

Secretary of State

Mission

The Secretary of State's staff serves the citizens of Wyoming by providing accurate, timely and courteous information and referral services, statutory filings and registrations regulation and enforcement in the areas of: corporations/businesses/trademarks/trade names; UCCs (Uniform Commercial Code transactions); central filing (agricultural products); securities; notaries public; elections/lobbyists/ethics; state rules and regulations; state lands, state investments, e-commerce and/or citizen representation and legislation.

Philosophy

The Secretary of State and his staff take pride in their work and appearance; demonstrate a strong work ethic; show that they care about their customers by giving knowledgeable, timely and courteous service; are organized and constantly review and modify procedures and technology to keep public service at its best and costs down and present in a friendly, professional way.

The Secretary of State's staff give their best effort; value common sense, honesty and a good sense of humor; respect each other's opinions and support good will, cooperation and loyalty. The staff is committed to continuing their education and/or training to maintain a high level of professional expertise and competency.

General information

Joseph B. Meyer, Secretary of State

Agency contact

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Year established

1869

Statutory references

See next page

Number of authorized personnel

27 full-time

Organizational structure

Corporations Division, Elections Division, Securities Division, Services Division

Clients served

See next page

Budget information

State Funds

001-0101 Administration	\$1,890,034.60
001-0201 Reapportionment	22,182.75
001-0401 Securities Enforcement & Compliance	116,045.14
001-0601 Bucking Horse & Rider	24,393.93
Total State Funds	\$2,052,656.42

Federal Funds

Help America Vote Act (HAVA) Title I	\$87,016.66
Help America Vote Act (HAVA) Title II	\$1,505,177.25
Total Federal Funds	\$1,592,193.91

**Expenditure figures submitted are as of June 30, 2005. These figures do not reflect any pending encumbrances.*

Statutory References

The Secretary of State is established as a state elected office by the Wyoming Constitution and Wyoming Statutes, Title 9.

The Corporations Division acts in accordance with the following state statutes:

- W.S. 16-3-101 through 16-3-115..... State Agency Rules
- W.S. 17-3-101 through 17-3-104.....Professional Corporations
- W.S. 17-8-101 through 17-8-117Churches & Religious Societies Generally
- W.S. 17-10-101 through 17-10-126. Cooperative Marketing Associations
- W.S. 17-10-201 through 17-10-253.....Processing Cooperative
- W.S. 17-11-101 through 17-11-120.....Industrial Corporations
- W.S. 17-12-101 through 17-12-107..... Miscellaneous Companies
- W.S. 17-14-201 through 17-14-1104... Uniform Limited Partnership Act
- W.S. 17-15-101 through 17-15-147.....Limited Liability Companies
- W.S. 17-16-101 through 17-16-1803... Wyoming Business Corporation Act
- W.S. 17-17-101 through 17-17-151.....Close Corporation Supplement
- W.S. 17-18-101 through 17-18-403 Wyoming Management Stability Act
- W.S. 17-19-101 through 17-19-1807..... Nonprofit Corporation Act
- W.S. 17-20-101 through 17-20-1801.Wyoming Cooperative Utilities Act
- W.S. 17-21-101 through 17-21-1003..... Uniform Partnership Act
- W.S. 17-21-1101 through 17-21-1106..... Registered Limited Liability Partnerships
- W.S. 17-22-101 through 17-22-115Unincorporated Nonprofit Association Act
- W.S. 17-23-101 through 17-23-302.....Wyoming Statutory Trust Act
- W.S. 17-24-101 Business Names
- W.S. 17-25-101 through 17-25-109 Close Limited Liability Company Supplement
- W.S. 17-26-101 Conversion
- W.S. 17-27-101 Electronic Annual Reports
- W.S. 26-24-101 through 26-24-106..... Mutual Insurers
- W.S. 29-7-101 through 29-7-106.....Personal Property
- W.S. 29-7-201 through 29-7-207..... Breeders
- W.S. 29-8-101 through 29-9-109.....Agricultural Producer's Liens
- W.S. 32-1-101 through 32-1-113.....Notaries Public
- W.S. 34-21-1101 through 34-21-1107..... Central Filing System
- W.S. 34.1-9-101 through 34.1-9-709..... Uniform Commercial Code
- W.S. 37-4-101 through 37-4-104..... Transmitting Utility Act
- W.S. 40-1-101 through 40-1-116..... Trademarks and Service Marks
- W.S. 40-2-101 through 40-2-109..... Trade Names

The Elections Division includes elections, lobbyists, ethics and acts in accordance with the following state statutes.

- W.S. 22-1-101 through 22-29-601..... Elections
- W.S. 28-7-101 through 28-7-201 Lobbyists
- W.S. 9-13-101 through 9-13-109..... Ethics

The Securities Division operates under the Uniform Securities Act which is W.S. 17-4-101 through 17-4-132.

The Services Division includes the following state statutes:

- W.S. 9-1-301 through 9-1-302..... Secretary of State
- W.S. 8-3-117 Bucking Horse & Rider (BH&R) Trademark

The Secretary of State has other statutory duties. A few examples of those diverse statutory requirements are:

W.S. 7-3-223

Criminal Procedure: Fugitives and Prevention of Crime: Extradition - Extraditions are to be filed in the office of the Secretary of State to remain of record in that office.

W.S. 9-1-102

Administration of Government: State Officers: Generally - Officers of state agencies & specified state employees are to file an oath of office with the Secretary of State.

W.S. 16-2-102

City, County, State and Local Powers: Facsimile Seals and Signatures - Any authorized officer shall file with the Secretary of State his manual signature certified by him under oath.

W.S. 18-7-105

Counties: Libraries - As soon as a library board is organized, it shall file with the Secretary of State a certificate showing their organization.

W.S. 18-8-104

Counties: Memorial Hospitals: Generally - As soon as a memorial hospital board is organized, it shall file with the Secretary of State a certificate showing their organization.

W.S. 18-9-102

Counties: Fairgrounds, Airports, Parks, Pleasure Grounds and Recreational Systems: Generally - As soon as the board of any of the referenced groups is organized, it shall file with the Secretary of State a certificate showing their organization.

W.S. 28-2-116

Legislature: Apportionment of Members - The Secretary of State is to maintain the census block list. The Secretary of State also has responsibilities pertaining to legislative redistricting which are carried out under Chapter 106, 1995 Session Laws of Wyoming.

W.S. 40-13-103, 106 and 108

Trade and Commerce: Copyrighted Music: Protection of Copyright Users - Secretary of State is to accept filing of performing rights contracts and license agreements.

W.S. 41-3-725

Water: Rights, Administration and Control: Water Conservancy Districts - Water conservancy districts are to file copies of the findings and the decree of the court incorporating said district with the Secretary of State.

P.L. 107-252

The Secretary of State, as the State's Chief Election Official, has the responsibility for implementation of the Help America Vote Act of 2002 (HAVA).

The Secretary of State also has responsibilities pertaining to legislative reapportionment which are carried out under Original Senate File 36, Enrolled Act 44 (1995).

Clients served

Entities served by the Secretary of State's Office include corporations and other business entities; attorneys; bankers; accountants; those with agricultural interests; individuals who purchase securities investments; all members of the public who participate in elections: county clerks, district, circuit, municipal and JP courts, those who wish to file an initiative or referendum; notaries public; individuals needing international document authentication services; state agencies filing agency rules; lobbyists; all elected officials required to file ethics reports; individuals wishing access to enrolled acts and legislative journals; those involved with legislative reapportionment; individuals wishing to use the state's BH&R trademark; statewide and legislative political candidates; individuals involved with the State Land and Investment Board or other state Board issues; and members of the general public wishing to access state government. The entire population of Wyoming is served by the reapportionment program in that there is a constitutional requirement that the Wyoming State Legislature be reapportioned every ten (10) years. Those specifically involved with this program, who benefit from the collection of data, are the Wyoming State Legislature, the counties and other political subdivisions, and Wyoming electors. The Securities Enforcement and Compliance Program serves people who buy investments such as stocks, bonds or mutual funds. Citizens benefit from regulatory and enforcement activities which stop unethical or fraudulent promotions. Entities served by the Bucking Horse & Rider Trademark Protection Program include the State of Wyoming, all people who enjoy use of the mark, and those business entities that use the mark for promotion or profit

Results of outcomes

Outcomes are measured as substantial movement toward accomplishing the agency's goals and objectives. Each goal and objective is listed in the agency's strategic plan.

Corporations: Outcome 1-1:

At the beginning of FY05 there were 120,077 active business entity registrations. Business entities include corporations, limited liability companies, limited partnerships, registered limited liability partnerships, statutory trusts, trade names, trademarks and UCC/EFS filings. At the end of FY05 there were 135,982 active business entity registrations. This is an increase of 15,905 filings over last year. Although statutorily corporate filings must have a five day turn around time, the volume of corporate filings filed had repeated periods of same day service in FY05. Since July 1, 2001, UCCs have maintained the statutory two day turn around filing time.

Corporations: Outcome 1-2:

During FY05, 9,148 UCC1 financing statements and 6,654 UCC3 amendments were filed directly online by external customers.

Securities: Outcome 2-1:

The number of cases investigated per year.....	49
The number of cases not addressed.....	0
The number of cases opened at FY end.....	6
The number of cases closed.....	26
The number of cases referred.....	17
The number of Cease and Desist Orders.....	0
The number of stipulations.....	3
The number of injunctions.....	0
The number of other regulatory actions.....	0
The number of persons arrested.....	1
The number of persons convicted/guilty pleas.....	4
The amount of restitution.....	\$267,722
The amount of fines, penalties, costs of investigation..	\$385

One criminal arrest was made during the year involving a Saratoga man accused and later convicted at trial of defrauding victims so he could participate in a "Nigerian Scam". Two other criminal matters resulted in another conviction at trial and two guilty pleas. Restitution was ordered in two of those criminal matters. Administrative stipulations netted \$385 in costs of investigation. Two administrative stipulations wait for resolution in the global settlement of fraudulent recommendations by major broker-dealers.

Securities: Outcome 2-2a:

The number of mutual fund notice filings.....	58
The number of renewal filings.....	259
The number of Reg. D notice filings.....	310
The number of securities filing for registration by coordination.....	37
The number of securities filing for registration by qualification.....	2
The number of new agent registrations.....	18,444
The number of new broker-dealer registrations.....	115
The total number of agents registered in Wyoming.....	54,286
The total number of broker-dealers registered in Wyoming.....	1,358

Securities: Outcome 2-2b:

Three audits and one site visit were completed in FY05, minor compliance issues were noted and one pending action was recommended as a result of the audits. The audits were initiated based on customer complaints alleging sales practice violations. Only one of the allegations of violations was referred for further administrative action.

Services: Outcome 3-1:

The average number of user sessions per day for FY05 was 2,952. During FY05, the Secretary of State's Office recorded 12,876,427 successful hits on our website, averaging approximately 35,278 hits per day.

Services: Outcome 3-2:

The five random spot checks were all within the time frame and all deposits were made. This procedure gives the Secretary of State's Office the financial data needed for the agency.

Services: Outcome 3-3:

During FY05, the citizens of Wyoming were provided with an average of more than 22 opportunities per month to meet with the Secretary of State.

The public has broad opportunity to contact the Secretary of State in person, by telephone, by regular mail and by email. The Secretary of State tries to accommodate walk-ins and telephone calls when available. These opportunities are not included in the count. Only those engagements that have been prearranged and are in the schedule book are tallied.

Conferences/conventions, forums, workshops are counted as one appointment for that day even though many contacts with the public are made throughout the event. Unless a sign in sheet with documented names of participants is available, and the Secretary of State was a member of the presenting board or panel, those contacts are not individually counted.

Elections: Outcome 3-4:

Like last year, this year has been a very busy year in terms of contacts with the county clerks. The Secretary of State's Office had 1,766 collective contacts with the county clerks on topics ranging from the State Plan, voter registration, voting systems, and the Help America Vote Act.

Services: Outcome 3-5:

There were 790 licenses or Business Use Agreements at the beginning of FY05. By the end of FY05, there were 858 licenses or Business Use Agreements filed. That is an increase of 68 licenses in the course of the fiscal year. The number of registrations continues to increase beyond original expectations as protection and promotion of the state's Bucking Horse & Rider trademark continues to be met with public popularity.

Strategic plan changes

The strategic plan has been rewritten for implementation in September of 2005. The plan contains three performance measures: (1) The Corporations Division will track filings of corporations and other business entities, trademarks, trade names, liens and notaries public; (2) The Securities Division will track active securities agent registrations, and (3) the Services Division will track the number of individuals supported by the Technology Division. Specific information can be found in the agency's strategic plan submitted September 2005.

Agency goal

To contribute to the Wyoming quality of life by assisting constituents in the areas of: corporations (businesses/trademarks/trade names), elections, lobbyist registration, ethics filings, notaries public, securities, state rules and regulations, document authentication, state lands, state investments, citizen representation and uniform commercial code transactions, lien searches and central filing of agriculture products.

Secretary of State organizational chart

