

Oneida Nation

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Oneida, WI 54155

BC Resolution # 04-25-18-J Support for Industrial Hemp Pilot Program 2018-2019

- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** industrial hemp is a plant that is “estimated for use in more than 25,000 products spanning nine markets,” www.NCSL.org, *State Industrial Hemp Statutes*; and
- WHEREAS,** industrial hemp is a federally regulated product under the 21 U.S.C. 812, et seq., as a Schedule I Drug, as updated in the federal regulations; and
- WHEREAS,** the Agricultural Act of 2014, the 2014 Farm Bill, included a section 7606 which “legalized the growing and cultivating of industrial hemp for research purposes in States where such growth and cultivation is legal under Federal statutes that would otherwise criminalize such conduct,” *U.S. Dept. of Agriculture, Department of Justice, and Department of Health and Human Services, Federal Register 81(156), p. 53395*; and
- WHEREAS,** the State of Wisconsin adopted 2017 Act 100 which authorized growing and processing of industrial hemp if the grower or processor obtains the appropriate state licenses which are being issued between March 1 and May 1, 2018, www.dactcp.wi.gov; and
- WHEREAS,** the WI Department of Agriculture, Trade and Consumer Protection has identified processes regarding licensing and has cautioned growers that there are currently no registered seed importers recognized through the state by the U.S. Drug Enforcement Agency to sell or transport seeds across state lines, www.dactcp.wi.gov; and
- WHEREAS,** the Oneida Business Committee requested research into growing industrial hemp and any legal issues associated with that business activity through the Community Development and Planning Committee (CDPC); and
- WHEREAS,** the CDPC requested the Community and Economic Development Division to provide an initial review and study of the opportunity to enter the industrial hemp growing and processing industry; and

WHEREAS, the Community and Economic Development Division Director has returned a report to the CDPC and the CDPC has recommended that a study be conducted on a pilot project by participating in the state industrial hemp licensing program; and

WHEREAS, the Oneida Business Committee desires to support such recommendation by the CDPC and the Community and Economic Development Division Director;

NOW THEREFORE BE IT RESOLVED, the Community and Economic Development Division Director and the Environmental, Health, Safety and Land Division Director is directed the implement the industrial hemp grower pilot project for 2018-2019.

BE IT FURTHER RESOLVED, the Community and Economic Development Division Direct and the Environmental, Health, Safety and Land Division Director shall:

1. comply with the requirements of federal law and the requirements of the State of Wisconsin industrial hemp pilot program;
2. coordinate as necessary with federal and state regulators to insure compliance with federal and state laws;
3. identify a project manager responsible for this business opportunity; and
4. develop and present a regular reporting schedule to the Oneida Business Committee on the status of the project and proposed next steps, which may include the development of a business plan for approval.

BE IT FINALLY RESOLVED, the Oneida Business Committee believes that growing industrial hemp is a viable profitable business opportunity which the Nation should pursue, recognizing that federal law creates an exception which requires growers to comply with the requirements of state pilot programs, and there is some uncertainty regarding the extent to which compliance with state pilot program requirements satisfies all of the requirements of federal laws and regulations, or whether growers must take additional steps to comply with federal laws and regulations and that employees act in accordance with federal and state laws and regulations to avoid any potential liability arising out of growing this regulated plant.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 6 members were present at a meeting duly called, noticed and held on the 25th day of April, 2018; that the forgoing resolution was duly adopted at such meeting by a vote of 5 members for, 0 members against, and 0 members not voting; and that said resolution has not been rescinded or amended in any way.



Lisa Summers, Secretary
Oneida Business Committee

*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."