GENERAL ASSEMBLY OF NORTH CAROLINA

SECOND EXTRA SESSION 1996

S SENATE BILL 38

Short Title: Computer Access/Rules. (Public) Sponsors: Senators Sherron; and Hoyle. Referred to: Appropriations.

July 15, 1996

1 A BILL TO BE ENTITLED

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AN ACT TO APPROPRIATE FUNDS TO ENHANCE STATE GOVERNMENT ACCESS TO ALL PHASES OF THE ADMINISTRATIVE RULE-MAKING PROCESS.

Whereas, the adoption of administrative rules to implement State law is a procedure that involves the participation of almost all State agencies and ultimately affects the citizens of this State who are subject to and benefit from State regulation; and

Whereas, the 1995 General Assembly established the Joint Legislative Administrative Procedures Oversight Committee to review the administrative rules process and rules adopted thereunder; and

Whereas, the current system for electronically tracking the administrative rule-making process is deficient in the following areas:

- (1) No automated tracking system for determining if an agency has proposed a rule for repeal or adoption, or for obtaining information about the fiscal impact of rules.
- (2) No reliable system for linking existing legislation to proposed rules, or proposed legislation to existing rules.
- (3) No statistical database, thus even the simplest request for statistical reports cannot be handled quickly and efficiently.
- (4) Limited public access to rules. Currently information is available only through subscription services which are driven by manual efforts and subject to delays.

- (5) Manual and labor intensive production of the North Carolina Register. The North Carolina Register contains the status of proposed permanent and temporary rules. The current process for publishing information in the Register is labor-intensive and extremely inefficient.
- (6) Rule conflict management under the current system makes it difficult to determine if there are conflicts between proposed rules and existing rules; and

Whereas, a fully automated and opened rule management system would provide rule-drafting, editing, and rule-tracking capabilities to the North Carolina General Assembly, the Office of Administrative Hearings, and the Rules Review Commission. This system would be fully open and compatible with the State technology infrastructure ensuring compatability with all State agencies; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the General Assembly, Legislative Services Office, the sum of three hundred thirty-five thousand dollars (\$335,000) for the 1996-97 fiscal year. These funds shall be used for the development of an automated rule management system to provide electronic access by the General Assembly, the Office of Administrative Hearings, and the Rules Review Commission to all phases of the Administrative Procedures Act rule-making process.

Sec. 2. This act becomes effective July 1, 1996.

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