

SENATE BILL NO. 2

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY SENATORS WIELECHOWSKI, Therriault

Introduced: 1/21/09

Referred: State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the establishment and maintenance of an Internet website providing**
2 **public finance information, and identifying the information to be available on the**
3 **Internet website."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
6 to read:

7 SHORT TITLE. This Act may be known as the Alaska Open Government Act.

8 * **Sec. 2.** AS 37.05.210(a) is amended to read:

9 (a) The Department of Administration shall

10 (1) file with the governor and with the legislative auditor before
11 December 16 a report of the financial transactions of the preceding fiscal year and of
12 the financial condition of the state as of the end of that year, prepared in accordance
13 with generally accepted accounting principles and audited by the legislative auditor in
14 accordance with generally accepted audit standards, with comments and

1 supplementary data that the Department of Administration considers necessary; this
 2 report shall be printed for the information of the legislature and the public **and shall**
 3 **be available electronically for use in the public finance Internet website under**
 4 **AS 37.05.215**;

5 (2) compile statistics necessary for the budget and other statistics
 6 required by the governor;

7 (3) file a travel and compensation report with the legislature by
 8 January 31 of each year containing detailed information for the previous calendar year
 9 of the salaries, per diem, travel expenses, relocation expenses, and any additional
 10 allowances for

11 (A) the governor, the lieutenant governor, and the chiefs of
 12 staff of the governor and lieutenant governor;

13 (B) the president and vice-president of the University of Alaska
 14 and the chancellors of the individual campuses of the university;

15 (C) the commissioners or other executive heads of the principal
 16 departments in the executive branch of state government, and the deputy
 17 commissioners and division directors in those departments; and

18 (D) the executive heads of public corporations created by law,
 19 including the Alaska Railroad Corporation.

20 * **Sec. 3.** AS 37.05 is amended by adding a new section to article 2 to read:

21 **Sec. 37.05.215. Public finance Internet website.** (a) The Department of
 22 Administration shall develop, operate, and maintain a searchable Internet website that
 23 is accessible to the public at no cost and that provides financial information available
 24 from the central accounting system or the annual financial report prepared and filed
 25 under AS 37.05.210(a)(1) describing

26 (1) state revenue for the preceding month, including

27 (A) a receipt or deposit by a state agency into a fund or account
 28 established within the state treasury;

29 (B) proceeds from taxes received, including a compulsory
 30 contribution imposed by the state for the purpose of financing services;

31 (C) agency earnings, including amounts collected for sales or

1 services, licenses or permits issued, or otherwise received by an agency under
2 the agency's regulations;

3 (D) revenue received for the use of state money or property,
4 including interest and lease payments;

5 (E) gifts, donations, and federal receipts; and

6 (F) other revenue;

7 (2) expenditures for the preceding month, including

8 (A) the name and location of any person to whom payment was
9 made;

10 (B) the amount of the expenditure disbursed;

11 (C) the type of transaction, by account code, including the
12 purpose of the expenditure;

13 (D) other information specified by the department;

14 (3) state revenue and expenditures, summarized for the preceding
15 fiscal year, as follows:

16 (A) general fund revenue sources;

17 (B) general fund expenditures categorized by function;

18 (C) general fund expenditures categorized by department;

19 (D) general fund expenditures categorized by account; and

20 (E) total general fund revenue versus expenditures;

21 (4) total assets versus liabilities at the end of the fiscal year;

22 (5) the fiscal year-end balance for each state fund; and

23 (6) for the preceding 10 years, by fiscal year, the following:

24 (A) the number of full-time employees employed by the state;

25 (B) the total long-term debt owed by the state;

26 (C) total general fund expenditures; and

27 (D) total general fund payroll.

28 (b) The Department of Administration shall update the information described
29 in (a)(1) and (2) of this section on the Internet website on a monthly basis and the
30 information described in (a)(3) - (6) of this section on an annual basis.

31 (c) The Department of Revenue and other state agencies that use the central

1 accounting system shall provide information to the Department of Administration that
2 is necessary to comply with the requirements of this section.

3 (d) Nothing in this section requires disclosure of information that is
4 confidential under state or federal law. However, the Department of Administration
5 shall provide aggregated or summarized information describing confidential revenue
6 and expenditures if the aggregated or summarized information continues to protect
7 confidentiality.

8 (e) In this section,

9 (1) "expenditure" means a payment from the state treasury that is
10 greater than \$1,000 and that is made as a grant, subgrant, contract, subcontract, loan,
11 lease, cooperative agreement, purchase order, task order, delivery order, or other form
12 of financial transaction; however, "expenditure" does not include the transfer of
13 money between state agencies, individual payments to state employees or retirees, or
14 payment of state or federal assistance to an individual;

15 (2) "searchable Internet website" means an Internet website that allows
16 searching, extracting, compiling, and aggregating information from the data available
17 on the website.

18 * **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to
19 read:

20 **DELAYED AVAILABILITY.** The Internet website established under AS 37.05.215,
21 added by sec. 3 of this Act, shall be available to the public on or before October 1, 2010.

22 * **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to
23 read:

24 **TRANSITIONAL PROVISIONS.** The initial Internet website established under
25 AS 37.05.215, added by sec. 3 of this Act, must, notwithstanding the requirements of
26 AS 37.05.215(a), list information from the previous fiscal year. Beginning on October 1,
27 2011, the list shall be updated monthly or annually, as specified.