dream for Alaska? I promise I will be quick and concise.

I envision a future for the Alaskan economy that involves 10,000 to 50,000+ square feet cultivation and production facilities littered all over the state from villages to more populated areas that grow Industrial Cannabis for building materials like plywood or hempcrete, fuel alternatives such as pellets, clothing and food alternatives and any of the 50,000 uses for the plant. See attached photo. These facilities will bring communities together around a single purpose: to grow a renewable resource commodity that can be sold all over the world. They create jobs and build a more solid self sustainability focused economic infrastructure.

I would also like to see these facilities be given a tax break if they additionally grow fruits and vegetables for sale or to be donated in Alaska or abroad. These two components will create the self sustainability that Alaska needs and with the advances in green energy and indoor cultivation these facilities can operate year round providing jobs to our residents and tax revenue for our state.

It is time we stopped raiding our natural resources and depending on outside influences to depict our economy. It is time we built a self sustaining economy. I ask that if a bill legalizing Industrial Hemp come across that you think in terms of innovation and the future of Alaskans. Please contact me at 907-887-6130 if you should have any specific questions and I can connect you with the answers you need for a vote of confidence in this industry. It is more than getting people stoned. It is a plant that can save the world if we just let her grow.

Thank you for your time and consideration!

*Sara Williams, MBA*

*Phoenix Rising Inc*

*Providing professional ADMINISTRATIVE, MARKETING AND OPERATIONS support for the Alaskan Cannabis Industry.*

**907-887-6130**

[www.phoenixrisinginalaska.com](http://www.phoenixrisinginalaska.com)



## **KENAI PENINSULA BOROUGH**

144 North Binkley Street • Soldotna, Alaska 99669-7520  
Toll-free within the Borough: 1-800-478-4441 Ext. 2150  
**PHONE:** (907) 714-2150 • **FAX:** (907) 714-2377  
[www.mayor.kenai.ak.us](http://www.mayor.kenai.ak.us)

**Mike Navarre**  
**Borough Mayor**

February 2, 2017

Senator Shelley Hughes  
State Capitol Room 125  
Juneau AK, 99801

RE: Alaska SB 6 Commercialization of Industrial Hemp

Dear Senator Hughes:

As the Mayor of the Kenai Peninsula Borough I am writing to express my support for Alaska SB6, the commercialization of Industrial Hemp (IH). Adopting legislation authorizing IH is consistent with the actions of the majority of state governments in the US. At least sixteen states have legalized commercial IH production, and 20 have authorized research and pilot programs. IH presents many potential benefits for the state of Alaska and I believe allowing its commercialization is in the best interests of the state and its residents.

Industrial Hemp insulation may help address problems with both affordable housing and the rising cost of energy in the state. The use of IH in home construction and insulation has the potential to significantly mitigate waste related energy consumption, lower heating costs substantially due to its high insulation value, and serve as a construction alternative for drywall, OSB plywood, house wrap, and fiberglass insulation. Additionally, these plant fiber technologies may be a viable alternative to polypropylene products and chemical dispersants used in oil spills and other bioremediation efforts. IH also has potential applications as a cash crop.

Jack Bennett, the leader of Arctic Green Response Technologies, has worked extensively to identify and communicate the potential economic and environmental benefits of IH production to communities and stakeholders throughout the Alaska. Jack is presently building a model home using IH insulation to present to rural Alaskan communities.

After studying the challenges facing rural Alaska and exploring the potential benefits of IH production, Jack presented IH as a strategy to improve housing affordability in Alaska to 200 tribes represented at the Alaska Rural Energy Conference. He has also met with the Prince William Sound Citizens Advisory Board in Cordova and the Regional Response Team in Nome to discuss the potential applications of IH as green response technology for bioremediation

efforts. Jack has also discussed the application of IH agriculture as a cash crop with Governor Walker, and worked with US Senator Lisa Murkowski to set up a workshop with Oil Response Teams at the Kenai Economic Development District.

I support the passage of SB6 allowing for commercialization of Industrial Hemp. Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script that reads "Mike Navarre". The signature is written in dark ink and is positioned above the printed name and title.

Mike Navarre  
Mayor



14896 Kenai Spur Highway, Suite 103-A • Kenai, AK 99611

Phone: (907) 283-3335 • Fax: (907) 283-3913

www.kpedd.org

*Leadership to enhance, foster and promote economic development*

February 2, 2017  
Senator Shelley Hughes  
State Capitol Room 125  
Juneau AK, 99801

Dear Senator Hughes,

We are writing in support of SB6 commercialization of Industrial Hemp, (IH). Jack Bennett, the leader of Arctic Green Response Technologies, is building a model home using IH insulation material to present to rural Alaska as a solution to affordable housing and solving the rising cost of energy living in the rural villages of Alaska.

55% of the world energy consumption is construction waste related. IH as a construction material with a zero footprint. The high insulation value lowers heating costs up to 70%, annually. Lime-based hemp insulation replaces drywall, OSB plywood, house wrap, and fiberglass insulation that releases flame-retardants impacting both people and planet. The lifecycle of these homes is over a hundred years, and are fire, mildew, moisture, and termite resistant Jack will work to educate communities on how to build with this material.

After studying the problems in rural Alaska, Jack has presented IH as a solution to affordable housing to 200 tribes represented at the Alaska Rural Energy Conference. He has also presented to venues such as, Prince William Sound Citizens Advisory in Cordova and the Regional Response Team in Nome discussing the green response technology used in oil spills and bioremediation. These plant fiber technologies replace polypropylene products and chemical dispersants used in oil spills. Hemp plastics are also 100% biodegradable. He was also able to present IH agriculture as an alternative cash crop to Governor Walker who invited him to meet with his senior advisor about specific business models for AK. US Senator Lisa Murkowski worked with Jack to set up the first workshop with the Oil Response Teams that was held at Kenai Economic Development District in Kenai.

Jack will work with the Alaska farmer to collect the material, enabling jobs in Alaska. IH is a 600 million dollar industry, and will be an estimated 1 billion by 2020. Last year was America's first commercial hemp harvest along with the 30 states that passed their own rules and regulations, eliminating importing costs by 30%-40%. We support the passage of SB6 commercialization of Industrial Hemp for the future of Alaska. Thank you for your time and consideration.

Respectfully,

Tim Dillon  
Executive Director  
Kenai Peninsula Economic Development Dist.



Alaska Regional Development Organization (ARDOR)  
The State of Alaska Department of Commerce, Community  
and Economic Development certified KPEDD as an  
ARDOR in 1989.



Economic Development District (EDD)  
The U.S. Department of Commerce, Economic  
Development Administration (EDA) recognized KPEDD  
as an Economic Development District in 1988.

February 8, 2017

Dear Legislators,

Industrial Cannabis/Hemp is a plant with an array of beneficial uses.

Hemp grown in Alaska has the potential to be an agricultural crop.

It is a well-known fact that many areas throughout Alaska have been contaminated by various remote (military) installations and project sites.

Hemp is a bio-accumulator used in phyto or soil remediation.

It is feasible to plant agricultural hemp on these abandoned sites. Hemp plants would be able to remove the toxins in the soil, with the simple act of broadcasting seeds.

Cannabis Hemp could be planted on remote islands in Prince William Sound to remediate toxins left behind from the oil spill.

Hemp could be planted in ancient oil-exploration sites in the Brooks Range, improving the ground as it grows.

Alaskans should be allowed the right to grow Agricultural Cannabis as a farm crop, for personal uses and to improve the land of our great state.

Sincerely,

Chis Haynes

Denali Hemp Company

Willow, Alaska

30-LS0173\U  
Martin  
2/7/17

**CS FOR SENATE BILL NO. 6( )**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**THIRTIETH LEGISLATURE - FIRST SESSION**

**BY**

**Offered:**  
**Referred:**

**Sponsor(s): SENATOR HUGHES**

**A BILL**  
**FOR AN ACT ENTITLED**

1 **"An Act relating to the regulation and production of industrial hemp; relating to**  
2 **industrial hemp pilot programs; providing that industrial hemp is not included in the**  
3 **definition of 'marijuana'; and clarifying that adding industrial hemp to food does not**  
4 **create an adulterated food product."**

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 **\* Section 1.** AS 03.05 is amended by adding new sections to read:

7 **Sec. 03.05.078. Industrial hemp.** (a) Industrial hemp is an agricultural crop in  
8 the state.

9 (b) An individual registered under this section may produce industrial hemp,  
10 including growing, harvesting, possessing, transporting, processing, selling, or buying  
11 industrial hemp.

12 (c) An individual who produces industrial hemp shall apply to the department  
13 for registration on a form prescribed by the department that includes

14 (1) the name and address of the applicant;

1 (2) the address and global positioning system coordinates of the area to  
2 be used for the production of industrial hemp.

3 (d) Registration under this section is valid for one year. A registrant may  
4 renew registration in the form and manner prescribed by the department.

5 (e) The department shall establish fee levels for application, registration, and  
6 renewal of registration so that the total amount of fees collected under this section  
7 approximately equals the regulatory costs for regulating the industrial hemp industry.  
8 The department shall annually review each fee level to determine whether the  
9 regulatory cost of industrial hemp is approximately equal to the fees collected.

10 (f) The department may issue a stop-sale order or issue a violation notice to a  
11 person who is producing industrial hemp without a current registration.

12 (g) A registrant may use any propagation method, including planting seeds or  
13 starts or using clones or cuttings to produce industrial hemp.

14 (h) The department, a registrant, or any institution of higher education may  
15 import into the state and resell industrial hemp seeds.

16 (i) A registrant may retain industrial hemp seeds for the purpose of  
17 propagating industrial hemp in future years.

18 (j) A registrant may retain and recondition any industrial hemp that tests  
19 between 0.3 percent and one percent delta-9 tetrahydrocannabinol on a dry-weight  
20 basis. Industrial hemp products intended for human consumption may not exceed 0.3  
21 percent delta-9 tetrahydrocannabinol.

22 (k) The department may adopt regulations regarding approved shipping  
23 documentation for the transportation of industrial hemp.

24 (l) A registrant shall maintain for at least three years following the sale or  
25 transfer of industrial hemp records showing

26 (1) the name and address of the person that received the industrial  
27 hemp;

28 (2) the amount of industrial hemp transferred.

29 (m) A registrant shall make the records required under (l) of this section  
30 available for inspection by the department during normal business hours. The  
31 department shall provide at least three days' notice before inspecting the records.

1           **Sec. 03.05.079. Industrial hemp pilot program.** (a) The department or an  
2 institution of higher education in the state may create and administer an agricultural  
3 pilot program to study the growth, cultivation, or marketing of industrial hemp.

4           (b) An institution of higher education in the state, the division of the  
5 department with responsibility for agriculture, or a person registered under  
6 AS 03.05.078 may participate in an agricultural pilot program created under (a) of this  
7 section or engage in industrial hemp research.

8           (c) The department may adopt regulations to implement this section.

9 \* **Sec. 2.** AS 03.05.100 is amended by adding a new paragraph to read:

10           (5) "industrial hemp" means all parts and varieties of the plant  
11 Cannabis sativa L. containing not more than 0.3 percent delta-9 tetrahydrocannabinol.

12 \* **Sec. 3.** AS 11.71.900(14) is amended to read:

13           (14) "marijuana" means the seeds, and leaves, buds, and flowers of the  
14 plant (genus) Cannabis, whether growing or not; it does not include the resin or oil  
15 extracted from any part of the plants, or any compound, manufacture, salt, derivative,  
16 mixture, or preparation from the resin or oil, including hashish, hashish oil, and natural  
17 or synthetic tetrahydrocannabinol; it does not include the stalks of the plant, fiber  
18 produced from the stalks, oil or cake made from the seeds of the plant, any other  
19 compound, manufacture, salt, derivative, mixture, or preparation of the stalks, fiber,  
20 oil or cake, or the sterilized seed of the plant which is incapable of germination; it  
21 does not include industrial hemp as defined in AS 03.05.100;

22 \* **Sec. 4.** AS 17.20.020 is amended by adding a new subsection to read:

23           (e) Food is not adulterated under this section solely because it contains  
24 industrial hemp, as defined in AS 03.05.100, or an industrial hemp product.

25 \* **Sec. 5.** AS 17.38.900(10) is amended to read:

26           (10) "marijuana" means all parts of the plant of the genus cannabis  
27 whether growing or not, the seeds thereof, the resin extracted from any part of the  
28 plant, and every compound, manufacture, salt, derivative, mixture, or preparation of  
29 the plant, its seeds, or its resin, including marijuana concentrate; "marijuana" does not  
30 include fiber produced from the stalks, oil, or cake made from the seeds of the plant,  
31 sterilized seed of the plant which is incapable of germination, [OR] the weight of any

1  
2

other ingredient combined with marijuana to prepare topical or oral administrations,  
food, drink, or other products, **or industrial hemp as defined in AS 03.05.100;**



# ALASKA STATE LEGISLATURE

## SENATE RESOURCES COMMITTEE

SEN. CATHY GIESSEL  
Chair  
State Capitol, Room 427  
Juneau, AK 99801-1182  
(907) 465-4843 Fax 465-3871

Sen. John Cohn Coghill, Vice-Chair  
Sen. Kevin Meyer  
Sen. Shelley Hughes  
Sen. Bert Stedman  
Sen. Natasha Von Imhof  
Sen. Bill Wielechowski

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### Explanation of Changes in Committee Substitute for SB 6 VERSION U

#### CS for Senate Bill 6 "Alaska Grown Industrial Hemp"

The committee substitute for SB6 makes the following changes in order to comply with federal law concerning the classification and regulation of industrial hemp in the state of Alaska. It also establishes regulatory authority of the Department of Natural Resources, Division of Agriculture concerning industrial hemp pilot programs and removes industrial hemp from the list of controlled substances.

Page 1, lines 1 through 4:

Bill title revised to more clearly defined intent and the subject matter addressed. The Act relates to regulation and production of industrial hemp, addresses the establishment of pilot programs, separates by definition and change in statute industrial hemp from marijuana and clarifies adding industrial hemp to food does not adulterate that food.

Page 1, lines 6 through 14 and page 2:

Adds industrial hemp as an agricultural product to Title 3. It further establishes the Division of Agriculture as the regulatory authority for industrial hemp, lays out minimum registration guidelines and establishes guidelines for seed, plant and record retention by registered growers.

Page 3, lines 1 through 8:

Adds language establishing industrial hemp growth as a pilot program that only those who have registered or an institution of higher learning may participate in. This additional language is added in order to be in line with Section 7606 of the Agricultural Act of 2014.

Page 3, lines 9 through 11:

Places the definition of industrial hemp under Title 3 instead of under Title 11 as it was in the original bill. The definition itself is unchanged and matches the definition in Section 7606 of the Agricultural Act of 2014.

Page 3, lines 12 through 21:

Language added to the bill, specifying that under AS 11.71.900, industrial hemp is not marijuana, thereby removing industrial hemp from the list of controlled substances.

Page 3, lines 22 through 24:

Language added to exclude food containing industrial hemp from adulterated foods under Title 17.

Page 3, lines 25 through 31 and Page 4, lines 1 and 2:

Language added to further exclude industrial hemp from marijuana definitions under Title 17.

# Colorado Industrial Hemp Program



Registration

Reports

Testing/Inspection

Seed

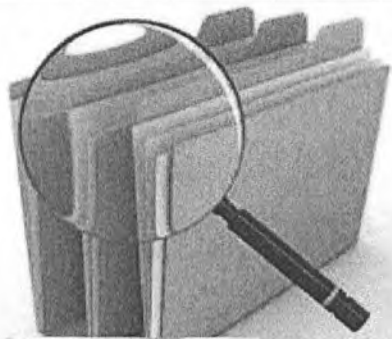
Pesticides

FAQs

Contacts



**COLORADO**  
Department of Agriculture  
Division of Plant Industry



All industrial hemp grown in Colorado must be grown under an active registration certificate which authorizes an individual to cultivate industrial hemp on a designated land area.

Commercial registrations are issued for the purpose of engaging in commerce, market development and market research by any person or legal entity other than an institution of higher education or those under a pilot program directed by the Colorado Department of Agriculture (CDA). R&D applications are granted to institutions of higher education or programs controlled directly by the CDA.

There is no deadline for submitting an application although allow at least 30 days for processing. There is no minimum or maximum acreage which can be permitted. Application fee is \$500 plus \$5 per each acre and/or 33 cents per 1000 sq. ft. for indoor grow sites. Incomplete applications will be denied and all associated fees will not be refunded.

Certificates expire 365 days from the date of issue and registrants must reapply with a new application each year. Certificates cannot be transferred or assigned. You may register as a business entity or sole proprietor; however, all businesses must have a registration in good standing with the Colorado Secretary of State.

## Before you apply

Check with your specific county, city, and homeowner association for any industrial hemp zoning restrictions they may have.

Understand participation in federally sponsored programs; i.e., crop insurance, USDA certification, conservation reserve might be in jeopardy.

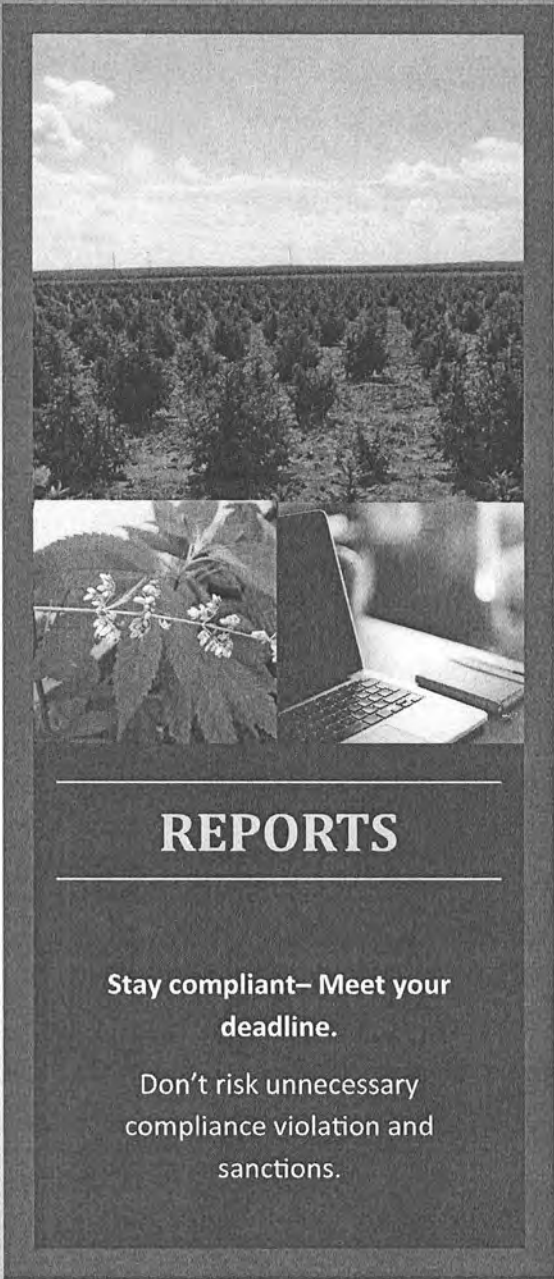
Be aware. **No marijuana** can be grown on any of the registered land area covered by your certificate. That includes any recreational or medicinal MJ. No hemp plant can be covered under more than one registration certificate simultaneously.

## What You'll Need to Include

- Center GPS coordinates. Decimal degrees only! Yes—39.917769/-105.112502. No—39 55' 3.96"/105 6" 45"
- Township, section, and range. Find at [www.earthpoint.us](http://www.earthpoint.us).
- Clear satellite view map. Prefer Google Earth.
- Variety names, if available.
- Initials and signature in all appropriate sections.
- Payment.

## Registration

- COMMERCIAL vs R&D
- DEADLINE
- FEE STRUCTURE
- INCOMPLETE APPLICATIONS
- EXPIRATION
- TRANSFER OF CERTIFICATE
- NO MARIJUANA
- BUSINESS ENTITY OR SOLE PROPRIETOR
- DETERMINING GPS
- CONTACT INFORMATION



## REPORTS

**Stay compliant— Meet your deadline.**

Don't risk unnecessary compliance violation and sanctions.

**Planting and Harvest forms can be downloaded at:**

**[www.colorado.gov/pacific/agplants/industrial-hemp](http://www.colorado.gov/pacific/agplants/industrial-hemp)**

### Statement of Verification

Deadline: Included with registration application.

Includes: Statement that all hemp to be planted will produce a THC concentration of no more than 0.3% on a dry weight basis. Lists varieties and accompanying map.



### Planting Report

Deadline: Due within 10 days after planting.

Includes: Confirmation of varieties, location of each variety, actual acreage or sq. footage planted, and date planted.



### Hemp Harvest Notification

Deadline: Due 30 days **PRIOR** to harvest.

Includes: Confirms varieties, declares actual acreage or sq. footage to be harvested, GPS, and date of harvest.



### Acknowledgement of Inspection

Deadline: Contact due within 10 days of notification of selection for inspection.

Purpose: For coordination and scheduling of inspection.



### Change of Contact Information

Deadline: Within 10 days of said change.

Includes: Updated contact information, including mail address, phone, and email. Accurate contact information is **CRITICAL**.



## Inspection and Testing

All registrations are subject to sampling to verify the THC concentration within a registered land area does not exceed 0.3% on a dry weight basis. Up to 100% of the registrants may be selected.

### How do I know I'm selected?

You will receive notification from the CDA. That's why we ask you keep contact info current.

### What's next?

A CDA inspector will contact you to schedule. Remember you or your authorized agent must be present during the inspection. Inspector should be allowed full unrestricted access.

### What are the fees?

The fee is currently set at \$150 per sample, \$35 per hour for drive time and sample time, plus 25 cents per mile.

### Will the CDA's lab test my crop if I'm not selected?

No. The CDA's laboratory does not provide private testing.



### What type of sample is collected?

To ensure the highest THC levels are measured material is collected from the flower, foliage leaf material from top 2 inches, and buds. Male plants are not included. Stems and seeds may be collected during sampling process however are removed and discarded prior to testing. Samples can be of individual varieties or a composite. Specimens are sealed and transported to the lab for processing. The lab then divides the material into two samples; one for testing and one held for retesting. Testing is only for THC; we do not test for CBDs.

### How long does it take for test results to return?

Results typically are available within 2-3 weeks.

### What is considered a failing test result?

A result greater than 0.3% THC is evidence that at least one plant or part of plants contains THC on a dry weight basis of more than 0.3% THC and, therefore, not in compliance. A result of greater than 1.0% THC may be provided to law enforcement.

### What are my options?

If a test is above 0.3% but less than 1% THC, a registrant shall not be subject to revocation or suspension of their registration if the crop is destroyed or utilized in a manner approved of by the Commissioner. This waiver only protects against civil penalty. CDA has no authority over material above 0.3% and technically becomes an illegal marijuana grow with potential for criminal penalties.

- CDA does not mandate destruction.
- CDA wants you to be aware of potential for criminal penalties if not destroyed.
- CDA wants to assist you in documenting disposition/destruction if elected.
- Seed from plants testing high cannot be sold.
- No consumption of plants testing high even for personal use.
- Plants should not enter stream of commerce.
- Plants should not leave the site.

# Seed



Currently there is no state certified hemp seed for Colorado. The available viable seed bank is very limited and is not certified to produce a plant with a THC content below 0.3%. Industrial hemp registrants seeking seed should be aware of this challenge and additional risk.

## Availability of Seed

There is a small amount of hemp seed being produced in Colorado after the passage of the Hemp Act in 2013. The variability of this seed is high and the THC levels can be uncertain. A list of those registered to sell industrial hemp seed in Colorado, either seed they grew themselves or seed obtained from others, can be obtained through a Colorado Open Records Act (CORA) request made in writing to the seed program.

Any individual registered to cultivate industrial hemp who wishes to also sell the seed stock must obtain a seed registration for the seed label through the CDA. This application is available at [www.colorado.gov/pacific/agplants/seed](http://www.colorado.gov/pacific/agplants/seed).



If you register with the CDA to sell your hemp seed, remember that your seed label must include:

- Name, kind of seed, variety if known
- Lot number
- Origin
- Purity
- Name and address of labeler
- Net weight



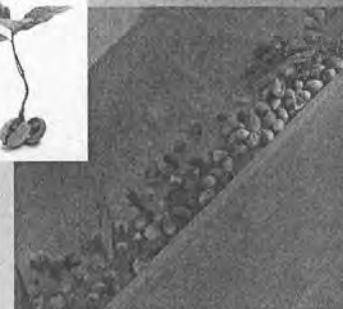
- % of germination
- % by weight of inert matter
- % by weight of weed seeds
- % of hard or dormant seeds
- Noxious weeds
- Month and year test completed

THC level is not required by seed rules and regulations to be included on the label although many seed labelers are voluntarily electing to do so.

Importation of industrial hemp seed requires a Drug Enforcement Administration (DEA) registration and import permit. The most recent Farm Bill contains a provision under SEC. 7606 which provides for state departments of agriculture and institutions of higher education to obtain a registration and import permit for industrial hemp seed for research purposes as long as all definitions outlined in the provision are met. SEC. 7606, however, does not provide a provision for the DEA to issue registration and import permits for individual farmers to import the seed.

## Certified Seed Program

Certified seed is not just a variety; it is a controlled production environment that ensures farmers are getting varieties that produce mature plants below 0.3% THC and are free of pests, diseases, and noxious weeds. To ensure Colorado farmers have varieties that meet the THC standard the CDA will test mature plants in a broad range of cultural and geographical regions for THC levels. Varieties that consistently produce low THC levels will then be grown under conditions that allow for certification. Only seed produced under these guidelines may be sold as Certified seed in Colorado.





## PESTICIDES



VISIT:

[www.colorado.gov/pacific/agplants/pesticides](http://www.colorado.gov/pacific/agplants/pesticides)

The Colorado Pesticide Applicator Act prohibits use of a pesticide in a manner inconsistent with the product labeling. 35-10-117(1)(i) C.R.S.: unless otherwise authorized by law, it is unlawful and a violation of this article for any person to use, store or dispose of pesticides, pesticide containers, rinsates, or other related materials, or to supervise or recommend such acts, in a manner inconsistent with labeling directions or requirements, unless otherwise provided by law, or in an unsafe, negligent, or fraudulent manner.



The CDA is currently reviewing pesticide labels upon request and also maintaining a list of products whose labels have been reviewed and which are believed to be able to be used on industrial hemp and/or marijuana without violating the Colorado Pesticide Applicator Act 35-10117(1)(i). Review has been concentrated on insecticides, fungicides, and miticides. Visit our website for the most current list. Here you can also find the products which have been removed from the list.

Commercial producers of industrial hemp who hire employees also must adhere to the requirements of the Federal Pesticide Worker Protection Standard. If you hire workers who are working in an area where plants have been treated with pesticides and/or who mix or apply pesticides, then specific WPS requirements should be followed. These standards are established by the federal EPA. The CDA holds period Worker Protection Standards training seminars aimed at the marijuana and industrial hemp industry. Visit our website to learn of planned upcoming seminars.

## Frequently asked questions...

Are there any in-state processors?

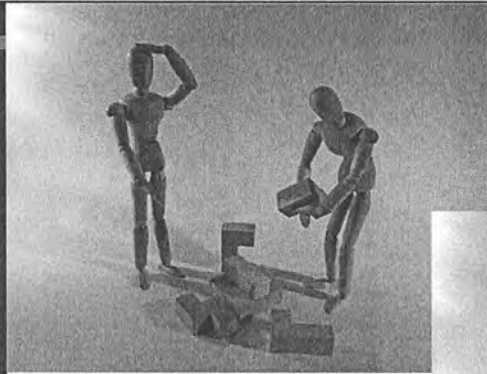
Yes. However, because the CDA is not the regulatory agency for processing our list of in-state processors is limited and primarily through anecdotal acquisition from other registrants.

Does the CDA regulate processing?

The CDA is not the regulatory agency for the processing of hemp. We regulate the cultivation and registration of industrial hemp (IH). Our jurisdiction stops at the "farm gate." If you are interested in processing, reach out to the regulatory agency specific to your type of processing. For example, Colorado Department of Public Health and Environment (CDPHE) regulates edibles, CBD extraction, biofuels.

Can I sell my hemp plants out of state?

No. IH is still considered a controlled substance federally. CDA does not have jurisdiction over the interstate transport of material into or out of the state other than what is required under phytosanitary provisions that would apply to any other crop. Jurisdiction for interstate transport remains solely with the federal government. We instruct our registrants not to ship viable IH or processed hemp products via the US postal service, FEDEX, UPS, or any other transport service who ships interstate or internationally. Since "processed" hemp falls into such a grey area we want registrants to be aware of the risk and potential for criminal charges.



### What information does CDA share?

Under a Colorado Open Records Act request, CDA will share name, mail address, phone, email, and county information with a requestor. We do not release grow site locations or size unless subpoenaed to do so by law enforcement. We also share contact information for hemp seed labelers and farmer seed labelers.

### Can my hemp be certified organic, and, if so, will CDA certify it?

Hemp can be certified organic through the National Organic Program (NOP). A complete list of certifying agencies is available at the USDA National Organic Program website, <http://www.ams.usda.gov/resources/organic-certifying-agents>. Not all agencies certify all products.

### Remember to...

- Register
- Report
- Communicate
- Test
- Document
- Comply
- Succeed





## Contacts

### Industrial Hemp Program

Duane Sinning, Assistant Director  
303-869-9068  
duane.sinning@state.co.us

### Industrial Hemp Registration

Sharon Farr, Administrative Assistant  
303-869-9055  
sharon.farr@state.co.us

### Industrial Hemp Seed Program

Terry Moran, Seed Certification Specialist  
303-869-9000  
terry.moran@state.co.us

### Seed Registration

Brian Allen, Administrative Assistant  
303-869-9071  
brian.allen@state.co.us

### Pesticide Product Enforcement/Worker Protection

Mike Rigirozzi, Pesticide Applicator Compliance and Enforcement  
303-869-9059  
michael.rigirozzi@state.co.us

### Pesticide Product Label Review Requests

Tori Gillott, Administrative Assistant  
303-869-9062  
tori.gillott@state.co.us



**COLORADO**  
Department of Agriculture  
Division of Plant Industry

VISIT us at:  
[www.colorado.gov/pacific/agplants/industrial-hemp](http://www.colorado.gov/pacific/agplants/industrial-hemp)

305 Interlocken Parkway  
Broomfield, CO 80022  
303.869.9000 ph  
303.466.2860 fax



## DEPARTMENT OF AGRICULTURE

### Plant Industry Division

#### RULES PERTAINING TO THE ADMINISTRATION AND ENFORCEMENT OF THE INDUSTRIAL HEMP REGULATORY PROGRAM ACT

##### 8 CCR 1203-23

*[Editor's Notes follow the text of the rules at the end of this CCR Document.]*

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Pursuant to the provisions and requirements of the Industrial Hemp Regulatory Program Act, Title 35, Article 61, C.R.S., the following Rules are hereby promulgated to regulate the registration of Industrial Hemp cultivation:

#### Part 1 DEFINITIONS

- 1.1 "Act" means the Industrial Hemp regulatory Program Act, Title 35, Article 61, C.R.S.
- 1.2 "Commercial" means the growth of Industrial Hemp, for any purpose including engaging in commerce, market development and market research, by any person or legal entity other than an institution of higher education or under a pilot program administered by the Department for purposes of agricultural or academic research in the development of growing Industrial Hemp.
- 1.3 "Commissioner" means the Commissioner of Agriculture and any employee of the Department of Agriculture associated with the Industrial Hemp Regulatory Program.
- 1.4 "Composite Sample" means the combined total number of hemp samples taken from the plants in the growing area.
- 1.5 "Department" means the Colorado Department of Agriculture.
- 1.6 "Industrial Hemp" means a plant of the genus Cannabis and any part of the plant, whether growing or not, containing a delta-9 tetrahydrocannabinol (THC) concentration of no more than three-tenths of one percent (0.3%) on a dry weight basis.
- 1.7 "Law Enforcement" means the activities of the Federal, State and local agencies responsible for maintaining public order and enforcing the law.
- 1.8 "Registrant" means any individual or legal entity who holds a valid registration to grow Industrial Hemp under these Rules.
- 1.9 "Registration" means authorization by the Commissioner for any individual or legal entity to grow Industrial Hemp on a designated land area.
- 1.10 "Registered Land Area" means a contiguous land area registered with the Department on which a registrant plans to cultivate Industrial Hemp. A registered land area may include land and buildings that are not used for cultivation.
- 1.11 "Research and Development" means growth of Industrial Hemp either by an institution of higher education or under a pilot program administered by the Department for purposes of agricultural or academic research in the development of growing Industrial Hemp.

- 1.12 "Variety" means a group or individual(s) plant(s) that exhibits the same observable physical characteristics or have the same genetic composition.

**Part 2 REGISTRATION**

- 2.1 Each applicant for a commercial Industrial Hemp registration shall submit a signed, complete, accurate and legible application form provided by the Commissioner at least 30 days prior to planting which includes the following information:
- 2.1.1 The name and address of the applicant.
  - 2.1.2 Type of business entity, such as corporation, LLC, partnership, sole proprietor, etc.
  - 2.1.3 Business name(s) if different from (2.1.1) above.
  - 2.1.4 The legal description (Section, Township, Range) in which the growing area is located.
  - 2.1.5 The global positioning location coordinates taken at the approximate center of the growing area.
  - 2.1.6 A map of the land area on the which the applicant plans to grow the Industrial Hemp, showing the boundaries and dimensions of the growing area in acres or square feet, and the location of different varieties within the growing area, if applicable.
  - 2.1.7 By submitting an application the registrant acknowledges and agrees to the following terms and conditions:
    - 2.1.7.1 Any information provided to the Department may be publicly disclosed and be provided to law enforcement agencies without further notice to the applicant or registrant.
    - 2.1.7.2 The registrant agrees to allow any inspection and sampling that the Department deems necessary.
    - 2.1.7.3 The registrant agrees to pay for any inspection and laboratory analysis costs that the Department deems necessary within 30 days of the date of the invoice.
    - 2.1.7.4 The registrant agrees to submit all required reports by the applicable due-dates specified by the Commissioner.
- 2.2 Each applicant for a research and development Industrial Hemp registration shall submit a signed, complete, accurate and legible application form provided by the Commissioner at least 30 days prior to planting which includes the following information:
- 2.2.1 The name and address of the applicant.
  - 2.2.2 Type of business or organization such as corporation, LLC, partnership, sole proprietor, etc.
  - 2.2.3 Business name(s) if different from (2.2.1) above.
  - 2.2.4 The legal description (Section, Township, Range) of the growing area.
  - 2.2.5 Global positioning system location taken at the approximate center of the growing area.

- 2.2.6 A map of the land area on which the applicant plans to grow the Industrial Hemp, showing the boundaries and dimensions of the growing area in acres or square feet, and the location of different varieties within the growing area, if applicable.
- 2.2.7 By submitting an application the registrant acknowledges and agrees to the following terms and conditions:
  - 2.2.7.1 Any information provided to the Department may be publicly disclosed and be provided to law enforcement agencies without further notice to the applicant or registrant.
  - 2.2.7.2 The registrant agrees to allow any inspection and sampling that the Department deems necessary.
  - 2.2.7.3 The registrant agrees to pay for any inspection and laboratory analysis costs that the Department deems necessary within 30 days of the date of the invoice.
  - 2.2.7.4 The registrant agrees to submit all required reports by the applicable due-dates specified by the Commissioner.
- 2.3 Registrations cannot be assigned or transferred to another business, individual or other entity.
- 2.4 No Industrial Hemp plant shall be included in more than one registration simultaneously.
- 2.5 No registered land area may contain cannabis plants or parts thereof that the registrant knows or has reason to know are of a variety that will produce a plant that when tested will produce more than 0.3% THC on a dry weight basis. No registrant shall use any such variety for any purpose associated with the cultivation of Industrial Hemp.
- 2.6 Each noncontiguous land area on which Industrial Hemp is grown shall require a separate registration. Any addition to a registered land area shall also require a separate registration.
- 2.7 In addition to the application form, each applicant for a registration shall submit the registration fee set by the Commissioner. If the registration fee does not accompany the application, the application for registration will be deemed incomplete.
- 2.8 The annual registration fee for commercial production of Industrial Hemp shall be \$500 plus \$5.00/acre outdoors and/or \$.33/1000 sq. ft. indoors.
- 2.9 The annual registration fee for production of Industrial Hemp for research and development shall be \$500 plus \$5/acre outdoors and/or \$.33/1000 sq. ft. indoors.
- 2.10 All registrations shall be valid for one year from date of issuance.
- 2.11 All Industrial Hemp plant material must be planted and harvested within a registration period. Any plant material that is not harvested in the registration period in which it was planted must be declared for inclusion in a subsequent registration.
- 2.12 Any registrant that wishes to alter the growing area(s) on which the registrant will conduct Industrial Hemp cultivation for either commercial or research and development purposes shall, before altering the area, submit to the Department an updated legal description, global positioning system location, and map specifying the proposed alterations. Amendments to an existing registration are limited to changes within the original land area registered, including variety changes, location(s) of varieties, and actual acreage or square feet of each variety planted.

2.13 Incomplete applications will not be processed and application fees will not be refunded if a registration is not granted.

2.14 Any changes to contact information must be provided within 10 days of the change.

### Part 3 REPORTS

3.1 Prior to planting each commercial Industrial Hemp registrant shall file a report with the Commissioner that includes:

3.1.1 A statement of verification on a form provided by the Commissioner that the registrant has reasonable grounds to believe that the crop the registrant will plant is of a type and variety of Industrial Hemp that will produce a THC concentration of no more than 0.3% on a dry weight basis.

3.1.2 A description of the Industrial Hemp varieties to be planted on the registered land area and a map showing where they will be planted. All plant material to be used for cultivation of Industrial Hemp within a registered land area must be included.

3.1.3 A statement of intended end use for all parts of any Industrial Hemp plants grown within a registered land area.

3.2 Within 10 days after planting, each commercial registrant shall submit a report with the Commissioner that includes:

3.2.1 A list or description of all varieties planted within a registered land area.

3.2.2 The location and actual acreage or square feet of each variety planted within a registered land area.

3.3 At least 30 days prior to harvest, each commercial Industrial Hemp registrant shall file a report with the Commissioner that includes:

3.3.1 Documentation that the commercial registrant has entered into a purchase agreement with an in-state Industrial Hemp processor. If the registrant has not entered into such an agreement, the registrant shall include a statement of intended disposition of its Industrial Hemp crop.

3.3.2 The harvest date(s) and location of each variety planted within a registered land area.

3.4 Prior to planting, each research and development Industrial Hemp registrant shall file a report with the Commissioner that includes:

3.4.1 A description of the hemp varieties to be planted on the registered land area and a map showing where they are planted. All plant material to be used for cultivation of Industrial Hemp within a registered land area must be included.

3.4.2 A statement of intended end use for all parts of any Industrial Hemp plants grown within a registered land area.

3.5 Within 10 days after planting, each research and development registrant shall submit a report with the Commissioner that includes:

3.5.1 A list or description of all varieties planted within a registered land area.

- 3.5.2 The location and actual acreage or square feet of each variety planted within a registered land area.
- 3.5.3 A statement of verification on a form provided by the Commissioner that all of the Industrial Hemp plants to be cultivated are of a type and variety reasonably believed to produce Industrial Hemp with a THC concentration of no more than 0.3% on a dry weight basis. All plant material to be used in or as a part of an Industrial Hemp registration must be included.
- 3.6 At least 30 days prior to harvest, each research and development Industrial Hemp registrant shall file a report with the Commissioner that includes:
  - 3.6.1 A statement of the intended use of all Industrial Hemp planted within a registered land area.
  - 3.6.2 The harvest date(s) and location of each variety planted within a registered land area.
- 3.7 Each commercial and research and development registrant shall report to the Commissioner any changes to information provided in the registration or any previously submitted reports, including any changes to the purchase agreement or statement of intended disposition, within 10 days of such change.

**Part 4 INSPECTION PROGRAM**

- 4.1 All registrations are subject to sampling to verify that the THC concentration of the cannabis planted within a registered land area does not exceed 0.3% on dry weight basis. The Commissioner may select up to 100% of the registrants to be inspected. The Commissioner shall send notification to each registrant of their selection. The notification shall inform the registrant of the scope and process by which the inspection will be conducted and require the registrant to contact the Department within 10 days to set a date and time for the inspection to occur. Failure to contact the Department as required will result in the initiation of disciplinary proceedings pursuant to Part 6 of these Rules against the registration.
- 4.2 During the inspection, the registrant or authorized representative shall be present at the growing operation. The registrant or authorized representative shall provide the Department's Inspector with complete and unrestricted access to all cannabis plants, parts and seeds within a registered land area whether growing or harvested, and all land, buildings and other structures used for the cultivation and storage of Industrial Hemp, and all documents and records pertaining to the registrant's Industrial Hemp growing business.
- 4.3 All cannabis plants within a registered land area may be sampled to ensure compliance with the Industrial Hemp Program.
  - 4.3.1 Individual or composite samples of each variety of cannabis may be sampled from the registered land area at the Department's discretion.
  - 4.3.2 The sampled material will be prepared for testing using protocols approved by the Commissioner and divided into two parts. One part will be used for testing. The other part will be retained for retesting.
  - 4.3.3 Quantitative laboratory determination of the THC concentration on a dry weight basis will be performed according to protocols approved by the Commissioner.

- 4.3.4 A sample test result greater than 0.3% THC shall constitute evidence that at least one cannabis plant or part of a plant in the registered land area contains THC on a dry weight basis of more than 0.3% and that the registrant of that registered land area is therefore not in compliance with the Act. Upon receipt of such a test result, the Commissioner may summarily suspend or revoke the registration of an Industrial Hemp registrant in accordance with the Act, these Rules and 24-4-104, C.R.S. Sample test results for Industrial Hemp registrations that are greater than 1.0% THC on a dry weight basis may be provided to the appropriate law enforcement agencies.

#### 4.4 Fees

- 4.4.1 Registrants selected for inspection shall pay a charge of \$35 dollars per hour per inspector for actual drive time, mileage, inspection and sampling time.
- 4.4.2 Registrants selected for inspection shall reimburse the Department for all laboratory analysis costs incurred by it within 30 days of the date of the invoice.

### Part 5 WAIVER

- 5.1 Notwithstanding the fact that a sample of a research and development registrant's Industrial Hemp tests higher than 0.3% but less than 1% THC content the registrant shall not be subject to any penalty if:
  - 5.1.1 The sampled Industrial Hemp was grown solely for research and development purposes by an individual or entity holding a research and development registration, and the crop is destroyed or utilized on site in a manner approved of and verified by the Commissioner.
  - 5.1.2 Test results from a research and development registrant may, at the Commissioner's discretion, be accepted in lieu of Department sampling.
- 5.2 Notwithstanding the fact that a sample of a commercial registrant's Industrial Hemp tests higher than 0.3% but less than 1% THC content the registrant shall not be subject to revocation or suspension of their registration if the crop is destroyed or utilized in a manner approved of and verified by the Commissioner.

### Part 6 VIOLATIONS/DISCIPLINARY SANCTIONS/CIVIL PENALTIES

- 6.1 In addition to any other violations of Title 35, Article 61, C.R.S., or these Rules, the following acts and omissions by any registrant or authorized representative thereof constitute violations for which civil penalties up to \$2,500 per violation and disciplinary sanctions, including summary suspension or revocation of a registration, may be imposed by the Commissioner in accordance with §§ 35-61-107 and 24-4-104, C.R.S.:
  - 6.1.1 Refusal or failure by a registrant or authorized representative to fully cooperate and assist the Department with the inspection process.
  - 6.1.2 Failure to provide any information required or requested by the Commissioner for purposes of the Act or these Rules.
  - 6.1.3 Providing false, misleading, or incorrect information pertaining to the registrant's cultivation of Industrial Hemp to the Commissioner by any means, including but not limited to information provided in any application form, report, record or inspection required or maintained for purposes of the Act or these Rules.
  - 6.1.4 Failure to submit any required report in accordance with Part 3.

- 6.1.5 Growing cannabis that when tested is shown to have a THC concentration greater than 0.3% on a dry weight basis.
- 6.1.6 Failure to pay fees assessed by the Commissioner for inspection or laboratory analysis costs.

**Parts 7 & 8 RESERVED**

**Part 9 STATEMENTS OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE**

**9.1 Adopted November 12, 2013 – Effective December 30, 2013**

Statutory Authority

These rules are proposed for adoption by the Commissioner of the Colorado Department of Agriculture ("CDA") pursuant to his authority under the Industrial Hemp Regulatory Program Act (the "Act"), §§ 35-61-104(5) and 35-61-105(2), C.R.S.

Purpose

The purposes of these proposed rules are to:

1. Adopt a Part 1 setting forth definitions of specific terms used in these Rules.
2. Adopt Rules in Part 2 establishing a process for registering growers of industrial hemp and setting forth the information and fees required.
3. Adopt Rules in Part 3 establishing the information reporting requirements with which registrants must comply.
4. Adopt Rules in Part 4 establishing an inspection program to ensure compliance with the provisions of the Act and these Rules.
5. Adopt Rules in Part 5 creating conditional penalty waiver provisions for registrants whose industrial hemp crop THC content tests between 0.3% and 1.0% by dry weight.
6. Adopt Rules in Part 6 specifying violations of these Rules for which penalties may be imposed.

Factual and Policy Basis

The factual and policy issues encountered when developing these rules include:

1. Senate Bill 13-241 authorized the creation of a program within the Department of Agriculture to regulate industrial hemp cultivation.
2. The bill created a nine-member advisory committee to work with the Department to develop rules establishing an Industrial Hemp Regulatory Program. This committee was appointed by Senator Gail Schwartz and Representative Randy Fischer.
3. The committee held three public meetings to determine what rules were necessary to implement this program and draft the appropriate language. The committee will continue to work with the Department to refine and update these Rules over the coming years, as well as review the testing protocols that Department staff is currently developing.

**9.2 Adopted June 11, 2014 – Effective June 11, 2014**

Statutory Authority

These emergency rules are proposed for adoption by the Commissioner of the Colorado Department of Agriculture ("CDA") pursuant to his authority under the Industrial Hemp Regulatory Program Act (the "Act"), Sections 35-61-104(5) and 35-61-105(2), C.R.S.

Purpose

The purposes of these proposed rules are to:

1. Adopt a registration time period of 30 days prior to planting with the elimination of the May 1 registration deadline.
2. Allow the Department to collect crop intended harvest date and disposition information 30 days prior to harvest, rather than 7 days prior to harvest.

Factual and Policy Basis

The factual and policy issues encountered when developing these rules include:

1. Senate Bill 14-184 eliminated the May 1 deadline for program registration. The Department needs 30 days to process hemp applications.
2. The Department needs 3 -4 weeks to plan sampling.

**9.3 Adopted August 5, 2014 – Effective September 30, 2014**

Statutory Authority

These rules are proposed for adoption by the Commissioner of the Colorado Department of Agriculture ("CDA") pursuant to his authority under the Industrial Hemp Regulatory Program Act (the "Act"), Sections 35-61-104(5) and 35-61-105(2), C.R.S.

Purpose

The purposes of these proposed rules are to make permanent emergency rules effective June 11, 2014. Specifically, these amendments:

1. Adopt a registration time period of 30 days prior to planting with the elimination of the May 1 registration deadline.
2. Allow the Department to collect crop intended harvest date and disposition information 30 days prior to harvest, rather than 7 days prior to harvest.

Factual and Policy Basis

The factual and policy issues encountered when developing these rules include:

1. Senate Bill 14-184 eliminated the May 1 deadline for program registration. The Department needs 30 days to process hemp applications.
2. The Department needs 3 -4 weeks to plan sampling.

**9.4 Adopted February 11, 2015 – Effective March 30, 2015**

Statutory Authority

These Rules are proposed for adoption by the Commissioner of the Colorado Department of Agriculture ("CDA") pursuant to his authority under the Industrial Hemp Regulatory Program Act (the "Act"), Sections 35-61-104(5) and 35-61-105(2), C.R.S.

Purpose

The purposes of these proposed Rules are to:

1. Amend the definition of "Commercial" in Rule 1.2. to establish clear separation between the activities permitted under a Commercial registration and a Research and Development registration.
2. Amend the definition of "Law Enforcement" in Rule 1.7.
3. Adopt a new Rule 1.8 to define "Registrant."
4. Adopt a new Rule 1.9 to define "Registration."
5. Adopt a new Rule 1.10 to define "Registered Land Area" and delete the definition of "Growing Area."
6. Amend the definition of "Research and Development" in Rule 1.11 to follow the 2014 Farm Bill language.
7. Adopt a new Rule 1.12 to define "Variety."
8. Amend language referencing site and growing area(s) used throughout the Rules to reflect the above definition changes.
9. Amend language referencing sampling and analysis costs and add terms of payment used in Rules 2.1.7.3 and 2.2.7.3.
10. Separate language from Rule 2.2.5 and create Rule 2.2.6 for Rule language consistency between Commercial and Research & Development Rules format.
11. Create a new Rule 2.3 barring the transfer of ownership of a registration.
12. Create a new Rule 2.4 language barring registration of one plant under two registrations.
13. Create a new Rule 2.5 barring any cannabis plants other than Industrial Hemp on a registered land area.
14. Create a new Rule 2.6 to define what can be included in a single registration.
15. Amend registration fees in Rules 2.8 and 2.9 to cover the cost of administering the program.
16. Adopt a new Rule 2.11 to require harvest of all plants within a registration period. Allow for material that is planted under one registration to be included in subsequent registrations through declaration during registration.

17. Adopt a new Rule 2.13 limiting amendments to a registration.
18. Adopt a new Rule 2.13 regarding processing of applications.
19. Adopt a new Rule 2.14 requiring registrants to maintain current contact information with the Department.
20. Amend Rules 3.1.2 and 3.4.1 to require reporting of all plant material used in an Industrial Hemp registered land area.
21. Adopt new Rules 3.1.3 and 3.4.2 requiring registrants to report the intended use of all parts of the Industrial Hemp crop included in a registered land area.
22. Adopt new Rules 3.2 and 3.5 requiring reporting of the varieties and location of all Industrial Hemp planted in a registered land area.
23. Adopt a new Rule 3.5.3 requiring research and development registrants to verify that all the Industrial Hemp to be cultivated is reasonably believed to produce a crop with a THC of 0.3% or less on a dry weight basis.
24. Amend Rules 3.3.2 and 3.6.2 to require reporting of specific crop location information at least 30 days prior to harvest.
25. Adopt a new Rule 3.7 to require reporting of any changes in information previously submitted to the Department within 10 days.
26. Amend Rule 4.1 to allow sampling of all cannabis plants on a registered Industrial Hemp land area, allow sampling of up to 100% of the registrants, allow the Department to notify the registrant of inspection by methods other than certified mail, require registrants to contact the Department within 10 days of inspection notification and explain the consequence for failing to do so.
27. Amend Rule 4.2 to allow access to all cannabis material associated with a registration.
28. Amend Rules 4.3 and 4.3.1 to allow individual or composite sampling of all cannabis plants on a registered Industrial Hemp land area.
29. Amend Rule 4.3.2 to allow more valid scientific testing protocols.
30. Amend Rule 4.3.4 to include the updated language from existing Rule 4.3.4.1 and remove the term commercial so any registration found not in compliance could be suspended or revoked in accordance with C.R.S. 24-4-104.
31. Amend Rule 4.4.2 to set terms of payment to 30 days of invoice.
32. Amend Rule 5.1 to include the same 1.0% THC limit for a waiver from penalty as applied to commercial registrations.
33. Amend Rule 6.1 to clarify scope and add summary suspension language for clarity purposes.
34. Amend Rule 6.1.5 to include proper terminology for cannabis exceeding 0.3% THC.

Factual and Policy Basis

The factual and policy issues encountered when developing these Rules include:

1. The revised definitions for "Commercial" and "Research and Development" in Rules 1.2 and 1.11 are intended to establish a clear separation between the activities allowed under a Commercial registration and a Research and Development registration. All Industrial Hemp production activities not authorized by the 2014 Farm Bill Research and Development language, including all privately-conducted research and development, are covered by a commercial registration. In addition to private scientific research, this change in definitional language will allow research for competitive advantage or product development without limiting the sale or distribution of plant material used and produced under a commercial registration, similar to what commercial enterprises in other industries do for product development in a research division of a company. This Rule change meets the needs of registrants who have requested sale of material from their research and development registrations by aligning their research to be conducted under commercial registration without structurally changing their research practices.
2. Rule 1.7 is intended to clarify the broad scope of governmental agencies involved in law enforcement and eliminate unnecessary language about their activities.
3. Rules 1.8 and 1.9 are intended to define the difference between a person or entity who has been granted approval from and the authorization to grow Industrial Hemp on a specific site.
4. Rule 1.10 creates a definition for an area registered to grow Industrial Hemp that includes property the registrant may want to include that is not a growing area.
5. Rule 1.12 creates a definition for plants used in the Rules that clarifies registration, planting and harvest requirements. The definition is also necessary for delineation purposes during sampling.
6. The changes in Rules 2.1, 2.2, 3.1, and 3.4 are needed to make the language in those Rules consistent with other language in the Rules.
7. Amending the language in 2.1.7.3 and 2.2.7.3 is intended to standardize the terminology with that used in Part 4, clarify the costs for which a registrant is responsible, and set the terms of payment which are not currently specified. This clarification is necessary because some registrants have delayed payment of fees until another registration is granted or until they have negotiated individual payment terms, creating administrative confusion and increasing program costs.
8. Separating the requirements in Rule 2.2.6 and 2.2.5 improves consistency with 2.1.6 and 2.1.5 for ease of Rule readability.
9. The prohibition in Rule 2.3 on the transfer of registration is necessary to facilitate inspection and sampling and to prevent the transfer of registrations to persons or entities who would not otherwise qualify for a registration due to previous sanctions and penalties. This also closes a potential loophole through which a legally acquired Industrial Hemp registration could be transferred to another individual for purposes of evasion in growing or transporting of Marijuana.
10. Rule 2.4 is necessary to avoid confusion when a registrant holds multiple registrations. This Rule will enable the Department to accurately identify, inspect and sample all of the plants grown under a specific registration.

11. Under Article XVIII, Section 16 of the Colorado Constitution (Adopted by voters as "Amendment 64") "Industrial Hemp" is defined and regulated separately from "Marijuana". The Department therefore has no legal jurisdiction over cannabis that contains more than 0.3% THC on a dry weight basis because it is constitutionally defined as Marijuana and not Industrial Hemp. The Department thus does not have the authority to grant the possession or use of any cannabis material above 0.3% THC within its Industrial Hemp registration program; all such material is regulated as Marijuana under the authority of the Department of Revenue. Rule 2.5 is necessary to prevent the use or presence of plant material in a registered land area that would be outside the Department of Agriculture's jurisdiction. The proposed Rule language does not limit the right to possess or conduct Marijuana research but does prevent Marijuana material from knowingly being used under the Industrial Hemp program by excluding it from the area the registrant has agreed is dedicated to Industrial Hemp.
12. Rule 2.6 defines what may be included in a single registration. The change is necessary to track registration sites, what is planted on a registered land area and ensure accurate testing can be done. The current system has created administrative issues as registrants have added sites miles away from existing registrations during the growing season and cancelled growing areas registered under the same registration, creating situations where it has become difficult to track where plant material currently is being grown for inspection purposes. These changes in registrations have also increased the cost of program administration as the Department attempts to track sites currently registered to grow Industrial Hemp. The Rule does not limit the registrants ability to stagger planting within a registered land area. The Rule is also intended to facilitate the establishment of an equitable fee structure to self-fund the program as mandated in the Act.
13. The Department is proposing to increase the fees in Rule 2.8 and 2.9 to comply with the self-funding mandate set forth in Section 35-61-106 (2), C.R.S. Current fees have generated less than 20% of the necessary revenue to support the program. Section 35-61-106 (2), C.R.S., limits the sources of revenue to registration fees and land area. Leaving registration fees at current levels would require per acre fees to exceed \$55. The new registration fee structure was developed to equitably generate sufficient revenue to self-fund the program at current registration levels. The fees for Commercial and Research & Development registrations were set at the same level so as not to favor either type of registration or disadvantage research for competitive advantage conducted under a commercial registration.
14. Section 35-61-104(3), C.R.S. defines the effective period of a valid registration to one year. To regulate the program it is necessary for plant material to be registered before planting as required in Rules 2.1 and 2.2. To insure that all plant material is regulated under a valid registration and therefore protected under Section 35-61-102(2), C.R.S., Rule 2.11 was created to clarify the requirement to harvest within a registration and add language necessary for the perpetuation of genetics.
15. Rule 2.12 is necessary to prohibit the expansion of a registration outside of the original land area described in the application for registration. Without this limitation it is very difficult and time consuming for the Department to track plant material to a registration or ensure compliance with planting reports. Registrants have used the current amendment language to establish new growing sites and assume sites originally registered to another registrant. The current system allowing registrants to add new locations through amendments without cost has significantly increased the administrative costs of the program which must be passed on to all registrants.

16. Rule 2.13 insures that the cost to process an application incurred by the Department prior and regardless of whether a registration is issued are not passed along to other registrants should a registration not be granted. Under Section 35-61-106(2), C.R.S., the Commissioner is required to collect fees to cover all of the program's costs, including those associated with applications that are denied.
17. The Department has spent considerable resources trying to contact the registrants after registration due to changes in contact information. This has increased administrative costs for the program. Rule 2.14 requires registrant contact information remain current so the Department can contact registrants regarding sampling and inspection without added administrative costs. Some registrants have changed their contact information including mailing address, e-mail address and phone numbers to evade requests by the Department to conduct inspections.
18. Rules 3.1.2 and 3.4.1 require a registrant to disclose all plant material intended for use in a registered land area to be disclosed. This is necessary to enable the Department to confirm that all plant material used within a land area registered with the Industrial Hemp program is of a type and variety that will produce plants with a THC content not to exceed 0.3% on a dry weight basis.
19. Rules 3.1.3 and 3.4.2 are necessary to facilitate the inspection and sampling of Industrial Hemp grown in the program. The Industrial Hemp inspection is done by a limited number of inspectors who also inspect multiple other programs for the Department. To accomplish inspections required for all the programs considerable planning and coordination occurs months prior to the need to facilitate optimum use of inspection staff and control costs.
20. The requirement of a planting report in Rules 3.2 and 3.5 is necessary for the Department to determine what fields have actually been planted so we can determine what fields may need inspection, allocate resources for inspection, collect variety information to support a seed certification program and collect agronomic data on the crop to determine economic value to the state.
21. Rule 3.5.3 is intended to ensure that research and development registrants plant material that they reasonably believe will not exceed 0.3% THC on a dry weight basis and that all material used in the research project is included in the planting report.
22. Rules 3.3.2 and 3.6.2 are necessary for the Department to determine what will be harvested compared to what was actually planted, identify gaps, and schedule inspections appropriately. This will also allow the Department to collect harvest data to determine the size of the final crop and document crop size developments for economic purposes.
23. Rule 3.7 is necessary to ensure that the Department has the most current information on all registrants so that it can effectively plan inspection resources and monitor industry developments.
24. The change in Rule 4.1 allowing sampling of up to 100% of registrants is necessary to accommodate the July 1, 2014 statutory change allowing year round registration while still conducting an effective inspection program including testing in the event an unanticipated violation is reported or suspected. The amended language also eliminates the exemption from testing after two years which could prevent the Department from retesting registrants with prior violations in a timely or effective manner. The current language has the potential for abuse by registrants who have been tested for two years and thus could grow Marijuana without concern of inspection the third year.

The amended language in Rule 4.1 with respect to notice of inspection allows the Department to communicate with the registrants in a method agreed to with the registrant or deemed effective from previous communications with the registrant. The use of certified mail has allowed some registrants to see the Department is sending them communication and avoid signing for it in an effort to evade inspection notification. In other cases the address provided has been returned as undeliverable via certified mail and the registrant has asked for an e-mail or phone call so they can comply.

The time period for response to notification was changed from 30 days after notification to 10 days to allow the Department to determine harvest timing and arrange for inspections. The 30 days hampered the Departments ability to coordinate inspections of multiple sites increasing the inspection travel costs for the registrant as harvest in many cases was more immediate once the registrant replied.

25. Registrants have agreed under Rule 2.5 not to include plant material known or that should reasonably be known will exceed 0.3% THC on a registered land as terms of registration. This amended section of 4.2 is necessary to support, verify and enforce Rules 2.5, 3.1.2, 3.4.1, 4.1, 4.3, and 4.3.1.

The changes to Rule 4.2 are necessary to allow the Department to inspect all plants in the registered land area. Registrants have used the current Rule language to assert that some plants used by them for cultivation of Industrial Hemp cannot be tested by the Department because they are Marijuana that is being grown for personal use or under a Medical Marijuana card application. The amendments to Rule 4.2 are necessary to verify compliance with Rules 2.5, 3.1.2, 3.4.1, 4.2, 4.3, and 4.3.1 which prohibit the presence or use of Marijuana within a land area registered for the cultivation of Industrial Hemp.

26. The amended language in Rules 4.3 and 4.3.1 allows all cannabis material grown in a land area under an Industrial Hemp registration to be sampled. It allows the Department or registrant to determine if a specific plant or group of plants is to be sampled. This amended language allows the Department to work with Industrial Hemp breeding projects where sampling every individual plant would be cost prohibitive to a registrant and could effectively destroy a breeding program if all plants were selected for inspection.
27. The amended language in Rule 4.3.2 clarifies a procedural process that inaccurately represented scientific methodology. Samples are divided after preparation for testing so that the two samples are of the same composite make up.
28. The amended language in Rule 4.3.4 clarifies the legal effect of tests results that exceed 0.3% THC for both commercial and research and development registrants.
29. The amended language in Rule 4.4.2 is for administrative purpose. Registrants have used the lack of clear terms of payment in Rule as a negotiation point to make payment plans for services or delay payment until a new registration is needed.
30. Amending Rule 5.1 to include an upper THC limit in plant material used in research and development is necessary to ensure programs are not knowingly using Marijuana with a high THC content under an Industrial Hemp registration.
31. The amendment to Rule 6.1 clarifies that a registration may be summarily suspended in appropriate circumstances under 35-61-107 and 24-4-104, C.R.S.
32. The amendment to Rule 6.1.5 conforms with the changes to other Rules prohibiting the presence or use of plant material that exceeds 0.3% THC on a registered land area.

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33. These amendments incorporate changes as a result of the Department's Regulatory Efficiency Review Process.

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**Editor's Notes**

**History**

Entire rule eff. 12/30/2013.

Parts 2, 3, 9.2 emer. rules eff. 06/11/2014.

Parts 2, 3, 9.2 – 9.3 eff. 09/30/2014.

Entire rule eff. 03/30/2015.