

ADMINISTRATIVE MEMORANDUM

SUBJECT Publications and mailing lists of State agencies; update

NUMBER 278

DATE September 27, 1989

This Administrative Memorandum supersedes Administrative Memorandum Number 193 (dated February 9, 1984). It is issued to incorporate into prior guidance from this office the substance of amendments to the law concerning the public documents of State agencies of North Carolina. The law is codified as General Statutes Chapter 143, Article 13: "Publications." As amended by Chapter 34, 1989 Session Laws, the law is attached to this Administrative Memorandum. All State agencies, including the constituent institutions, must generate, distribute, and use their "public documents" in accordance with the following statutory restrictions:

Annual and biennial reports of State agencies. G.S. 143-168 requires that the annual and biennial reports of State agencies be compact, concise, and lucid.

Other publications. G.S. 143-169 limits the use of the "multicolor [full color] process." However, the restriction of use of the multi-color process pertains only to publications "published at State expense," and the Attorney General has ruled that such publications are only those prepared with State-appropriated funds, for purposes of implementing the publications statute.

Public document mailing lists. G.S. 143-169.1 requires that the mailing lists for "public documents" be reviewed and revised periodically. However, the Attorney General has ruled that "public documents" as referenced in G.S. Chapter 143, Article 13, are only those documents "printed at State expense," this is, "published with State Appropriated funds." G.S. 143-169.1 requires that mailing lists for public documents be kept current by annual review under the following limitations and procedures:

1. G.S. 143-169.1(a) governs only State agencies. Such agencies include University officers, administrative offices, academic departments, and the Board of Trustees, for example, but not separately incorporated and privately supported agencies like the athletics booster clubs, alumni associations, and foundations at some of our institutions.
2. G.S. 143-169.1(a) covers only the mailing lists for "public documents," which by reference to G.S. 143-169.1(b)

-- include only those publications that are "printed," i.e., reproduced in tangible form by some repetitive process (thereby excluding a computer printout or CRT display at a local or distant terminal).

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