

House Bill 2500

Sponsored by Representatives ROBLAN, J SMITH, THATCHER, WHISNANT; Representatives BENTZ, BRUUN, CAMERON, ESQUIVEL, FREEMAN, GARRARD, GILLIAM, GILMAN, HANNA, HUFFMAN, KRIEGER, RICHARDSON, G SMITH, THOMPSON, WEIDNER, WINGARD, Senators FERRIOLI, GEORGE, KRUSE, MORSE, STARR, WHITSETT, WINTERS

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Directs Oregon Department of Administrative Services to establish single searchable website listing aggregate and specific expenditures made and revenues received by state agencies in executive, legislative and judicial branches of state government.

Directs state agencies to maintain expenditure transaction register and monthly statement of all credit card receipts. Directs Oregon Department of Administrative Services to include link to registers and credit card statements from single searchable website.

Directs Oregon Department of Administrative Services to include listing for each state agency of all full-time employee positions grouped by class on single searchable website.

Becomes operative January 1, 2010.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1 Relating to public finance; and declaring an emergency.

2
3 Whereas the Seventy-fifth Legislative Assembly finds that taxpayers should be able to easily
4 access the details on how the state is spending their tax dollars and what performance results are
5 achieved for those expenditures; and

6 Whereas the size of the state budget and the number of state agencies continues to grow; and

7 Whereas there currently is no single, easily accessible searchable website that allows taxpayers
8 to track state revenues and expenditures; and

9 Whereas the Seventy-fifth Legislative Assembly finds that the creation of a single website
10 searchable website detailing the location, purpose and results of taxpayer investments in state gov-
11 ernment is beneficial to our state; now, therefore,

12 **Be It Enacted by the People of the State of Oregon:**

13 **SECTION 1. As used in sections 1 to 6 of this 2009 Act:**

14 (1) **"Class" means a group of employee positions sufficiently similar in the duties per-**
15 **formed, degree of supervision exercised or received, minimum requirements of education or**
16 **experience and the knowledge, skills and abilities required to perform the functions and du-**
17 **ties of the position.**

18 (2) **"State agency" means any officer, board, commission, department, division or insti-**
19 **tution in state government, as defined in ORS 174.111.**

20 **SECTION 2. (1) The Director of the Oregon Department of Administrative Services shall**
21 **develop and make available a single searchable website that allows any person to search and**
22 **aggregate the information described in subsection (2) of this section. The website must be**
23 **accessible without cost and contain plain, easily understandable language.**

24 (2) **The website shall include, for each year of a biennium:**

25 (a) **Expenditures for each state agency, including but not limited to:**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

- 1 **(A) The total amount of expenditures;**
- 2 **(B) The total amounts expended from the General Fund and funds or accounts separate**
- 3 **and distinct from the General Fund;**
- 4 **(C) The name of any person, other than an individual, to whom an expenditure was made**
- 5 **and the amount of the expenditure;**
- 6 **(D) The source of the moneys for the expenditure;**
- 7 **(E) The budget program or activity of the expenditure;**
- 8 **(F) A description of the purpose of the expenditure;**
- 9 **(G) The expected performance outcome for the expenditure;**
- 10 **(H) A description of any past performance outcomes achieved for a similar expenditure**
- 11 **in a prior biennium;**
- 12 **(I) The amount and nature of bond debt payments;**
- 13 **(J) The total amount of salaries and wages paid to state agency employees;**
- 14 **(K) Amounts paid under contracts, not including amounts paid to subcontractors; and**
- 15 **(L) Amounts paid for capital improvements;**
- 16 **(b) Revenues received by each state agency, including, but not limited to:**
- 17 **(A) The total amount of revenues received; and**
- 18 **(B) Separately, the total amounts received from the General Fund, lottery funds, federal**
- 19 **funds, other dedicated funds or any other sources;**
- 20 **(c) A copy of any audit report issued by the Secretary of State for each state agency;**
- 21 **(d) Salaries and total compensation for all elected officials in the executive department**
- 22 **and legislative department as defined in ORS 174.112 and 174.114; and**
- 23 **(e) Any other information that the Oregon Department of Administrative Services de-**
- 24 **termines is relevant.**
- 25 **(3) The director shall update the website described in subsection (1) of this section for**
- 26 **each year of the biennium not later than 30 days following the close of each year of the**
- 27 **biennium. The director shall also update the website as new data becomes available.**
- 28 **(4) Each state agency shall provide to the director all data that is required to be included**
- 29 **in the website not later than 30 days after the data becomes available to the state agency.**
- 30 **The director shall provide guidance to state agencies to ensure compliance with this sub-**
- 31 **section.**
- 32 **(5) The director shall ensure that all data added to the website remains accessible to the**
- 33 **public for a minimum of 10 years from the date the data was added to the website.**
- 34 **(6) Each state agency that maintains its own publicly accessible website shall include on**
- 35 **its website a link to the website described in this section.**
- 36 **SECTION 3. (1) Each state agency shall maintain a transaction register that includes a**
- 37 **complete record of all expenditures over \$100, from whatever source and for whatever pur-**
- 38 **pose.**
- 39 **(2) The Oregon Department of Administrative Services shall maintain a link to each state**
- 40 **agency transaction register from the website described in section 2 of this 2009 Act. Each**
- 41 **state agency shall make the transaction register available to the department for purposes**
- 42 **of establishing and maintaining the link. The register must be available for public viewing**
- 43 **and downloading.**
- 44 **(3) The register must include for each expenditure:**
- 45 **(a) The transaction amount;**

1 (b) The name of the payee; and

2 (c) A detailed statement of the purpose of the expenditure.

3 (4) The register may not include:

4 (a) An entry for salary, wages or other compensation paid to individual employees.

5 (b) Any information that can be used to identify an individual employee.

6 (5) The register must be accompanied by a complete explanation of any codes, abbrevi-
7 ations or acronyms used to identify a payee or an expenditure.

8 (6) The register must be searchable and updated at least once a month.

9 **SECTION 4.** (1) Each state agency shall maintain a copy of each monthly statement for
10 all its credit cards, including credit cards issued to its officers and employees for official use.
11 The Oregon Department of Administrative Services shall maintain a link to each state
12 agency monthly credit card statement from the website described in section 2 of this 2009
13 Act. Each state agency shall make the monthly credit card statement available to the de-
14 partment for purposes of establishing and maintaining the link.

15 (2) The state agency shall redact the credit card number on each statement before
16 making the statement available to the department.

17 (3) Each credit card statement described in this section must be made available from the
18 link described in subsection (1) of this section not later than the 30th day after the first date
19 that any portion of the balance due as shown on the statement is paid.

20 **SECTION 5.** (1) Each year, on or before January 1, the Oregon Department of Adminis-
21 trative Services shall list on the website described in section 2 of this 2009 Act, for each state
22 agency, a listing of all state agency full-time positions grouped by class.

23 (2) The listing must provide the number of full-time employees, average compensation in
24 each class and the actual compensation for each position receiving annual compensation
25 equal to or more than \$50,000 per year.

26 (3) The listing required under this section may not contain any information that can be
27 used to identify an individual employee.

28 **SECTION 6.** Sections 1 to 6 of this 2009 Act may be cited as the Taxpayer Transparency
29 Act.

30 **SECTION 7.** On or before July 1, 2010, the Director of the Oregon Department of Ad-
31 ministrative Services shall add data for the 2005-2007 and 2007-2009 biennia to the website
32 created under section 2 of this 2009 Act.

33 **SECTION 8.** (1) Sections 1 to 6 of this 2009 Act become operative on January 1, 2010.

34 (2) The Oregon Department of Administrative Services and a state agency as defined in
35 section 1 of this 2009 Act may take any action before the operative date specified in sub-
36 section (1) of this section that is necessary to enable the department or agency to exercise,
37 on and after the operative date specified in subsection (1) of this section, all the duties,
38 functions and powers conferred on the department or agency by this 2009 Act.

39 **SECTION 9.** This 2009 Act being necessary for the immediate preservation of the public
40 peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect
41 on its passage.