

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 62
State Government Committee Substitute Adopted 5/3/89

Short Title: State Publication Policy.

(Public)

Sponsors:

Referred to:

January 26, 1989

A BILL TO BE ENTITLED
AN ACT TO REQUIRE STATE PUBLICATIONS PROCEDURES MANUALS,
ADMINISTRATIVE REVIEW PROCEDURES FOR PUBLICATIONS, AND TO
REQUIRE REPORTS CONCERNING THE USE OF ACID-FREE PAPER IN
STATE PUBLICATIONS AND CONCERNING AGENCY NONCOMPLIANCE.

Whereas, a large number of publications are produced by State agencies,
universities, community colleges and licensing boards; and

Whereas, no consistent policy exists concerning the development of State
publication procedures by State agencies, universities, community colleges, and
licensing boards; and

Whereas, the existence of State publication procedures and administrative
review procedures would serve to aid distribution, increase efficiency, and reduce the
cost of State publications; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. Article 14 of Chapter 143 of the General Statutes is amended by
adding the following new sections to read:

§ 143-170.2. Publication procedure manuals.

(a) The Department of Administration, in consultation with at least the State
Librarian and the State Auditor, shall establish, distribute, and periodically revise
guidelines to be used by all State agencies and community colleges in developing
publication procedures manuals for public documents. The initial guidelines developed
by the Department of Administration shall be released no later than December 1, 1989

1 and shall address at least the following elements of publication production for public
2 documents:

- 3 (1) bibliographic style, substantially in accord with a recognized style
4 manual approved by the State Librarian; provided, however, the
5 Department shall not develop guidelines concerning the design, layout,
6 size or appearance of publications except as otherwise permitted
7 herein;
- 8 (2) procedures for the notification of the State Library for title changes in
9 serial publications;
- 10 (3) pricing of documents for resale;
- 11 (4) use of publication services at State-operated printing facilities;
- 12 (5) purchase of commercial publication services; and
- 13 (6) the distribution of publications.

14 The Department of Administration shall submit the initial guidelines to State
15 agencies for review and comment for a period of 60 days; provided, however, that
16 submission to the University of North Carolina General Administration shall satisfy this
17 requirement with respect to universities. The Department, in consultation with at least
18 the State Librarian and the State Auditor, shall consider the comments of the State
19 agencies before adopting final guidelines. The Department of Administration shall
20 adopt and release the final guidelines no later than four months after the release of the
21 initial guidelines.

22 (b) Upon the adoption and release of final guidelines by the Department of
23 Administration, each State agency and community college shall within four months
24 thereafter adopt a publication procedures manual for public documents consistent with
25 the guidelines established pursuant to subsection (a) of this section and an
26 administrative review and approval process to ensure appropriate review and approval
27 of its public documents.

28 (c) Each State agency and community college shall submit to the Department of
29 Administration for review and retention a copy of its publication procedures manual and
30 its administrative review procedure for public documents, and any revisions thereto,
31 within thirty (30) days of adoption. The Department shall retain a copy of each
32 agency's submissions. The publication procedures manual, the administrative review
33 procedure, and any revisions shall be implemented upon adoption.

34 (d) The Department of Administration may revise its final guidelines after July 1,
35 1990 in the same manner as provided in this section for the adoption of its initial and
36 final guidelines, provided that the period of agency review and comment shall be thirty
37 (30) days.

38 **"§ 143-170.3. Reports; Audits.**

39 (a) The Department of Administration shall report to the Joint Legislative
40 Commission on Governmental Operations each State agency and community college
41 that fails to timely adopt and submit to the Department the information required by G.S.
42 143-170.2. The initial report shall be made by January 1, 1991.

43 (b) Upon the determination of the State Auditor that a State agency or
44 community college has failed to substantially comply with its publications procedure

1 manual or its administrative review and approval process for public documents, the
2 State Auditor shall report the noncompliance to the Joint Legislative Commission on
3 Governmental Operations within 60 days if the General Assembly is not in session, and
4 to the President Pro Tempore of the Senate, the Speaker of the House, and the Senate
5 and House Appropriations Committee Chairmen within 30 days if the General
6 Assembly is in session.

7 (c) The State Librarian and the University Librarian of the University of North
8 Carolina at Chapel Hill shall identify the types of publications for which the use of acid-
9 free paper is desirable and, with the assistance of the Department of Administration,
10 shall study the availability of acid-free paper and the costs associated with purchasing
11 and using acid-free paper. The State Librarian and the University Librarian of the
12 University of North Carolina at Chapel Hill shall report to the Joint Legislative
13 Commission on Governmental Operations no later than November 1, 1990 the
14 information required by this subsection."

15 Sec. 2. G.S. 143-169.1 reads as rewritten:

16 "**§ 143-169.1. State agency public document mailing lists to be updated.**

17 (a) On or before July 1 of each year, beginning with July 1, 1976, the head of
18 every agency of this State shall certify to the Director of the Budget that the mailing
19 lists for each public document issued by his agency have been carefully reviewed,
20 updated and corrected within the previous 12 months. The above date may be extended
21 by the Director of the Budget for 90 days for good cause shown. The reviewed, updated
22 and corrected mailing lists shall be comprised only of those persons and organizations
23 who, within the previous 12 months, have either requested that they be included in such
24 a mailing list or have renewed a request that they be so included, or are recipients
25 contemplated for receipt of the pertinent public document by express provision of
26 statute or judicial order.

27 (b) ~~For the purposes of this Article, the term 'public document' shall mean any~~
28 ~~annual, biennial, regular or special report or publication of which at least 200 copies are~~
29 ~~printed, but shall not include intra-agency communications nor agency correspondence.~~

30 (c) ~~For the purposes of this Article, the term 'agency' shall mean and include, as~~
31 ~~the context may require, State department, institution, commission, committee, board,~~
32 ~~division, bureau, officer or official; provided, however, the provisions of this section~~
33 ~~shall not apply to the General Assembly, the Department of Revenue, the Department of~~
34 ~~Commerce, or to the Administrative Office of the Courts and the court system."~~

35 Sec. 3. Article 13 of Chapter 143 of the General Statutes is amended by
36 adding a new section to read:

37 "**§ 143-169.2. Definitions.**

38 (a) For the purposes of this Article, the term 'public document' shall mean any
39 annual, biennial, regular or special report or publication of which at least 200 copies are
40 printed, but shall not include intra-agency communications nor agency correspondence.

41 (b) For the purposes of this Article, the term 'agency' shall mean and include, as
42 the context may require, State department, institution, university, commission,
43 committee, board, licensing board, division, bureau, officer or official; provided,
44 however, the provisions of G.S. 143-169.1 shall not apply to the General Assembly, the

1 Department of Revenue, the Department of Commerce, or to the Administrative Office
2 of the Courts and the court system, nor shall the provisions of G.S. 143-170.2 and 143-
3 170.3 apply to the General Assembly."

4 Sec. 4. This act is effective upon ratification.