

AMENDMENTS TO LB 273

1           1.     Strike the original sections and all amendments  
2 thereto and insert the following sections:

3           "Section 1. For purposes of sections 1 to 4 of this act:

4           (1) Department means the Department of Agriculture;

5           (2) Hemp products means all products made from  
6 industrial hemp, including, but not limited to, cloth, cordage,  
7 fiber, food, fuel, paint, paper, particleboard, and plastics; seed,  
8 seed meal, and seed oil for consumption; and certified seed for  
9 cultivation if the seeds originate from industrial hemp varieties;

10          (3) Industrial hemp means all parts and varieties of the  
11 plant cannabis sativa, whether growing or not, that contain a  
12 tetrahydrocannabinol concentration of one percent or less by dry  
13 weight, except that the tetrahydrocannabinol concentration limit of  
14 one percent may be exceeded for licensed industrial hemp seed  
15 research. Industrial hemp shall be excluded from the definition of  
16 marijuana, as defined in section 28-401;

17          (4) Seed research means research conducted to develop or  
18 recreate better strains of industrial hemp, particularly for the  
19 purposes of seed production. In conducting this research, higher  
20 tetrahydrocannabinol concentration varieties of industrial hemp may  
21 be grown to provide breeding strains to revitalize the production  
22 of a Nebraska hybrid type of industrial hemp. However, in no case  
23 shall the tetrahydrocannabinol level exceed three percent by dry  
24 weight; and

1           (5) Tetrahydrocannabinol means the natural or synthetic  
2 equivalents of the substances contained in the plant cannabis  
3 sativa or in the resinous extractives of such plant; any synthetic  
4 substances, compounds, salts, or derivatives of such plant; or  
5 chemicals and their isomers with similar chemical structure and  
6 pharmacological activity to substances contained in such plant.

7           Sec. 2. (1) The department shall work cooperatively with  
8 the University of Nebraska, utilizing the expertise of the  
9 Institute of Agriculture and Natural Resources, in establishing an  
10 industrial hemp research program. Research facilities of the  
11 university may submit proposals for the industrial hemp research  
12 program. The department with the assistance of the university,  
13 shall select where the industrial hemp research program or programs  
14 shall be located.

15           (2) The industrial hemp research program or programs  
16 shall undertake research of industrial hemp production in the  
17 state. The department shall assist the industrial hemp research  
18 programs in obtaining the necessary federal permits from the United  
19 State Drug Enforcement Agency or other appropriate federal agency.  
20 In undertaking the industrial hemp research program or programs,  
21 the university is authorized to:

22           (a) Grow industrial hemp to conduct agronomy research and  
23 analysis of required soils, growing conditions, and harvest methods  
24 relating to the production of industrial hemp for hemp products;

25           (b) Conduct seed research on various types of industrial  
26 hemp that are best suited to be grown in Nebraska, including, but  
27 not limited to, seed availability, creation of Nebraska hybrid

1 types, in-the-ground variety trials, and seed production;

2 (c) Study the economic feasibility of developing an  
3 industrial hemp market for the various types of industrial hemp  
4 that can be grown successfully in Nebraska;

5 (d) Report on the estimated value-added benefits,  
6 including environmental benefits, that Nebraska businesses would  
7 reap by having an industrial hemp market of Nebraska-grown  
8 industrial hemp varieties;

9 (e) Study the agronomy research being conducted  
10 worldwide relating to industrial hemp varieties, production, and  
11 utilization;

12 (f) Research and promote Nebraska industrial hemp and  
13 hemp seed on the world market; and

14 (g) Study the feasibility of attracting private funding  
15 for the Nebraska industrial hemp research program or programs.

16 Sec. 3. (1) The authorization granted in section 2 of  
17 this act shall not subject an industrial hemp research program or  
18 the research facility where it is located to any criminal liability  
19 under the controlled substances laws of Nebraska. This exemption  
20 from criminal liability is a limited exemption that shall be  
21 strictly construed and that shall not apply to any activities of an  
22 industrial hemp research program or a research facility that are  
23 not expressly permitted in the authorization.

24 (2) The authorization granted in section 2 of this act  
25 shall not alter, amend, or repeal by implication any provision of  
26 Nebraska law relating to controlled substances.

27 Sec. 4. (1) The research facility or facilities

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1 involved in the industrial hemp research program shall notify the  
2 Nebraska State Patrol and all other local law enforcement agencies  
3 of the duration, size, and location of all industrial hemp plots.

4 (2) The department and the University of Nebraska may  
5 cooperatively seek funds from both public and private sources to  
6 implement sections 1 to 4 of this act.

7 (3) By October 1, 2002, and annually thereafter, the  
8 department and the university shall report to the Agriculture  
9 Committee of the Legislature on the status and progress of the  
10 industrial hemp research program authorized by section 2 of this  
11 act.".