Transparency in government.

Sponsored by: Representative(s) Wallis, Anderson, R., Edmonds, Meyer, Millin and Quarberg and Senator(s) Case

A BILL

for

AN ACT relating to government information; providing definitions; creating the Wyoming public finance website; requiring the creation and maintenance of the website; providing rulemaking authority; establishing the select committee on technology, reporting and analytics; requiring a report; providing appropriations; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 9-2-1035 through 9-2-1037 and 28-11-501 are created to read:


(a) As used in this act:
(i) "Committee" means the select committee on technology, reporting and analytics created under W.S. 28-11-501;

(ii) "Department" means the department of administration and information;

(iii) "Internet" means the internet, World Wide Web or a similar proprietary or common carrier electronic system;

(iv) "Participating state entity" means the state of Wyoming including the executive, legislative and judicial branches of government and any department, division, agency, board, commission or other instrumentality of those branches;

(v) "Public financial information" means records that are required to be made available on the Wyoming public finance website as required by this act; and

(vi) "This act" means W.S. 9-2-1035 through 9-2-1037.

(a) There is created the Wyoming public finance website to be administered by the department.

(b) The Wyoming public finance website shall:

(i) Permit Wyoming taxpayers to view and track the use of taxpayer dollars by making participating state entities' public financial information available on the internet;

(ii) Allow a person who has internet access to use the website without paying a fee;

(iii) Allow the public to search public financial information on the Wyoming public finance website using criteria established by the department in consultation with the committee;

(iv) Provide access to financial reports, financial audits, budgets or other financial documents that are used to allocate, appropriate, spend and account for
government funds as may be established by rule under W.S. 9-2-1037;

(v) Have a unique and simplified website address;

(vi) Be directly accessible via a link from the main page of the official state website; and

(vii) Include other links, features or functions that will assist the public in obtaining and reviewing public financial information.

(c) The department shall be responsible for:

(i) Establishing and maintaining the website, including the provision of equipment, resources and personnel as necessary;

(ii) Maintaining an archive of all information posted to the website;
(iii) Coordinating and processing the receipt and posting of public financial information from participating state entities.

(d) The department may:

(i) Consult with the committee on matters related to the implementation and administration of this act;

(ii) Develop plans and make recommendations to the committee related to the implementation of the provisions of this act;

(iii) Determine, in consultation with the committee, what public financial information shall be provided by participating state entities, provided that the public financial information:

(A) Only includes records that:

(I) Are classified as public records under W.S. 16-4-201 through 16-4-205;
(II) Are an accounting of monies, funds, accounts, bonds, loans, expenditures or revenues, regardless of source; and

(III) Are owned, held or administered by the participating state entity that is required to provide the record.

(B) Is of the type or nature that should be accessible to the public via a website based on considerations of:

(I) The cost effectiveness of providing the information;

(II) The value of providing the information to the public; and

(III) Privacy and security implications.

(iv) Evaluate the cost effectiveness of implementing specific information resources and features on the website and report that information to the committee.
(e) A participating state entity shall permit the public to view the public financial information of the participating state entity via the website, beginning with information that is generated on or after July 1, 2009.

(f) Not later than January 1, 2010, the website shall be operational and permit access to the public financial information of participating state entities.

9-2-1037. Rulemaking authority.

(a) The department, after consultation with the committee, shall adopt rules to:

(i) Require participating state entities to provide public financial information for inclusion on the Wyoming public finance website;

(ii) Define the term "public financial information" as it applies to participating state entities in accordance with the provisions of this act; and
(iii) Establish procedures for obtaining, submitting, reporting, storing and providing public financial information on the Wyoming public finance website which may include a specified reporting frequency and form.

(b) The department, after consultation with the committee, may adopt rules to require a participating entity to list certain expenditures made by a person under a contract with the participating entity. If a list is required under this subsection, the list shall include:

(i) The name of the participating entity making the expenditure;

(ii) The name of the person receiving the expenditure;

(iii) The date of the expenditure;

(iv) The amount of the expenditure;

(v) The purpose of the expenditure;

(vi) The name of each party to the contract;
(vii) An electronic copy of the contract; and

(viii) Any other criteria designated by rule of the department.

ARTICLE 5

SELECT COMMITTEE ON TECHNOLOGY, REPORTING AND ANALYTICS

28-11-501. Appointment of members; powers and duties.

(a) Not later than March 15 following each general election, the president of the senate shall appoint six (6) members of the senate, and the speaker of the house of representatives shall appoint six (6) members of the house to a select committee on technology, reporting and analytics. Not more than four (4) members from each house shall be from the same political party.

(b) The select committee shall:

(i) Select from among its members a chairman and vice-chairman;
(ii) Monitor the establishment and implementation of the technological infrastructure of the state;

(iii) Monitor technological opportunities to eliminate redundancy, ensure efficiency and provide more access to state government to citizens of the state;

(iv) Prepare and submit recommendations to the legislature, including sponsoring legislation, to improve statutes related to technology, reporting and analysis;

(v) Develop knowledge and expertise among its members regarding issues related to technology, reporting and analysis; and

(vi) Consult with the department of administration and information as provided in W.S. 9-2-1036 and 9-2-1037.

(c) The state chief information officer shall provide an annual report to the select committee on statewide technology issues, initiatives, projects and expenditures.
(d) The select committee may:

(i) Secure consulting services, if necessary, to provide technical assistance regarding state technology policy; and

(ii) Review budgets and expenditures related to any aspect of state technology policy and implementation.

Section 2. There is appropriated twenty-eight thousand dollars ($28,000.00) from the general fund to the legislative service office. This appropriation shall be for the period beginning with the effective date of this act and ending June 30, 2010. This appropriation shall only be expended for the purpose of meetings of the select committee on technology, reporting and analytics created under section 1 of this act.

Section 3. There is appropriated twelve thousand three hundred dollars ($12,300.00) from the general fund to the department of administration and information. This appropriation shall be for the period beginning with the effective date of this act and ending June 30, 2010. This appropriation shall only be expended for the purposes of
carrying out the provisions of W.S. 9-2-1035 through 9-2-1037 as created in this act.

Section 4. Not later than March 15, 2009 or ten (10) days after the effective date of this act, whichever date is later, the president of the senate and the speaker of the house shall appoint members to the select committee on technology, reporting and analytics as provided in W.S. 28-11-501(a).

Section 5. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.