

HOUSE CONCURRENT RESOLUTION NO. 3046

Introduced by

Representative K. Koppelman

1 A concurrent resolution directing the Legislative Management to consider studying the
2 administrative rules process, including a review of any relevant statutes regarding
3 administrative rules to determine if any statutes are unclear or ambiguous, the degree to which
4 agencies are complying with the process, which state agencies are specifically exempt from the
5 process, and if those state agencies should remain exempt.

6 **WHEREAS**, the Legislative Assembly has authorized administrative agencies to adopt
7 administrative rules through the administrative rules process outlined in North Dakota Century
8 Code Chapter 28-32; and

9 **WHEREAS**, upon becoming effective, administrative rules have the force and effect of law;
10 and

11 **WHEREAS**, the Legislative Assembly specifically has exempted at least 20 state agencies
12 from the administrative rules process; and

13 **WHEREAS**, the Legislative Assembly should review the specifically exempted state
14 agencies and determine if those state agencies should remain exempt from the administrative
15 rules process; and

16 **WHEREAS**, the Legislative Assembly periodically should review any relevant statutes
17 regarding administrative rules to determine if any statutes are unclear or ambiguous; and

18 **WHEREAS**, the Legislative Assembly should study and review the administrative rules
19 process to determine whether administrative agencies are implementing legislative purpose and
20 intent properly and the degree to which agencies are complying with the process;

21 **NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF**
22 **NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

23 That the Legislative Management consider studying the administrative rules process,
24 including a review of any relevant statutes regarding administrative rules to determine if any
25 statutes are unclear or ambiguous, the degree to which state agencies are complying with the

Sixty-seventh
Legislative Assembly

- 1 process, which state agencies are specifically exempt from the process, and if those state
- 2 agencies should remain exempt; and
- 3 **BE IT FURTHER RESOLVED**, that the Legislative Management report its findings and
- 4 recommendations, together with any legislation required to implement the recommendations, to
- 5 the Sixty-eighth Legislative Assembly.