

**HOUSE BILL NO. 1415**

Introduced by

Representatives Wald, Grande, Klemin, Skarphol

Senators Cook, Dever

1 A BILL for an Act to amend and reenact subsection 2 of section 28-32-01 of the North Dakota  
2 Century Code, relating to making the state auditor and board of university and school lands  
3 administrative agencies for purposes of the Administrative Agencies Practice Act.

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

5 **SECTION 1. AMENDMENT.** Subsection 2 of section 28-32-01 of the North Dakota  
6 Century Code is amended and reenacted as follows:

- 7 2. "Administrative agency" or "agency" means each board, bureau, commission,  
8 department, or other administrative unit of the executive branch of state  
9 government, including one or more officers, employees, or other persons directly or  
10 indirectly purporting to act on behalf or under authority of the agency. An  
11 administrative unit located within or subordinate to an administrative agency must  
12 be treated as part of that agency to the extent it purports to exercise authority  
13 subject to this chapter. The term administrative agency does not include:
- 14 a. The office of management and budget except with respect to rules made  
15 under section 32-12.2-14, rules relating to conduct on the capitol grounds and  
16 in buildings located on the capitol grounds under section 54-21-18, rules  
17 relating to the classified service as authorized under section 54-44.3-07, and  
18 rules relating to state purchasing practices as required under section  
19 54-44.4-04.
  - 20 b. The adjutant general with respect to the department of emergency services.
  - 21 c. The council on the arts.
  - 22 d. ~~The state auditor.~~
  - 23 e. The department of commerce with respect to the division of economic  
24 development and finance.

