

Wyoming Secretary of State Annual Report FY2008

General Information:

Max Maxfield, Secretary of State

Agency Contact:

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Wyoming Quality of Life Result:

Wyoming state government is a responsible steward of state assets and effectively responds to the needs of residents and guests.

Advanced technologies and a quality workforce allow Wyoming business and communities to adapt and thrive.

Contribution to Wyoming Quality of Life:

This Agency contributes to the Wyoming quality of life by assisting constituents in the areas of: business (business registrations/trademarks/trade names), elections, campaign finance disclosure, lobbyist registration and disclosure, ethics disclosure, notaries public, securities, state rules and regulations, document authentication, state lands, state investments, citizen representation, Uniform Commercial Code transactions and Central Filing (agricultural products, liens, searches).

Basic Facts:

This agency has 28 employees and operates with a biennium budget of approximately \$7.4 million in general fund money while generating over \$29 million in revenue during a biennium. In addition, this agency is responsible for implementing the Help America Vote Act (HAVA) with a total budget of approximately \$17 million in federal funds.

As an elected official, the Secretary of State does not have clients, per se. However, as the state's Chief Elections Officer, Securities Commissioner, Notaries Public Commissioner and Corporations Administrator, the Secretary of State's "clients" are various individuals and entities. These include: business entities, attorneys, bankers, financial institutions, accountants, individuals who purchase securities investments, all members of the public who participate in elections, county clerks, district, circuit and municipal 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, individuals wishing

to use the state's Bucking Horse and Rider trademark, statewide and legislative political candidates and all individuals involved with any of the boards and commissions served by the Secretary of State.

The Secretary of State's office has five primary Divisions:

- **Administration:**
Provides all administrative services including fiscal and personnel services; preserves the recognized symbols of the state, legislative journals and other state documents; and performs all duties associated with state elected officials.
- **Business:**
Administers Wyoming Statutes pertaining to the registration of corporations and other business entities, trademarks and trade names, liens and searches; files state agency rules; and commissions notaries public.
- **Elections:**
Assists with general, primary, bond, municipal and special district elections; processes campaign finance disclosure reports; verifies petitions for independent candidates, initiatives, referendums and new political parties; answers questions pertaining to elections; generates voter registration lists; processes candidate applications; produces elections publications; and registers lobbyists and retains lobbyist disclosure reports.
- **Securities:**
Regulates the issuance and sale of securities, broker-dealers, agents (the individuals and companies who sell securities); enforces securities statutes; and informs and educates investors about fraudulent securities promotions.
- **Technology:**
Provides project management and oversight for the building, updating and maintaining of the agency's many service applications including; business registration and reporting, UCC lien filing, securities, elections, voter registration, notaries and state rules programs. Provides computer technology support to the Agency for day to day operations.

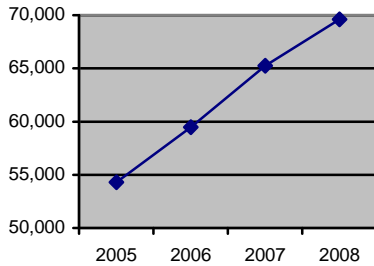
Performance:

1: Timeliness & Accuracy

PERFORMANCE MEASURES:

#1: Timeliness & Accuracy

1.a. Securities Division Broker-Dealer and Agent Registrations

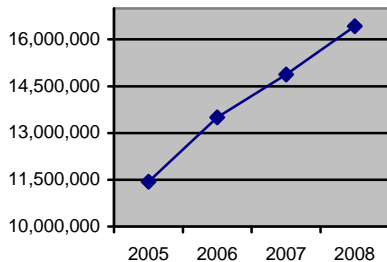


Story behind the last year of performance:

The Agency has selected performance measures with the intent of improving customer service. The Agency continues to strive to provide services in a timely manner.

Graph 1a. illustrates the Secretary of State’s goal of increasing the number of registered securities agents over the previous year. The Securities Division regulates securities (investments like stocks, bonds, mutual funds, etc.) and the individuals and companies that sell securities. The Division enforces securities statutes and informs and educates investors about avoiding fraudulent securities promotions. The scope of regulating securities includes addressing and investigating every securities complaint for referral to the proper civil, criminal or administrative authority.

1.b. Agency Revenue



Graph 1b. illustrates the Secretary of State’s goal of continuing to increase revenue generated by this Agency. The Secretary of State’s Office operates on a biennium budget of approximately \$7.4 million. That pales in comparison to the revenue generated by this Agency.

What has been accomplished in 1.a. and 1.b.

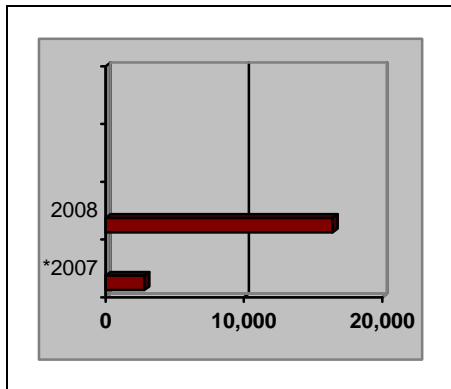
1.a. *Securities Division:*

Wyoming has a small securities staff of five compared to the relative size of the industry. During FY08 this Division saw a total of 69,615 broker-dealers and agent registrations, an increase of 4,362 or 6.68 percent over FY07. The increasing number of registered securities agents suggests that more time must be spent ensuring compliance with state and federal securities regulations. Along with the Business Division the Securities Division began planning and implementing activities toward addressing issues which affect business entities. The Joint Corporations, Elections and Political Subdivisions Interim Committee undertook a study of this Business Friendly/Fraud Friendly issue in FY08 and two new laws were adopted, Enrolled Act No. 55 and Enrolled Act No. 58. The new laws will be implemented in FY09.

1.b. *Agency Revenue:* The Secretary of State’s Office operates on a biennium budget of approximately \$7.4 million. During FY08 the Agency saw total revenue of \$16.4 million an increase of approximately \$1.5 million, or 10 percent from \$14.9 million in FY07.

#2: *Advanced technologies for delivery of services*

2.a. Business Division online registrations



*2007 represents four months since the project was not operational for the full one year period.

Story behind the last year of performance:

In March of 2007, for the first time, online filing of business entity annual reports was offered. During FY08 online filing has increased service to the public. The Division provides 24-hour access to filers. The online filing option provides more convenient and faster service for business entities.

Graph 2.a. depicts the increase in numbers of filers who have chosen the online filing option thus showing efficient use of technology.

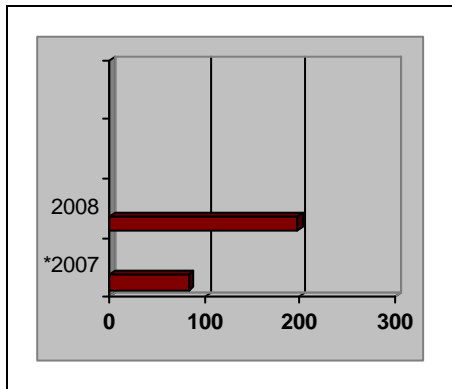
What has been accomplished in 2.a.

In FY08 16,419 annual reports were filed online as compared to 2,795 during the last four months of FY07. Extrapolated, this is an increase of approximately 96 percent. As the business community becomes more familiar with the availability of online filing, we anticipate the number of online filings will increase.

In addition to continuing to increase service and efficiency by offering filings online, the Division began planning other activities to improve service to business entities. The Joint Corporations, Elections and Political Subdivisions Interim Committee undertook a study of this Business Friendly/Fraud Friendly issue in FY07 and two new laws were adopted in FY08. The new legislation will also impact this Division. Therefore, the Division began the creation of new modules to its database program to accommodate the new legislation. Implementation of the new program will occur in FY 09.

#3: Public access to government

3.a. Secretary of State constituent visits

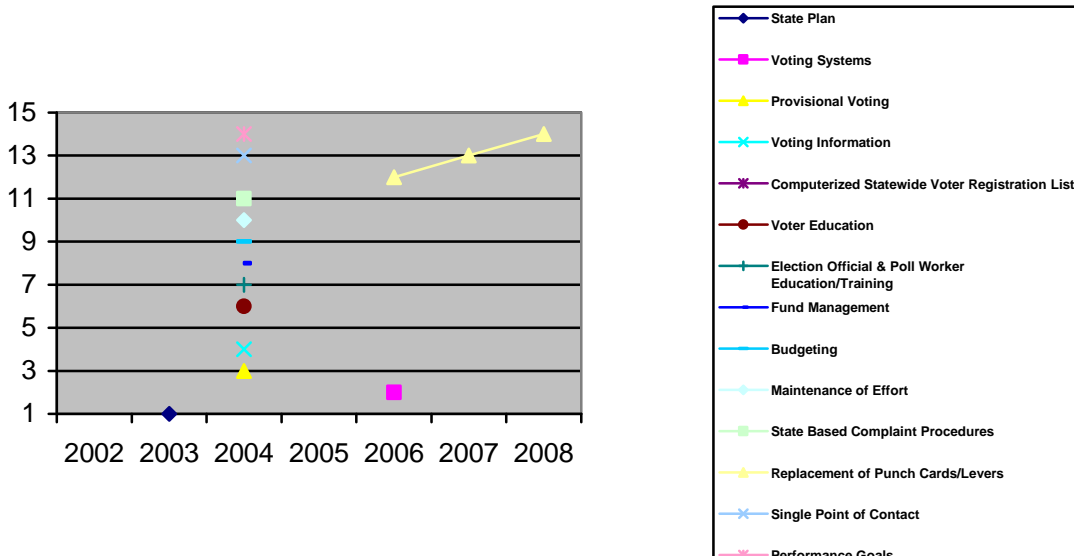


*2007 only reflects the last six months of FY07 since Secretary Maxfield did not take office until January 1, 2007.

Story behind the last year of performance:

Graph 3.a. illustrates the Secretary of State’s goal of making himself available to interact with constituents.

3.b. Federal HAVA Requirements (14)



Graph 3.b illustrates the Secretary of State’s goal of tracking and maintaining the fourteen federal HAVA requirements in the Elections Division.

What has been accomplished in 3.a. and 3.b?

3.a. Secretary of State: in FY08 Secretary Maxfield had 197 occasions to interact with constituents outside the office as compared to 83 during the last six months of FY07. Extrapolated, this is an increase of approximately 19 percent. It is of great importance to the Secretary that he be available to citizens of Wyoming and that availability not be necessitated by their visits to the Capitol. Secretary Maxfield spends time traveling the state reaching various communities and their citizens.

3.b Elections Division: The Help America Vote Act of 2002 (HAVA) required significant reforms of the election process. In HAVA there were fourteen items of note including federal mandates for election equipment, voter registration, education of voters and election workers, and issues pertaining to planning and management of funds. Some of the requirements had end dates, while others are an ongoing part of the federal law. In FY08 the Division met all fourteen federal requirements, or 100 percent. During FY08 the Division continued to work with ongoing HAVA requirements including full deployment of a HAVA compliant statewide voter registration system.

