



by Mercer Doty

FROM THE CENTER OUT

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Opening up government is sometimes expensive and painful, especially for those on the inside. Many state legislators and state employees fretted, for example, when the Administrative Procedures Act got passed in 1974. The Act required state agencies to file their regulations with the Attorney General, and to follow costly and complicated procedures for making rules and conducting public hearings. So controversial was the new law that its initial effective date—July 1, 1975—was delayed a full year. By then key legislators, cheered on by many career government employees, were maneuvering to repeal the bill altogether. Only the timely intervention of the Attorney General, who proposed amendments to clear up some of the law's most troublesome aspects, saved it from oblivion.

So far, the central filing of administrative procedures has produced about 15,000 pages of information, all of which is available to the public at the office of the Attorney General during normal working hours. Buried within this massive accumulation are policy statements; reporting requirements; procedural guidelines for handling decisions, grant proposals, and complaints; budget and personnel procedures; organization charts; and many other important items that explain how state agencies routinely conduct their daily business. Clearly, the effect of the Administrative Procedures Act has been to make more visible these internal operating details of agencies that handle the public's business.

But a question remains—Is access to the administrative procedures filed in the Attorney General's office sufficient to keep the citizens of the state adequately informed? In a recent letter to the Center, Thomas L. Covington, a grants coordinator on the Buncombe County staff, noted that federal regulations are widely publicized in the *Federal Register*, a relatively inexpensive compilation of information about the U.S. government which he called "the single most important document for deciphering Federal law". Mr. Covington asked the Center to study the feasibility of some similar form of dissemination for the procedures and regulations of state departments to local governments and regional organizations in North Carolina.

Leigh Wilson, executive director of the N. C. League of Municipalities, feels that consideration of the local government viewpoint in the development of state regulations and procedures has improved considerably during the last few years. He cited Governor Hunt's recent appointment of a Local Government Advocacy Council as an example of this trend. Wilson acknowledged, however, that the standardization of state agencies' procedures and other measures to keep local governments informed are continuing League concerns. The N. C. Association of County Commissioners has frequently discussed the problem of keeping counties abreast of state activities and has taken steps to do this, according to Ron Aycock, the executive director, but the Association has not analyzed the Administrative Procedures Act in this connection.

Cities, counties and regional organizations are among the most important "clients" of the state and clearly they need to be aware of state and federal regulations, procedures and actions if they are to adequately serve their people. As Mr. Covington points out, state and local governments are kept abreast of the development and interpretation of federal regulation and procedures through the *Federal Register*. Perhaps it is time for the state to consider the publication of a similar "register," either by using the mechanism already set into motion by the Administrative Procedures Act or by establishing a separate activity to compile and publish the needed information. Having put procedures in the Attorney General's office is only a small part of the task—the first step in the process of keeping local officials up-to-date on the activities of state government, not the last.