

**77-602. Definitions.** As used in this act:

- (a) "Agency" means a state agency.
- (b) "Agency action" means:
  - (1) The whole or a part of a rule and regulation or an order;
  - (2) the failure to issue a rule and regulation or an order; or
  - (3) an agency's performance of, or failure to perform, any other duty, function or activity, discretionary or otherwise.
- (c) "Agency head" means an individual or body of individuals in whom the ultimate legal authority of the agency is vested by any provision of law.
- (d) "License" means a franchise, permit, certification, approval, registration, charter or similar form of authorization required by law.
- (e) "Order" means an agency action of particular applicability that determines the legal rights, duties, privileges, immunities or other legal interests of one or more specific persons.
- (f) "Party to agency proceedings," or "party" in context so indicating, means:
  - (1) A person to whom the agency action is specifically directed; or
  - (2) a person named as a party to any agency proceeding or allowed to intervene or participate as a party in the proceeding.
- (g) "Party to judicial review or civil enforcement proceedings," or "party" in context so indicating, means:
  - (1) A person who files a petition for judicial review; or
  - (2) a person named as a party in a proceeding for judicial review or civil enforcement or allowed to participate as a party in the proceeding.
- (h) "Person" means an individual, partnership, corporation, association, political subdivision or unit thereof, or public or private organization or entity of any character, and includes another agency.
- (i) "Rule and regulation" means a standard, statement of policy or general order, including amendments or revocations thereof, of general application and having the effect of law, issued or adopted by an agency to implement or interpret legislation enforced or administered by such agency or to govern the organization or procedure of such agency.
- (j) "Rulemaking" means the process for formulation and adoption of a rule and regulation.
- (k) "State agency" means any officer, department, bureau, division, board, authority, agency, commission or institution of this state which is authorized by law to administer, enforce or interpret any law of this state but does not include any political or taxing subdivision of the state, or any agency thereof, or the judicial or legislative branch of state government.

**History:** L. 1984, ch. 338, § 2; L. 1986, ch. 318, § 1; July 1.