

Introduced by: Council Member Hilling  
Date: November 14, 2011

**RESOLUTION NO. 4497, As Amended**

**A RESOLUTION URGING THE ALASKA STATE LEGISLATIVE  
AND EXECUTIVE BRANCHES TO MAKE EXPRESSLY LEGAL THE  
CULTIVATION OF INDUSTRIAL HEMP IN THE STATE OF ALASKA**

WHEREAS, industrial hemp is defined as that variety of cannabis containing not more than three tenths of one percent tetrahydrocannabinol (.3% THC) and is therefore legally and in fact nonpsychoactive; and

WHEREAS, industrial hemp (hereinafter "hemp") is produced legally in more than 30 nations, including Canada, Great Britain, France, Germany, Australia and China, and is imported into the U.S. for use in the production of over \$300 million worth of products such as textiles, automotive panels, insulation, mulch, animal bedding, rope, canvass, biomass fuel, energy bars, meatless burgers, lotions, lip balms, shampoos, soaps, massage oils, etc.;

WHEREAS, hemp would be a viable crop in Alaska, responding to a variety of demands locally, including energy production, as demonstrated by large scale competitive (legal) agricultural production in comparable latitudes and soils in Canada; and

WHEREAS, Alaskan hemp production could help alleviate the unemployment problem and economic troubles in Alaska, especially considering our cheap agricultural land which could be even cheaper with lease or outright grants of State land; and

WHEREAS, the federal Controlled Substances Act of 1970 prohibits nationally the production of hemp yet permits virtually its unlimited importation, explicitly acknowledging hemp as being distinct from marijuana and having no psychoactive properties; and

WHEREAS, the United States Constitution assures the State of Alaska and its people of (a) unequivocal autonomy except where it delegates power to the federal government (ninth and tenth amendments), and (b) sovereignty over their property (fourth and fifth amendments); and

WHEREAS, in that document, no delegation or interpretation of power is apparent, that would permit a proscription in Alaska of agricultural production of such a product as hemp; and

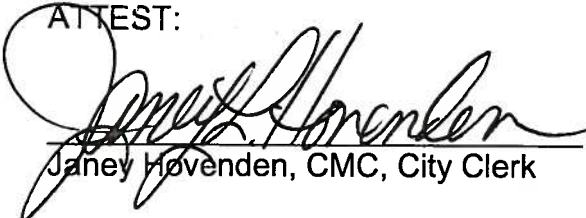
WHEREAS, North Dakota, Hawaii, Kentucky, Maine, Maryland, Oregon, California, Montana, West Virginia and Vermont have legitimized hemp by expressly making legal its cultivation, awaiting federal acknowledgement of its nonjurisdiction, or court decisions mandating such;

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Fairbanks, Alaska, hereby emphatically urges the legislature and the governor of the State of Alaska (a) to enact statutes expressly empowering the people of this state to engage in the agricultural pursuit of the cultivation of hemp, as herein defined; and (b) to petition the president of the United States and his Drug Enforcement Administration either to justify constitutionally its ban on hemp or to nullify its current restrictions on its cultivation and distribution in the United States.

**PASSED and APPROVED** this 14th day of November, 2011.

  
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**JERRY CLEWORTH, MAYOR**

AYES: Stiver, Matherly, Hilling, Roberts  
NAYS: Gatewood  
ABSENT: Eberhart  
APPROVED: November 14, 2011

ATTEST:  
  
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Janey Hovenden, CMC, City Clerk

APPROVED AS TO FORM

  
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Paul J. Ewers, City Attorney