

Masthead

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Eyes on lobbying

The whoop-dee-doo was impressive the other day at the grand opening of Spirit AeroSystems' plant, where airliner fuselage components will be manufactured. Gov. Beverly Perdue and other assorted big cheeses were on hand. Will this become the venture that finally gets North Carolina's struggling Global TransPark near Kinston well and truly off the ground?

Everyone involved surely hopes so. The TransPark has been a money pit, lacking a major tenant until Spirit Aero came along.

But the company didn't just come along. It sought and received a juicy package of economic incentives. And that raised predictable hackles among those who think such incentives are bad policy and generally a waste of money.

In that pew, front and center, sits the N.C. Institute for Constitutional Law, a privately funded group headed by former state Supreme Court Justice Bob Orr. To what lengths did Spirit go to snare its incentives, worth in the range of \$180 million? The institute wanted to find out.

That's when it was brought up short by a confounding legal kink. As the institute asserts in a recently filed lawsuit, it had every reason to believe that a consultant for Spirit Aero prevailed upon the administration of former Gov. Mike Easley to feather the company's nest if it came to the TransPark. But the office of Secretary of State Elaine Marshall, which regulates lobbyists, reported no record of a lobbyist registered for Spirit. The institute thus filed a complaint about alleged unregistered lobbying.

However, Marshall's office - relying on guidance from an assistant attorney general - said it couldn't divulge anything about any investigation into the complaint without a court order. And it would not have to disclose any disciplinary action. Only if someone were prosecuted by the district attorney would any lobbying law violation come to light. That's what prompted the institute's suit, claiming a breach of the Public Records Law.

Attorney General Roy Cooper should change signals and let Marshall's office disclose what it knows. But if Cooper doesn't, the legislature should address this issue so that high-stakes lobbying can be properly monitored. The institute's suit is well-aimed, but it shouldn't be necessary for a judge to give state officials a lesson in basic openness and accountability.