

Fifty-fifth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1461

Introduced by

Representatives Koppelman, Freier, Bernstein

Senators Christmann, Lee, Grindberg

1 A BILL for an Act to limit rulemaking authority of administrative agencies and to direct a
2 legislative study of the rulemaking authority of administrative agencies; and to provide an
3 expiration date.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. Administrative rulemaking restricted - Administrative rules**
6 **committee study.**

- 7 1. Notwithstanding any other provision of law, an agency may not adopt an
8 administrative rule in the manner provided in chapter 28-32 unless the rule falls
9 within an area in which the agency has been specifically required to adopt rules by
10 state law or federal law, regulations, or rules.
- 11 2. During the 1997-98 interim, the legislative council shall assign to the committee on
12 administrative rules a study of the statutory authority of each agency with
13 administrative rulemaking authority and the rules that have been adopted under
14 that authority, with the directive that the committee should seek to limit
15 administrative rulemaking authority to areas in which the legislative assembly or
16 federal law has specifically required rulemaking.

17 **SECTION 2. EXPIRATION DATE.** This Act is effective through July 31, 1999, and is
18 thereafter ineffective.