

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 181

H.P. 158

House of Representatives, January 27, 2011

An Act To Promote Fiscal Transparency in State Government

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative O'CONNOR of Berwick.
Cosponsored by Representatives: BENNETT of Kennebunk, GIFFORD of Lincoln,
HARVELL of Farmington, LIBBY of Waterboro, OLSEN of Phippsburg, PARKER of Veazie,
PARRY of Arundel, SIROCKI of Scarborough.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 5 MRSA §282-B** is enacted to read:

3 **§282-B. Commissioner to provide access to information on state revenues,**
4 **expenditures and bond proceeds**

5 **1. Information.** The Commissioner of Administrative and Financial Services shall
6 develop and maintain a single, searchable, publicly accessible website that contains
7 information on state revenues, expenditures and bond proceeds. The commissioner shall
8 provide access to the information at no cost to the public. The revenue information must
9 be presented in the same level of detail and format as the data prepared by the Revenue
10 Forecasting Committee established pursuant to section 1710-E. The expenditure
11 information must be clearly labeled to identify the fiscal year and fund source and must
12 include the following:

13 A. The state agency and program that provided the funding;

14 B. The legal name and principal location of the individual or entity that received
15 state funds;

16 C. The amount of state funds expended; and

17 D. A description of the purpose of the expenditure.

18 All state agencies shall assist the commissioner in providing the financial information
19 required by this subsection.

20 **2. Immunity.** The State and all of its employees are immune from criminal penalties
21 and civil liability to the extent provided in Title 14, chapter 741 for any acts, errors and
22 omissions related to the dissemination of the financial information required by this
23 section.

24 **3. Confidentiality.** Nothing in this section requires the disclosure of information
25 that is confidential pursuant to state or federal law, rule or regulation.

26 **Sec. 2. 5 MRSA §1973, sub-§1, ¶E**, as amended by PL 2005, c. 12, Pt. SS, §11,
27 is further amended to read:

28 E. Facilitate research and development activities to identify and establish effective
29 information technology service delivery in State Government; ~~and~~

30 **Sec. 3. 5 MRSA §1973, sub-§1, ¶F**, as enacted by PL 2005, c. 12, Pt. SS, §11, is
31 amended to read:

32 F. Facilitate interjurisdictional collaboration, services, sharing and initiatives
33 among agencies, instrumentalities and political subdivisions of State Government and
34 with other states and the Federal Government; and

35 **Sec. 4. 5 MRSA §1973, sub-§1, ¶G** is enacted to read:

36 G. Assist the commissioner in developing policies and procedures concerning the
37 publicly accessible website that provides free public access to the State's revenue.

1 expenditure and bond proceeds data as required by section 282-B in a manner
2 consistent with state and federal laws, rules and regulations.

3 **SUMMARY**

4 This bill requires the Commissioner of Administrative and Financial Services to
5 develop and maintain a single, searchable, publicly accessible website that contains
6 information on state revenues, expenditures and bond proceeds. It requires the Chief
7 Information Officer to assist the commissioner in developing policies and procedures
8 concerning the single website in a manner consistent with state and federal laws, rules
9 and regulations. This bill also provides state employees with immunity from criminal
10 penalties and civil liability for any acts, errors or omissions related to the dissemination
11 of this financial information.