

COMMISSIONER  
DOUG GOEHRING



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**NORTH DAKOTA**  
**DEPARTMENT OF AGRICULTURE**  
STATE CAPITOL  
600 E BOULEVARD AVE DEPT 602  
BISMARCK ND 58505-0020

August 2, 2021

Ms. Jill Grossman  
Assistant Code Revisor  
North Dakota Legislative Council  
State Capitol  
600 East Boulevard, 2nd Floor  
Bismarck, ND 58505-0360

Dear Ms. Grossman:

The Notice of Intent to Adopt and Repeal Administrative Rules and a copy of the proposed rules are enclosed as required by N.D.C.C. § 28-32-10(1).

Sincerely,

A handwritten signature in blue ink that reads "Doug Goehring".

Doug Goehring, Agriculture Commissioner

Enclosures

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## FULL NOTICE OF INTENT TO ADOPT AND REPEAL ADMINISTRATIVE RULES

TAKE NOTICE that the North Dakota Department of Agriculture will hold a public hearing to address proposed new N.D. Admin. Code 7-04-05, proposed new N.D. Admin. Code 7-18, proposed amendment to N.D. Admin. Code 60-03-03-03, and the proposed repeal of N.D. Admin. Code 7-14-01 and 7-14-02 at 8:30 AM on September 13, 2021, at the Fort Lincoln Room in the State Capitol in Bismarck. The purpose of proposed rule 7-04-05 is to formalize a temporary quarantine, the purpose of proposed rule 7-18 is to implement statutes, the purpose of proposed rule 60-03-03-03 is to update an adopted reference, and the purpose of the proposed repeal is to remove the industrial hemp rules. The proposed rule 7-04-05 addresses the quarantine of moss ball plants after invasive zebra mussels were found in the plants. Proposed rule 7-18 adopts rules governing the grain warehouse inspection program that reflect changes made in the most recent legislative session. The proposed amendment to NDAC 60-03-03-03 updates the adoption of the federal worker protection standards. The proposed repeal of NDAC 7-14-01 and 7-14-02 repeals the administrative code relating to the regulation of industrial hemp.

The proposed rules, amendment and repeal are not expected to have an impact on the regulated community in excess of \$50,000. None of the proposals will result in takings. None of the proposals require a small entity economic impact statement or small entity regulatory analysis. There have been no regulatory analyses required.

The proposed rulemaking 7-18 implements house bill number 1026, enacted during the most recent legislative session, concerning the financial criteria for grain buyers, grain brokers, and grain processors; relating to the definitions grain brokers and processors, the duties and powers of the commissioner, confidentiality records, scale ticket contents, credit-sale contracts, reports, annual licenses, fees, and bonds for grain buyers, grain brokers, grain processors, and warehouseman, and to provide a penalty.

The proposed rules may be reviewed at the office of the North Dakota Department of Agriculture, 600 E. Boulevard Ave., Bismarck. A copy of the proposed rules and/or a regulatory analysis may be requested by writing the above address Attention: Rules Coordinator, e-mailing [doarules@nd.gov](mailto:doarules@nd.gov), at <https://www.nd.gov/ndda>, or calling 701-328-4764. Written or oral comments on the proposed rules sent to the above address or telephone number and received by September 24, 2021 will be fully considered.

If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact the Department of Agriculture at the above telephone number or address at least three days prior to the public hearing.

Dated this 2<sup>nd</sup> day of August, 2021.

  
Doug Goehring  
Agriculture Commissioner