Modernizing the Filing and Publishing of Administrative Rules

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Background

Other states, like Oklahoma, are following a similar path to Utah and transitioning to a web-based filing and publishing system, which no longer requires paper Registers/Bulletins. Would you be interested in sharing your experience on the shift from a printed bulletin to a new, modernized process? This might include the responses to your questions, what you’ve learned on your journey, and your decision on how-to move forward. I know this would be very educational to myself and others. (Chris Coffman email, May 6, 2021)
Why do we do what we do?

Serve the people
• Declaration of Independence

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. –That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed...
We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.
Grateful to Almighty God for life and liberty, we, the people of Utah, in order to secure and perpetuate the principles of free government, do ordain and establish this CONSTITUTION

Notes

My thoughts informed by the Utah situation

Government serves the people; fundamental characteristic of US political thought.

Sometimes serving includes regulating behavior (justly... just powers)

Regulation of behavior cannot be just if the people don’t know about it (arbitrary and capricious)

And so, rulemaking

A defined process

A requirement to publish proposed and final rulemaking

A possibility to be heard

Operating as delegation from the legislature (that’s Utah-specific, matter of
settled law, may be similar in other jurisdictions)
Why modernize what we do?

To better serve the people

Notes

Approach each change in the context of “How does this better serve the people”?

“But Mike, politics? Reality?”

Mining commission story; Alan Hennebold, deputy commissioner
Why did Utah want to modernize?

- Accessibility
- Manageability

Notes

Also because all the cool kids were doing it (looking at you Texas)

Also because Bill, Ken, Randy, and later me were all kind of nerds
Accessibility

- Publication production
- Publication availability
Manageability

- History
- Processing

Notes

Accessibility

Production: creation of the two main publications: Utah State Bulletin and Utah Administrative Code

Availability: who could see it and how

Manageability

History: of the rule, from beginning to end

Processing: details of each submission; workflow
When did Utah start?
Late 1980s

A Wang word processor
An IBM Selectric

Notes

Wang word processing

Shared libraries

Administrative code in a text database encoded in EBCDIC

3-part NCR forms (whiteout and correction tape... ah the memories)
Notes

RuleEdit program, coded in Borland’s Paradox and distributed with a Paradox runtime (memories visiting agencies, installing program on their computers, receiving filings on diskettes and importing them)

Administrative code maintained in WordPerfect 5.1
Late 1990s

Notes

Novell GroupWise and email submission

WordPerfect forms, WordPerfect mail-merge

But also the internet (ah, the glory of our first website coded lovingly by hand in Microsoft FrontPage)
Notes

First web-based filing application: BizTalk middleware providing the business logic, MS SqlServer the database backend

Coded by MS Consulting

MS Word as the publication engine running headless on the server

Sometimes things happen

Budget cuts

Couldn’t afford to create print publications

PDF version became official version (had been creating since 1998)
Notes

Wanted some variety; here’s a rabbit

Developed in-house

Again, just a filing application (from RuleEdit to eRules 2: just a filing application

Well, not quite just:

Web application, some JavaScript validation of form content

Business logic in Java middleware

Ran on an Apache web server, with MySQL (later MariaDB)

Publication generation by OpenOffice running headless on server
Notes

A rules management system, finally!

Filing

History (rule and filing)

administrative code

all in one package

Web-based application

Don’t know as much about the nuts and bolts

Gandalf wizardry on JavaScript web pages

Dumbledore wizardry with some middleware written in C#, I think
Database backend in MS SQL Server

Hosted on Amazon Web Services
What has Utah learned?

- “The web is the way” (with apologies to The Mandalorian)
- Be certain in what you want and why you want it
- Don’t assume
- Communication is crucial
- So many ways to skin a cat
- Documentation is important
  - Process (our end)
  - Code (developers’ end)

Notes

The web, and related technologies, opens so many possibilities

Accessibility

At most, we had approximately 200 subscribers to the Bulletin

Website is visited thousands of times a month

Manageability

Less paper

Less (in principle) manual intervention

Workflow control; BUT loss of flexibility

What do you want the system to do?
Beware the words “Wouldn’t it be cool if...?”

Always be able to answer the *why* question about the *what*

Remember the fundamental *why*: serve the people

Don’t assume

What your staff knows (brand new hires when began on eRules 3)

That the developer can read your mind (if they could, they wouldn’t be developers)

That change will be embraced with open arms by all your adoring fans

Your fans will only like change if:

- it serves them better, *AND*

- it doesn’t make their lives harder, e.g., drop down lists great for browsing, but direct linking is *so* important

Communication

With the developer

With your customers

So many ways to skin a cat

Web front end displaying full text of rule

Web front end displaying chapter by chapter

Database backends

Git repository on Github with text in XML
Where will Utah go from here?

Notes

We had *thought* about this, but Kirk looks uncomfortable and this may not be the best approach.

With current eRules

Making sure the system is *data* complete

Two important enhancements

Direct linking to rules (I feel like I need to say how important this is *again*)

Notification subscription service