

**NOTICE OF RULEMAKING HEARING  
STATE OF NEBRASKA  
DEPARTMENT OF AGRICULTURE**

NOTICE IS HEREBY GIVEN that the Nebraska Department of Agriculture (NDA) will hold a rulemaking hearing on September 30, 2021, at 10:00 a.m. CT at NDA, Fourth Floor, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska 68509, for the proposed repeal of Nebraska Administrative Code, Title 27, Chapters: 1 entitled Voluntary Registration of Sales and Repair Personnel Regulations; 2 entitled Weights and Measures Standard Laboratory Operating Procedures and Fees; 3 entitled Scale Regulations and the adoption of Title 27, Chapter 10 entitled Weights and Measures Regulations. The regulations being repealed are outdated. The Weights and Measures Regulations being adopted include only the essential requirements for the registration of repair personnel, the weights and measures standards laboratory, and scales used in commerce. The regulations adopt the current version of a National Institute of Standards and Technology publication with requirements for secondary standards. The fees for the weights and measures standards laboratory and registered repair personnel remain the same as currently set out in the regulations being repealed.

NOTICE IS ALSO HEREBY GIVEN that the Nebraska Department of Agriculture (NDA) will hold a rulemaking hearing on September 30, 2021, at 1:30 p.m. CT at NDA, Fourth Floor, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska 68509, for the proposed repeal of Nebraska Administrative Code, Title 25, Chapter 8 entitled Industrial Hemp Regulations. The regulations are being repealed because the regulations only implement Neb. Rev. Stat. §2-5701 which the Legislature terminated effective November 1, 2020 in LB 1152 of 2020.

The hearing will be conducted under Neb. Rev. Stat. §84-907. COPIES OF THE PROPOSED ADOPTION AND REPEALS, AND INFORMATION PROVIDED TO THE GOVERNOR INCLUDING THE FISCAL IMPACT STATEMENT ARE AVAILABLE FOR PUBLIC EXAMINATION at NDA and at the Offices of the Secretary of State, 1201 N Street, Ste 120., Lincoln, Nebraska or website ([www.sos.ne.gov/rules-and-regs/regtrack/index.cgi](http://www.sos.ne.gov/rules-and-regs/regtrack/index.cgi)).

ALL INTERESTED PERSONS are invited to attend and testify at the hearings. Reasonable accommodations including the appointment of a licensed interpreter will be provided if requested with seven days notice to NDA at (402) 471-2341 (Voice) or the Nebraska Relay System at 711 or 800-833-7352 (TTY) to ask the operator to call NDA or email [patricia.moock@nebraska.gov](mailto:patricia.moock@nebraska.gov). Interested persons may submit written comments to NDA or e-mail comments to the Secretary of State's website. Comments will be made a part of the hearing records if received by September 29, 2021.

DATED at Lincoln, Nebraska, this 17th day of August, 2021.

NEBRASKA DEPARTMENT OF AGRICULTURE  
Steve Wellman, Director

DRAFT FISCAL IMPACT STATEMENT

Agency: Nebraska Department of Agriculture	
Title: 25	Prepared by: Robert Storant
Chapter: 8	Date prepared: October 27, 2020
Subject: Industrial Hemp Regulations	Telephone: 471-2341

Type of Fiscal Impact:

	State Agency	Political Sub.	Regulated Public
No Fiscal Impact	X	X	X
Increased Costs	( )	( )	( )
Decreased Costs	( )	( )	( )
Increased Revenue	( )	( )	( )
Decrease Revenue	( )	( )	( )
Indeterminable	( )	( )	( )

Provide an Estimated Cost & a Description of Impact:

State Agency:

There would be no fiscal impact on the Department of Agriculture in the repeal of the regulations.

Political Subdivision:

No changes due to the repeal of these regulations.

Regulated Public:

No changes due to the repeal of these regulations.

If indeterminable, explain why:

TITLE 25 – DEPARTMENT OF AGRICULTURE

Chapter 8 – (Repeal)

~~NEBRASKA ADMINISTRATIVE CODE~~

~~TITLE 25, NEBRASKA ADMINISTRATIVE CODE, CHAPTER 8~~

~~NEBRASKA DEPARTMENT OF AGRICULTURE~~

~~INDUSTRIAL HEMP REGULATIONS~~

April, 2015

NEBRASKA ADMINISTRATIVE CODE

TITLE 25 — NEBRASKA DEPARTMENT OF AGRICULTURE

CHAPTER 8 — INDUSTRIAL HEMP REGULATIONS

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NEBRASKA ADMINISTRATIVE CODE

TITLE 25 NEBRASKA DEPARTMENT OF AGRICULTURE

CHAPTER 8 INDUSTRIAL HEMP REGULATIONS

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## ~~NEBRASKA ADMINISTRATIVE CODE~~

### ~~TITLE 25 DEPARTMENT OF AGRICULTURE~~

#### ~~CHAPTER 8 INDUSTRIAL HEMP REGULATIONS~~

~~01—Statement of Purpose. The purpose of these regulations is to aid in the administration of the Industrial Hemp statute, Neb. Rev. Stat. § 2-5701.~~

~~02—Administration. These regulations shall be administered by the Nebraska Department of Agriculture (hereafter referred to as the Department) located in the State Office Building, Fourth Floor, 301 Centennial Mall South, Lincoln, Nebraska. The mailing address is P.O. Box 94756, Lincoln, Nebraska 68509-4756. The telephone number is (402) 471-2351. The fax number is (402) 471-6892.~~

~~03—Registration. Any postsecondary institution growing or cultivating industrial hemp shall apply and register with the Department on such form prescribed in 25 NAC 8-007.01.~~

~~03.01—A completed registration form shall be submitted to, and approved by, the Department before any project can begin, with renewal on January 1 of each year for ongoing projects. Information to be supplied on such form shall include details of the project purpose, goals, and general project overview. Any changes on the sites, after initial registration, must be reported to the Department for approval prior to utilization of the site, and must include complete legal descriptions or global positioning coordinates~~

~~03.02~~—The registration form shall list all individuals who will be involved in any manner in growing or cultivating industrial hemp, as known at the time of registration. All individuals shall be employees or students of the postsecondary institution. The postsecondary institution shall maintain records on individuals involved with the project from the time of registration throughout the duration of the project, which shall include renewals, and make such list available to the Department upon request.

~~03.03~~—The postsecondary institution shall attest to the Department that all activities associated with the research of the growth and cultivation of industrial hemp shall be on property owned by, or leased to, the postsecondary institution including, but not limited to: vehicles, fields, plots, greenhouses, storage facilities, buildings or any combination of such. Growing sites, and research locations, are to be reported utilizing complete legal descriptions or global positioning coordinates.

~~03.04~~—The postsecondary institution shall provide a statement of verification to the Department that any required federal permits have been obtained, and shall attach a copy of such permits and any accompanying research purpose documents to the form set out in 25 NAC 8-007.01.

~~04~~—Reporting Requirements.—The following information shall be supplied by postsecondary institutions to the Department in an annual report, due February 1, and covering the previous calendar year.

~~04.01~~—Amount of planted acres or plant numbers of industrial hemp.

~~04.02~~—Documentation indicating that the seed planted was of a type and variety of industrial hemp which meets the statutory definition.

~~04.03~~—Information on the disposition of plants or any plant parts.

~~05~~—Access.—The postsecondary institution shall allow Department officials to enter industrial hemp growing sites and research locations to monitor, sample, and test the hemp crop. Industrial hemp fields must be readily accessible for monitoring, sampling, and testing purposes.

~~06~~—Enforcement.—If the postsecondary institution fails to complete any of the required actions listed in the above sections, or is found to be in violation of any other federal, state, or local political subdivision legal requirements related to industrial hemp, the postsecondary institution must immediately suspend any related activities.



07.01 Registration Form:

**NEBRASKA INDUSTRIAL HEMP  
GROWTH AND CULTIVATION RESEARCH PROJECT  
REGISTRATION APPLICATION**

**APPLICANT INFORMATION**

Name of Postsecondary Institution: \_\_\_\_\_

Full Name of Principal Researcher: \_\_\_\_\_  
*Last First MI*

Mailing Address for Principal Researcher: \_\_\_\_\_  
*Street Address or P.O. Box*  
\_\_\_\_\_  
*City State Zip Code*

Phone Number for Principal Researcher: \_\_\_\_\_

E-Mail Address for Principal Researcher: \_\_\_\_\_

**DETAILS OF RESEARCH PROJECT**

*\*Attach sheets if additional space is required*

Purpose of Research Project: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Goals of Research Project: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Overview of Research Project: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

List all individuals from the institution who will be involved:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**STATEMENTS**

*\*Attach sheets if additional space is required.*

- ~~Property Statements: I attest that all activities associated with the research of the growth and cultivation of industrial hemp shall be on property owned by, or leased to, this postsecondary institution.~~

For all participating research locations and growing sites, designated Global Positioning System (GPS) coordinates are to be listed, in this format:

N \_\_\_\_\_ W \_\_\_\_\_

**OR**, legal descriptions are to be listed indicating:

Section \_\_\_\_\_, Township \_\_\_\_\_, and Range \_\_\_\_\_

- ~~Reporting Statement: I attest that an annual report will be submitted to the Nebraska Department of Agriculture by February 1 (covering the previous calendar year), with the information meeting compliance requirements. This report will include amount of planted acres or plant numbers, accompanying GPS coordinates or legal descriptions, type and variety of hemp seed used, laboratory test results, and disposition information (data must meet the regulatory compliance requirements as found in the Industrial Hemp Regulations, 25 NAC 8.)~~

- ~~Verification of Federal Requirements: I attest that any federal requirements for this research project have been met. Please attach all federally required permits and any accompanying research purpose documents.~~

\_\_\_\_\_  
*Signature of Applicant's Designee*

\_\_\_\_\_  
*Printed Name*

\_\_\_\_\_  
*Title*

\_\_\_\_\_  
*Date of Signature*

Title 25  
Chapter 8

~~08 — Annotation. Neb. Rev. Stat. § 2-5701.~~