

Subject Hemp
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Overview

This bill authorizes the Minnesota Department of Agriculture (MDA) to use an expedited rulemaking process when developing rules required under the state's Industrial Hemp Development Act (Minn. Stat. ch. 18K).

Under current law, MDA is required to promulgate rules for industrial hemp once the federal government authorizes the commercial production of the crop. In December of 2018, the United States Congress passed and President Donald Trump signed the Agricultural Improvement Act of 2018 (also known as Public Law 115-334, or the 2018 Farm Bill). Among other things, the law removed hemp from the federal controlled substances list and explicitly authorized farmers to grow it nationwide, subject to certain restrictions.

Under the expedited process, MDA would develop proposed hemp rules, publish notice in the State Register, and send a copy of the proposed rules to persons registered with the department to receive rulemaking notices. MDA would be required to accept public comments for at least 30 days and could make corresponding changes, after which an Administrative Law Judge would review and approve or disapprove the proposed rules. MDA would not be required to hold a public hearing or prepare a formal Statement of Need and Reasonableness.