

Wyoming Secretary of State Annual Report -- FY2015

Office Information:

Elected Official:

Edward F. Murray, III, Secretary of State

Contact Person:

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Statutory References:

Constitution of the State of Wyoming, Article 4, Section 11	Elected State Official
W.S. 8-3-117	Bucking Horse & Rider Trademark
W.S. 9-1-301 through 9-1-307	Secretary of State
W.S. 9-13-101 through 9-13-109	Ethics
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. 17-4-101 through 17-4-132	Securities
W.S. 17-8-101 through 17-8-117	Churches and Religious Societies
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. 17-16-101 through 17-16-1810	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 17-20-1402	Wyoming Cooperative Utilities Act
W.S. 17-21-101 through 17-21-1107	Uniform Partnership Act
W.S. 17-22-101 through 17-22-115	Uniform Unincorporated 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 17-25-111	Close Limited Liability Company Supplement
W.S. 17-26-101	Conversion
W.S. 17-27-101	Electronic Annual Reports
W.S. 17-28-101 through 17-28-111	Commercial Registered Agents
W.S. 17-29-101 through 17-29-1105	Limited Liability Companies
W.S. 22-1-101 through 22-29-601	Elections and Campaign Finance
W.S. 28-7-101 through 28-7-201	Lobbyists
W.S. 29-7-101 through 29-7-106	Personal Property
W.S. 29-7-201 through 29-7-206	Breeders
W.S. 29-8-101 through 29-8-109	Agricultural Producers Liens
W.S. 32-1-101 through 32-1-109;	Notaries Public
W.S. 32-26-101 through 32-26-304	Wyoming Uniform Law on Notarial Acts
W.S. 34-21-1101 through 34-21-1107	Central Filing System
W.S. 34.1-9-101 through 34.1-9-809	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

Examples of other 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 and 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 and make available certain redistricting information as specified by statute.

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).

Basic Information:

Number of Employees:

31

Clients Served:

The Secretary of State serves the people of Wyoming as its second ranking statewide elected official. Our clients are individuals; attorneys; bankers; financial institutions; accountants; candidates for elected office; individual stock, bond and mutual fund investors; notaries public; and any company or entity doing business in the state. Additionally, the Office serves constituents which form businesses for commerce in countries outside the United States.

Budget Information/Expenditures for FY15:

With an on-going biennium budget of approximately \$8.6 million, the Office's 31 employees collect approximately \$40 million in revenue for the state's General Fund during a biennium. The Secretary of State's Office has a total 2015-2016 Biennium Budget of \$10,097,066 which includes federal elections funding, money to protect Wyoming's Bucking Horse and Rider, and appropriations for technology projects:

\$ 8,634,310	State General Fund Appropriations
\$ 107,103	Federal Funding
<u>\$ 1,292,653</u>	Other Funds
\$10,097,066	Total

The general fund expenditures for fiscal year 2015 total \$3,294,000.

Primary Functions:

Administration:

The Administration Division directs all services of the Office. It preserves the recognized symbols of the state like the Great Seal of the State of Wyoming, legislative journals, and other state documents. It affixes the Great Seal to official state documents such as proclamations and extraditions. It files Oaths of Office and it publishes the Wyoming State Government Directory. The Division also carries out duties associated with state elected officials, protocol and welcoming visiting dignitaries.

Elections:

The Secretary of State is the chief election officer for the state of Wyoming involved in general, primary, bond, municipal and special district elections. The Office administers campaign finance disclosure reports on the Wyoming Campaign Finance Information System (WYCFIS); verifies petitions for independent candidates, initiatives, referendums and new political parties; answers questions pertaining to elections generally; administers Wyoming's statewide voter registration system; generates voter registration lists; processes candidate applications; produces elections publications; registers lobbyists; and maintains lobbyist disclosure reports. The Division retains ethics disclosure reports for legislative and statewide office holders.

Business:

The Office registers corporations, limited liability companies and eleven other business entities. It collects annual report revenue from companies filed in the state; files trademarks and trade names; records Uniform Commercial Code liens, performs lien searches and terminates liens; and records miscellaneous statutory filings. The Business Division touches just about every business and organization with a presence in the state. This is the Office's largest Division and is responsible for the majority of the revenue collected by the Secretary of State.

Compliance:

The Office is the local regulator for Wyoming's securities industry, the activities of Commercial Registered Agents, and the commissioning of Notaries Public. It registers securities (investments such as stocks, bonds, and mutual funds) offered or sold in Wyoming. It also registers the companies (broker-dealers) and the individual sales persons (agents) working for those broker-dealer firms. In addition to its regulatory functions, the Office has authority to investigate alleged violations of the Securities Act and the Registered Agent Act. To protect Wyomingites, administrative, civil or criminal matters may be referred to local, state, or federal authorities to enforce the law. The Office also provides investor protection education to the public.

Administrative Services:

This Division provides fiscal, payroll, human resources and budget services for the Office. As the Registrar of administrative rules for state agencies, the Division files new and amended rules and maintains a database of current, superseded and repealed administrative rules. It authenticates public record documents with apostilles or certifications so documents such as birth certificates, marriage licenses, legal documents, and adoption papers may be legally recognized in foreign countries. In cooperation with the University Trademark Licensing Office, the Office protects and administers use of the iconic Bucking Horse and Rider trademark.

Technology:

The Technology Division provides project management and oversight for the building, updating and maintaining of the Office's many electronic applications. Such applications include WyoBear Suite, the business registration and reporting system; UCC lien filing; securities; elections; WyoReg, the statewide voter registration system; WYCFIS the statewide campaign finance disclosure system; notaries public; authentication program; the state rules database; Office websites; and lobbyist registration. It also provides computer technology support to the Office for day-to-day operations.

Contribution to Wyoming Quality of Life:

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

Wyoming Quality of Life Results applicable to the Office are:

Result #6 -- Wyoming state government is a responsible steward of State assets and effectively responds to the needs of residents and guests.

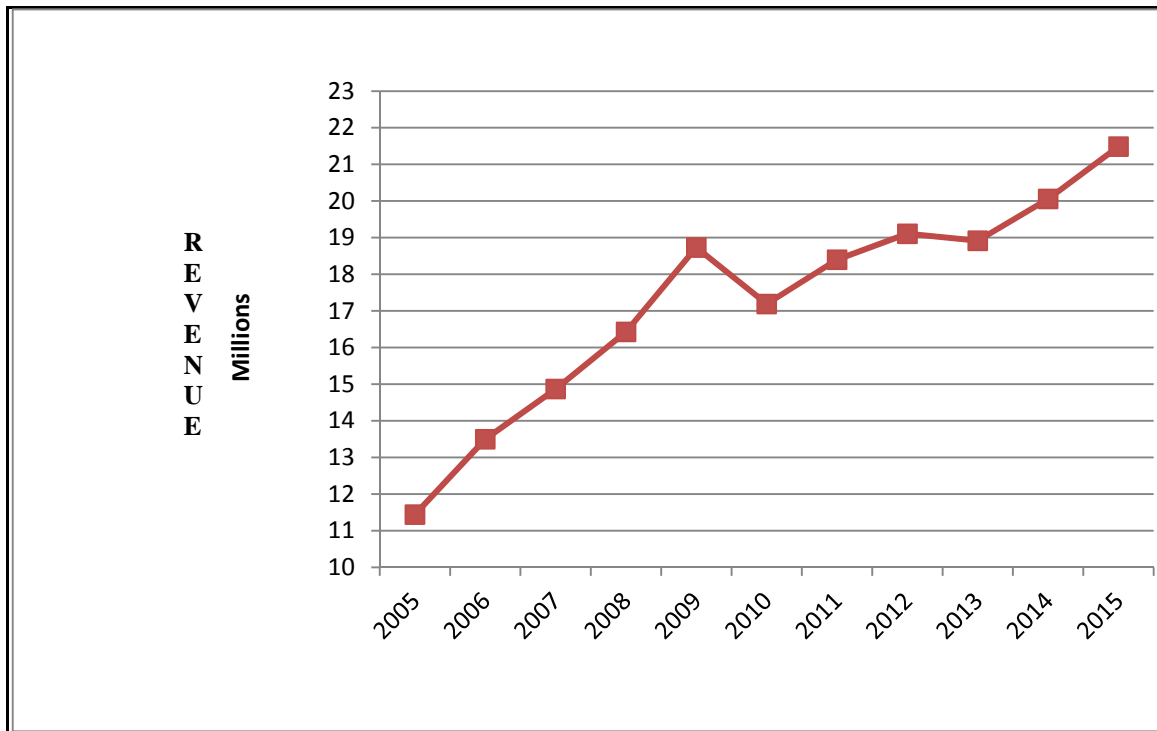
Result #10 – Advanced technologies and quality workforce allow Wyoming businesses and communities to adapt and thrive.

Performance Highlights/Major Accomplishments of FY2015:

Of its diverse duties, the Office has selected five (5) performance measures with the intent of tracking indicators of successful utilization of technology and the maintenance of a quality workforce which provides excellent customer service. These measures also demonstrate the Office’s commitment to being Responsible stewards of State assets and the Office’s responsiveness to the needs of its constituents.

#1: Agency revenue

Graph 1 – Agency revenue



Story behind the last year of performance:

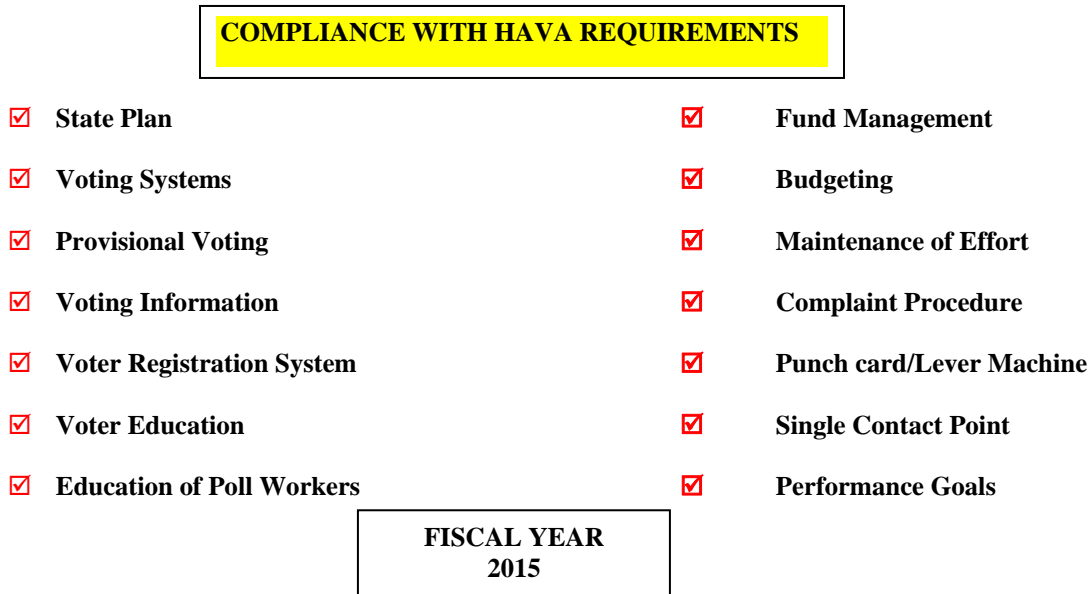
Graph 1 illustrates the Secretary of State’s goal of continuing to timely process and account for revenue collected by this Office as a responsible steward of state assets. The Secretary of State’s Office operates on an on-going biennium budget of approximately \$8.6 million. The Office returns about four dollars to the general fund for every dollar it is appropriated.

What has been accomplished?

Graph 1 illustrates the historical amount of revenue received by this Agency. During FY15 the Agency saw total revenue of \$21.4 million, an increase of approximately 7.1 percent from the \$20 million collected in FY14. Continued revenue growth is due to increased numbers of filings and registrations since fees have remained the same.

#2: Federal HAVA requirements

Graphic 2 – Federal HAVA requirements (14)



Story behind the last year of performance:

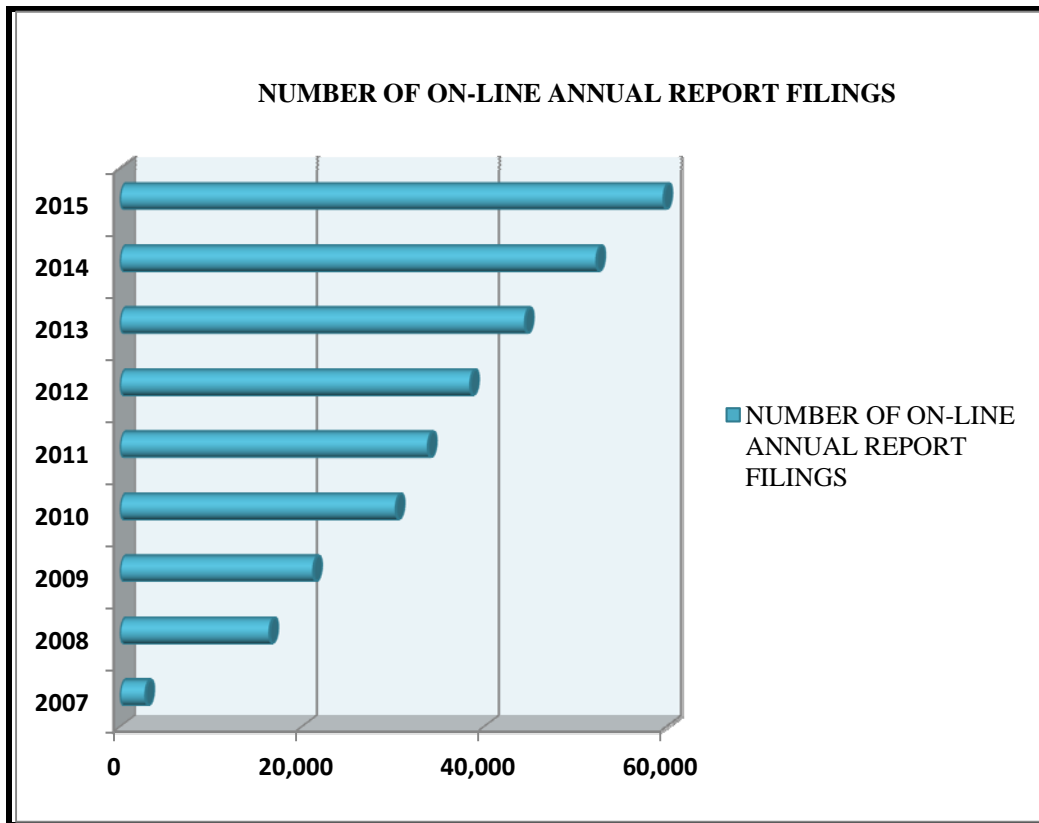
Graphic 2 illustrates the Secretary of State’s goal of tracking and maintaining the fourteen federal HAVA requirements in the Election Division. Due to the mandates of the federal law, each of the 14 HAVA requirements must be addressed.

What has been accomplished?

The Help America Vote Act of 2002 (HAVA) required significant reforms of the election process. In HAVA there are 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 initial achievement dates; however, all are ongoing mandates of the federal law. Half of FY15 was an election year since the state fiscal year does not coincide with the election year. The preparation activities for the election occur in the year prior to the election. HAVA compliance is reported in both the election year and the preparation year.

#3: Advanced technologies for delivery of services

Graph 3 – Business Division On-line Annual Report Filings



Story behind the last year of performance:

During FY15 on-line filing of annual reports continued to provide enhanced service to the public. The Business Division electronically provides 24-hour access to annual report filers. The on-line report filing option provides more convenient and faster service for business entities. The Office also uses technological efficiency to process the additional growth in volume of filings without asking for more staff. On-line filings do not require data entry and handling by human beings. It provides cost efficiencies and effective service delivery. This supports the Office's goal of applying advanced technologies and a quality workforce which allows Wyoming businesses and communities to adapt and thrive.

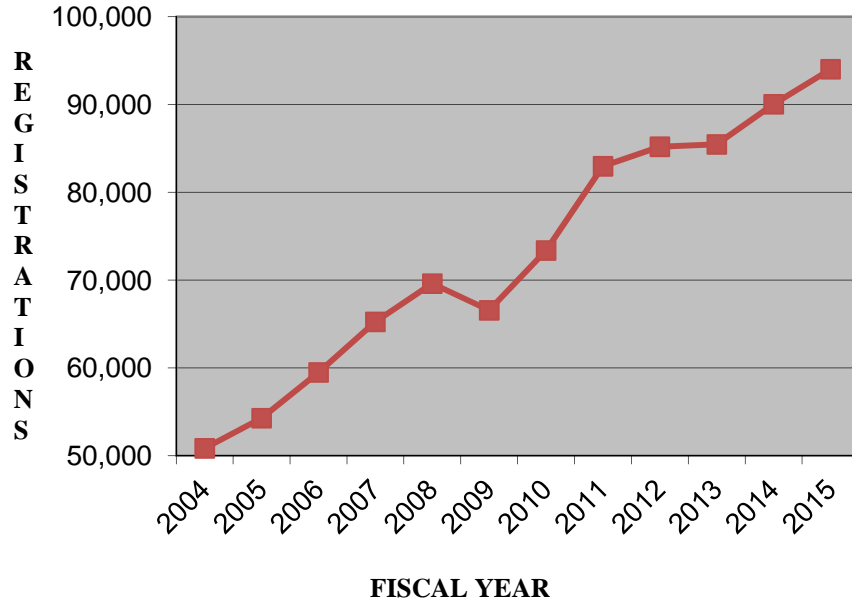
On-line report filing has been accomplished with economy and stewardship of state assets in mind. The system is responsive to constituent filers and is continually being upgraded to meet the needs of our customers. For those customers who do not have the means to file on-line, the Office accepts paper filings as well.

What has been accomplished?

Graph 3 depicts the increase in numbers of filers who have chosen the on-line report filing option, thus demonstrating demand for on-line report filing and the successful utilization of technology to provide that solution. In FY15 about 59,700 annual reports were filed electronically, an increase of 14 percent over FY14.

#4: Compliance Division

Graph 4 – Broker-dealer and agent registrations



Story behind the last year of performance:

Graph 4 illustrates the Secretary of State's goal of effective regulation of registered securities agents and the brokerage firms which employ them. One of the statutory duties of the Compliance Division is to register and regulate 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.

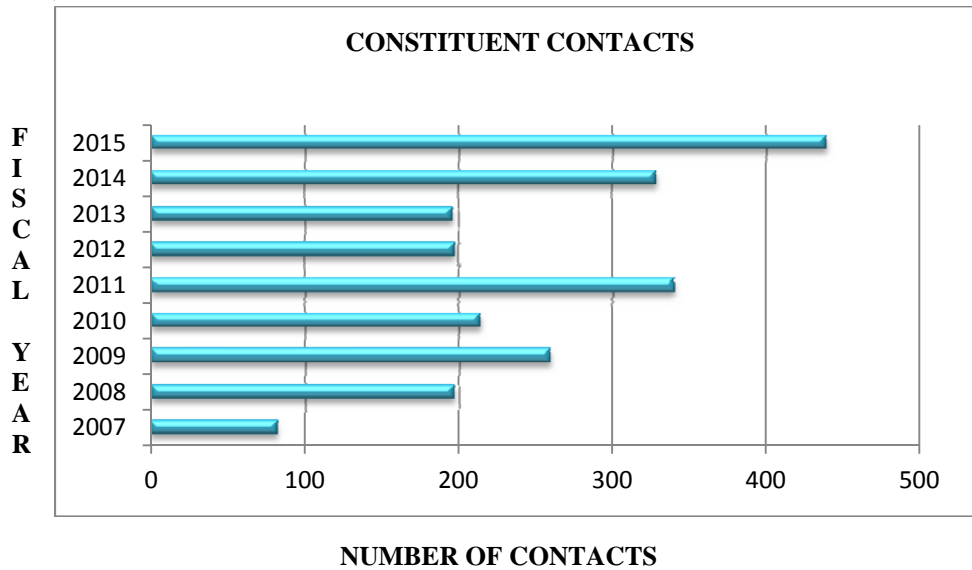
What has been accomplished?

During FY15 the Compliance Division saw a total of 94,020 broker-dealers and agent registrations, an increase of 3,987 or 4 percent over FY14. With the securities markets somewhat stable and little activity in new initial public offerings, much of the Division's time is spent investigating investment complaints and protecting Wyoming citizens from investment fraud. Additionally, in FY15 the Division continued the push to protect investors through the Investor Awareness Outreach Program meeting with constituents across the state.

The Division is currently proposing adoption of the 2002 Uniform Securities Act to replace the present Uniform Securities Act which has been in force for many years. The new law would include registration of investment advisers and equity crowd funding.

#5: Public access to government

Graph 5 – Secretary of State Constituent Visits



Story behind the last year of performance:

Graph 5 illustrates the Secretary of State's goal of interacting with constituents.

What has been accomplished?

In FY15 the Secretary of State had 439 occasions to interact with constituents. It is of great importance to the Secretary that he be available to the citizens of Wyoming. Whether it is for Board and Commission matters, speaking to service organizations, touring projects or facilities, or simply participating in community events, the Secretary meets with constituents on their home turf. Understanding the issues and concerns of the clients and constituents of the office of the Secretary of State, so as to better serve them, is one of the office's foundational principles. Thus, Secretary of State Murray spends time traveling to many communities to represent and communicate with citizens.

One of Secretary Murray's initiatives on taking office is reaching out across the state so that his availability and accessibility is not necessitated by the public always having to visit the Capitol. Representation outside the confines of the Capitol is vital to understanding constituent needs geographically across a State with a large area and diverse issues.

Conclusion

The Secretary of State's Office continues its strategic planning mindful of the balance between the cost of government and the efficient, modern uses of technology to achieve the Office's goals. The Office is a responsible steward of state assets in meeting constituent needs as efficiently and at as low a cost as possible. Yet, the Office utilizes advanced technologies and has taken every opportunity to ensure a quality workforce which provides Wyoming businesses and communities to adapt and thrive.

Wyoming Secretary of State

August 13, 2015

