



# HOW TO ACHIEVE GOVERNMENT TRANSPARENCY

LIBERTY-BASED PUBLIC POLICY SOLUTIONS

*presented by* THE ILLINOIS POLICY INSTITUTE



# How To Achieve Government Transparency

## Table of Contents

Key Facts About Government Transparency.....	1
Why Transparency Matters and Works.....	2
Who’s Posting In Illinois.....	4
How Do You Make Your Local Government Transparent?.....	5
What Others Are Saying.....	6
State Journal-Register: Public bodies should be posting expenditures online.....	8
Transparency In Government Pledge.....	10
Model Language: Village of Golf Transparency Resolution.....	11
Model Language: County of Champaign FOIA Appeal Resolution.....	14
Model Language: County of Champaign Open Meetings Resolution.....	15
Nationwide Transparency Map.....	16
Opening The Books In Illinois: Basic Transparency For Better Government.....	17



# Key Facts About Government Transparency

- Transparency requires listing all government expenditures online in an easily searchable database, providing the details of every tax dollar spent. Ideal transparency websites provide a complete, itemized, and clear description of all expenditures, including but not limited to all contracts, vendors, and grants. All expenditures would have a detailed account of the payment's purpose and who authorized the payment.
- Transparency fosters accountability in government.
- Increased public access to and understanding of government spending instills greater public confidence in elected officials.
- Transparency brings clarity and sunshine to the characteristically opaque process of government spending.
- Transparency serves as an x-ray machine, allowing people to look into the details of the budget books and understand where their tax dollars go – and to whom.
- Transparency implementation costs at the state level have varied, with most programs having minimal to low fiscal impact. The benefits of transparency quickly make the cost worthwhile, and in the Internet age, there is no excuse to not post expenditures and financial data online.
- AK, AZ, GA, KS, LA, MD, MS, NV, UT and WA passed state transparency legislation/gubernatorial action in 2008. HI, KS, MN, OK, and TX passed state transparency legislation in 2007. State executive orders were passed in FL, MO, SC, and TX in 2007. Many other efforts are occurring now in states yet to pass transparency legislation, including IL.
- Transparency alleviates the paper-heavy, inefficient FOIA process, eliminates the unnecessary steps involved with FOIA, and allows the public to go right to the source. This makes life simpler for all parties involved – including the government.
- Transparency offers a simple, effective, low-cost tool to put the government back on track and back into the hands of the citizens government ought to serve.
- Implementing transparency at all levels of government, whether in school districts, park districts, county government, or the state, does not demand great effort; it demands basic respect for communities and taxpayers funding government operation.

hands of the citizens government ought to serve.

Implementing transparency at all levels of government, whether in school districts, park districts, county government, or the state, does not demand great effort; it demands basic respect for communities and taxpayers funding government operation.

A Complete Transparency Website for Taxpayers Should Include:

1. The amount, date, authorizer, payer, and payee of all expenditures
2. Details and purpose of payment, including check numbers
  - a. All contracts, agreements, and grants
  - b. All vendors used and the contracts pertaining to those vendors

At a Minimum, the Site Must Allow Users To:

1. Search and aggregate funding by any element of the information
2. Ascertain through a single search the total amount of funding awarded to a person, group, or organization
3. Download information yielded by a search of the database

### **EXAMPLES OF SUCCESSFUL TRANSPARENCY INITIATIVES**

Small efforts in bringing more transparency to government can make a big difference. Across Illinois, both small and large organizations are joining the movement for open books and better government. The College of DuPage, the largest single-campus community college in the Midwest with an annual budget of nearly \$140 million, posts its check register online. Other, smaller school districts, like Huntley D158, Carpentersville D300, and Elmhurst D205 understand how posting a check register benefits both the school and community.

The Village of Golf, a small community with an equally small staff, just implemented transparency as part of Village Board policy. The Wheaton Park District also decided to become transparent. All other school districts, park districts, county boards, and village boards – any body operating off tax dollars – can do the same, and should.

The Illinois Accountability Portal, HB 4765, would achieve what we're proposing on a statewide level. The Illinois House of Representatives passed transparency legislation by a 108-0 margin in the Spring 2008 session, but the measure has stalled in the Senate.

In 2006, President Bush signed the Federal Funding Accountability and Transparency Act into law, co-sponsored by Senators Barack Obama (D-IL) and Tom Coburn (R-OK). Kansas, the first state to enact transparency legislation, created a website detailing all state expenditures. Minnesota, Oklahoma, Texas, Hawaii, South Carolina and Missouri have, or in the process of, implementing transparency legislation.

### **ILLINOIS, TAKE ACTION**

Illinois needs to implement a full, comprehensive transparency program, requiring that state and all units of government receiving state funds open up their books in one easy-access website. It would include all expenditures, including contracts and grants, and will provide ready access to the details supporting such payments, their purpose and who authorized the payment. Moreover, the information in the website should be presented in a manner that is searchable and intuitive to users.

## **WHY TRANSPARENCY MATTERS**

Over the past few years, transparency legislation has swept the nation as a low-cost, bipartisan approach to better government. With a few exceptions, Illinois lags far behind. Citizens in our state face a bureaucratic maze when searching for simple budget information. Meanwhile, the government itself has no real tracking device for spending: an Auditor General report from late 2007 revealed the total amount of state-funded programs in Illinois is a “mystery.”

Clearly, government spending can be a foggy business, especially in Illinois. A little sunlight, however, could burn off that fog and bring some clarity into the government’s budget process.

What kind of sunlight? Transparency. To most people, “transparency” implies openness and clarity. Unfortunately, for most people, “government” usually generates thoughts of something closed off, hard to understand, and sometimes untrustworthy. As a first step to cleaning up government, restoring faith in elected officials, and showing families and taxpayers how the government uses their tax dollars, transparency sheds light on a characteristically opaque budget process.

Nearly everyone would agree taxpayers deserve to know how government spends their money. Transparency gives them that chance. Serving as a sort of x-ray machine, transparency allows people to look into the details of the budget books and understand where their tax dollars go – and to whom.

## **TRANSPARENCY DEFINED**

Practicing transparency entails listing all government expenditures online in an easily searchable database. Just as you can open your personal bank account online and look up your spending activity, the database would provide the details of every tax dollar spent. The site would provide a complete, itemized, and clear description of all expenditures, including but not limited to all contracts, vendors, and grants. All expenditures would have a detailed account of the payment’s purpose and who authorized the payment.

## **WHY TRANSPARENCY WORKS**

A single, unified website serves as a valuable resource for not only citizens, but also for policy makers and elected officials from both sides of the political aisle. For examples of successful transparency sites in other states, please see our full transparency policy brief.

- Transparency reform would inject much-needed sunshine into Illinois government while encouraging more efficient spending.
- States around the nation continue moving towards full online transparency, creating low-cost, successful solutions with wide, popular, bipartisan support.
- Illinois should implement a similar transparency program with a comprehensive, up-to-date website—a program that will serve as a win-win for both legislators and citizens.

## **ALREADY PUBLIC INFORMATION**

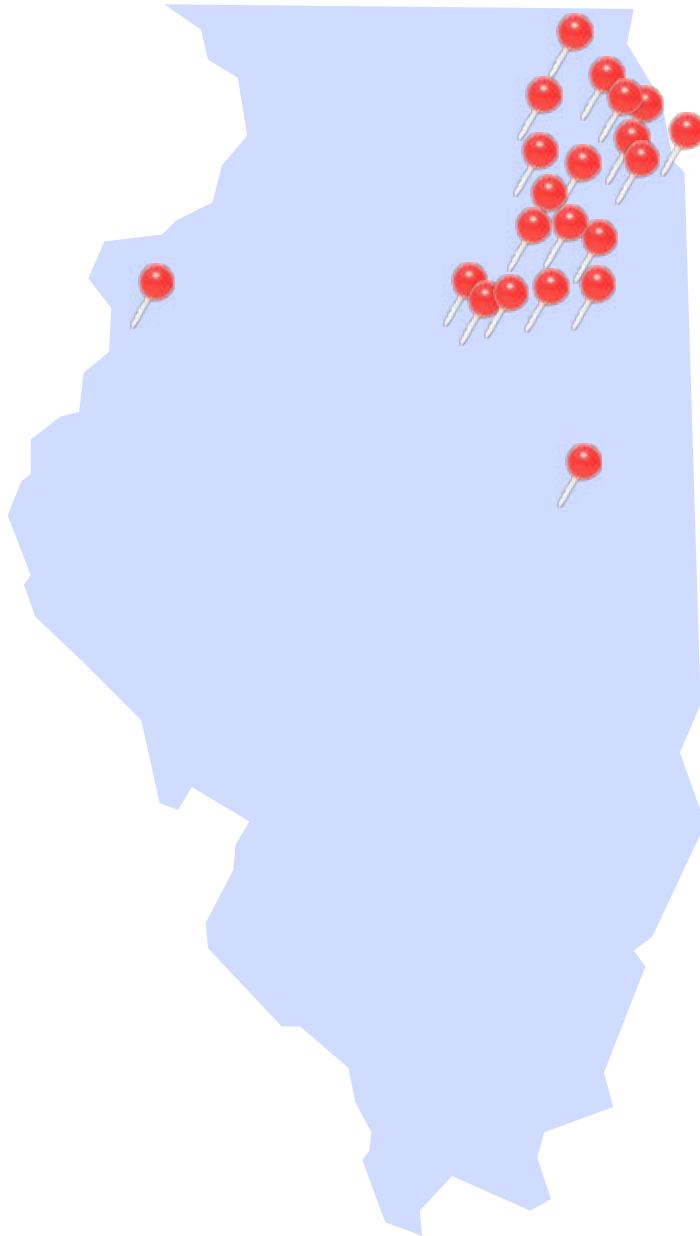
Taxpayers, communities and newspapers already have the right to see public budget information and can obtain it through a Freedom of Information (FOIA) request. However, as anyone who has made a FOIA request knows, the inefficient and paper-heavy process does not make it easy to find the right information. By posting everything online, basic transparency gets rid of the unnecessary steps involved with FOIA and lets people go right to the source. This makes life simpler for all parties involved – including the government.

Transparency offers a simple, effective, low-cost tool to put the government back on track and back into the

# Who's **POSTING** in Illinois?

Government bodies that post check registers online.

UPDATED: SEPTEMBER 24, 2008



Bourbonnais Elementary School D53 | Village of Brookfield | Community Unit School D300- Carpentersville  
College of Dupage | Elmhurst Park District | Village of Golf| Huntley School District 158  
Herscher Community Unit School District 2| Illinois Valley Community College  
Mundelein Consolidated High School District 120| Oak Park Elementary District 97 | City of Ottawa  
Ottawa Elementary District 141 | Ottawa High School District 140 | Reed Custer D225U  
Sherrard Community Unit School District 200 | West Aurora D129 | Wheaton Park District  
Valley View Community Unit School District 365U...**and more!**

# How do you make your local government **TRANSPARENT?**

Present the following question at your township's next meeting:

**“Shall \_\_\_\_\_ Township (and/or the City/Village of \_\_\_\_\_) post all contracts and itemized expenses on their website(s) so that taxpayers can see how their money is being spent?”**

*\*Note: the above language was used in Champaign, transparency successfully passed, and a referendum is now on the November 2008 ballot. A referendum is not always necessary, however. A county board can also, for example, vote on a transparency resolution and quickly transparency the policy of your government more quickly.*

## **Helpful To-Do List:**

1. Find out the time and place of your government's annual meeting. You can call your township office and ask for this information.
2. Get on the agenda.
3. Ask your friends and neighbors to attend and show their support for good government.
4. Take copies of the resolution question, with the blanks filled in. Give one copy to the clerk to put into the record. Share other copies with meeting attendees to help them understand the question.
5. Be prepared to answer questions.

One possible objection: cost and time. The easiest way to document expenses is to post the check register in a PDF file. Creating a searchable PDF costs nothing and takes little time. It does not matter how large or small the jurisdiction, or how small or large the revenues. The budget information is already being compiled and simply needs to be posted online. The College of DuPage, for example, is the largest community college in the Midwest with a budget of \$238 million, and implemented transparency with no cost. Most jurisdictions have websites already, so the space to post is already available.

Transparency benefits the entire community and the government. It builds trust, and makes government more accountable to the taxpayers funding it. Bringing more sunshine into the budget process helps eliminate waste, fosters more efficiency, and clarifies spending decisions for both the community and government alike.

By increasing transparency at the local level, we hope legislators will notice local support of transparency and implement transparency at the state level.

# What Others Are Saying

## Illinois

“Greater transparency will yield better results for the taxpayers of Illinois. All we want is for legislators to take their time and do their job with the same care that we balance our own family’s checkbooks.”

- *State Rep. David McAloon, (R-75th District)*

“Since I began serving in the General Assembly, there have been several attempts by lawmakers to pass transparency legislation. Illinois residents are so tired of corruption in state government with our former governor serving prison time and our current governor under federal investigation. U.S. Attorney General Patrick Fitzgerald has called the Governor’s administration ‘pay to play on steroids.’ Due to increased infighting between the Governor and the state’s Democrat leaders, suspicion and distrust have replaced compromise and negotiation.”- *State Rep. Mike Tryon (R-Crystal Lake)*

“Greater transparency will yield greater results for the taxpayers of Illinois. All we are asking for is legislators to take their time and do the job right and allow for public input”

-*Former State Senator Steven Rauschenberger, 22nd District*

## Washington Policy Center

“Budget transparency is a laudable goal. Citizens need to be informed about the cost of government and where their tax dollars are being spent. I support the Washington Policy Center in its work to bring more transparency and access to our state’s taxpayers.”

- *Rob McKenna Washington State Attorney General*

“One of two things will happen when you examine the budget. You either find mistakes so you can fix them, or you show what a good job you’re already doing. Either way, taxpayers win because we waste less on the bad and invest more in the good.”

- *Sen. Eric Oemig (D-Kirkland)*

“My constituents tell me they’d need a PhD from MIT to understand how and where Olympia spends their money,” said Sen. Stevens. “With this new state budget website, the average person can track who gets the money, what they have to deliver, and whether or not we’re getting what we pay for. That kind of government transparency is long overdue.”

- *Sen. Val Stevens (R-Arlington)*

“I have been an advocate for open, transparent government for many years, so I was very pleased to support the budget transparency bill pass the Legislature. Residents of Washington should be able to see how their tax dollars are spent,” said Rep. Linville. “I’m also pleased that my amendments were accepted to establish the website through the Legislative Evaluation and Accountability Program.”

- *Rep. Kelli Linville (D-Bellingham)*

“One of the most important changes we can make to achieve truth in budgeting is to bring more transparency to the budget process. The passage of SB 6818 is a giant step in bringing visibility to the very complex operations of state government,” said Rep. Alexander. “The Legislative and Evaluation Committee is the perfect web site to shine some sunshine on Washington State’s revenues and expenditures.”

- *Rep. Gary Alexander (R-Olympia)*

## Show Me the Spending

“Taxpayers deserve to know how the tax dollars they send to Washington and their state capitols are being spent. As the White House Budget Director, I worked to bring greater transparency to federal spending, including the launch of an on-line database for Congressional earmarks and the pending launch of a new site that will list federal grants and contracts at [www.fedspending.gov](http://www.fedspending.gov).”

- *Rob Portman*

*Former Director, Office of Management and Budget*

*Former Congressman, Ohio’s 2nd district*

“I believe that every agency ought to publish its spending online. Government that is open and honest will always be able to withstand the light of day.”

- *Rick Perry, Governor of Texas*

“A one-stop-shop for the public to review how their elected officials spend their money will help lift the secret veil on government spending.”

- *Bobby Jindal, Governor of Louisiana*



## **Public bodies should be posting expenditures online**

By Kate Campaigne, Illinois Policy Institute

Jul 29, 2008

Government spending can be a foggy business, especially in Illinois. A little sunlight, however, could burn off that fog and bring some clarity into the government's budget process.

What kind of sunlight? Transparency. To most people, "transparency" implies openness and clarity. Unfortunately, for most people, "government" usually generates thoughts of something closed off, hard to understand, and sometimes untrustworthy. As a first step to cleaning up government, restoring faith in elected officials, and showing families and taxpayers how the government uses their tax dollars, transparency sheds light on a characteristically opaque budget process.

Nearly everyone would agree taxpayers deserve to know how government spends their money. Transparency gives them that chance. Serving as a sort of X-ray machine, transparency allows people to look into the details of the budget books and understand where their tax dollars go — and to whom.

Posting a check register sheds light on spending decisions, both good and bad. Taxpayers, communities and newspapers have every right to see public financial information — and not at the discretion of groups like teachers unions, as The State Journal Register recently confronted with School District 186. The district and its teachers union blocked the newspaper from seeing the school district's contract negotiations with teachers before the contract was voted on. The school district should at least allow taxpayers to see exactly how and when that money is going to be spent. This situation highlights exactly why we need transparency.

On a very basic level, practicing transparency entails listing all government expenditures online in an easily searchable database. Just as you can open your personal bank account online and look up your spending activity, the database would provide the details of every tax dollar spent. The site would provide a complete, itemized and clear description of all expenditures, including but not limited to all contracts, vendors and grants. All expenditures would have a detailed account of the payment's purpose and who authorized the payment.

Basic transparency almost passed into legislation in Springfield earlier this year, called the Illinois Accountability Portal (HB 4765). The bill asked elected officials to post all state expenditures online. It passed the House unanimously, but stalled in the Senate.

As most know, Springfield's current financial state renders anything but clarity. It offers the perfect example of where transparency could supply a useful tool to weed the budget mess and clean up Springfield's spending problem.

The public already has the right to see budget information and can obtain it through a Freedom of Information (FOIA) request. However, as anyone who has made a FOIA request knows, the bogged-down, bureaucratic, inefficient and paper-heavy process does not make it easy to find the right information. By posting everything online, basic transparency gets rid of the unnecessary steps involved with FOIA and lets people go right to the source. This makes life simpler for all parties involved — including the government.

Small efforts in bringing more transparency to government can make a big difference. Across Illinois, both small and large organizations are joining the movement for open books and better government. The College of DuPage, the largest single-campus community college in the Midwest with an annual budget of nearly \$140 million, posts its check register online. Other, smaller school districts, like Huntley District 158, Carpentersville District 300 and Elmhurst District 205, also understand how posting a check register benefits both the school and community.

As Huntley Superintendent John Burkey put it, “Posting promotes transparency about what we’re spending taxpayers’ money on, and we have had absolutely no problems with public inquiries.”

The village of Golf, a small community with an equally small staff, just implemented transparency as part of village board policy. The Wheaton Park District also just decided to become transparent. The list is growing. All other school districts, park districts, county boards, and village boards — any body operating off tax dollars — can do the same, and should.

Clearly, Springfield and Illinois overall are not immune to financial mismanagement or corruption, and many citizens have lost confidence in their elected officials to a disturbing degree.

Transparency offers a simple, effective, low-cost tool to put the government back on track and back into the hands of the citizens government ought to serve. Implementing transparency at all levels of government, whether in school districts, park districts, county government or the state, does not demand great effort; it demands basic respect for communities and taxpayers funding government operation.

It also requires citizens willing to stand up and demand more from their government. To learn more about citizens doing just that, contact the Illinois Policy Institute and get involved. You might find it surprising to discover just how easily dramatic, positive change can come about.

*Kate Campaigne is the transparency policy director at the Illinois Policy Institute. The Illinois Policy Institute is a nonpartisan research and education organization dedicated to making our state a beacon for liberty and prosperity for all citizens. She can be reached at [kcampaigne@illinoispolicyinstitute.org](mailto:kcampaigne@illinoispolicyinstitute.org).*

# TRANSPARENCY IN GOVERNMENT PLEDGE

I, \_\_\_\_\_, believe that Illinois citizens deserve a more transparent and accountable government, with easy access to information about how the government spends taxpayer dollars.

Transparency legislation has served as a successful reform in numerous states across the nation as well as on the federal level. Therefore, I will join the effort in bringing transparency to Illinois government, and pledge to the taxpayers of the State of Illinois that I will:

Support any and all efforts to implement greater transparency at all levels of government;

Support any and all efforts to implement a full, comprehensive transparency program at the state level, requiring that the state and all units of government receiving state funds open up their books in one easy-access, searchable, and intuitive website. This website would include all expenditures, including contracts and grants, and will provide ready access to the details supporting such payments, their purpose and who authorized the payment;

Engage in full disclosure of all my spending decisions and make revenue and expenditure data as open, transparent, and publicly accessible as possible.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Witness \_\_\_\_\_ Witness \_\_\_\_\_





# Model Language

The following is a resolution from the Village of Golf, IL, which passed a comprehensive fiscal transparency resolution in June 2008. You may use this language as a model for your own transparency laws or resolutions at the village, township, city, and county levels, and with school, library and park district boards.

## **A RESOLUTION TO PROVIDE FULL SPENDING TRANSPARENCY FOR THE VILLAGE GOLF**

**WHEREAS**, the Village of Golf (the “Village”) is a home rule municipality in accordance with the Constitution of the State of Illinois of 1970;

**WHEREAS**, the Village has the authority to adopt resolutions that pertain to its government and affairs that protect the health, safety and welfare of its citizens;

**WHEREAS**, the Village has determined that transparency in the operation of Village government provides a substantial benefit to its residents;

**WHEREAS**, the Village seeks to provide the public with greater transparency with regard to its budgeting and spending;

**WHEREAS**, the Village intends to create and maintain an official Internet web site (the “Web Site”) to foster greater communications with Village residents;

**WHEREAS**, the Web Site will provide an easily accessible forum in which to communicate information about government ethics, actions, budgeting, spending, and policy;

**WHEREAS**, the Web Site shall be launched and made available to the public no later than September 30, 2008, and will be maintained and updated, at a minimum, on a monthly basis thereafter; and

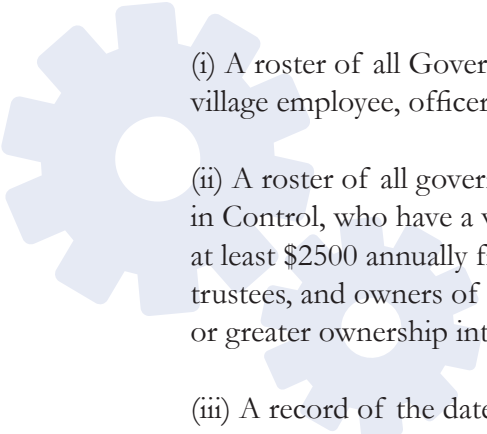
**WHEREAS**, the Village intends to post information on the Web Site, including information about government ethics, actions, budgeting, spending, and policy.

**NOW, THEREFORE BE IT RESOLVED**, by the President and the Board of Trustees of the Village as follows:

Section 1: The facts and statements contained in the preamble to this Resolution are found to be true and correct, and are hereby adopted as part of this Resolution.

Section 2: The Village shall implement the following directives and procedures:

(A) The Village Clerk shall make and keep available at Village Hall and publish on the Village’s Web Site a current roster of all the following persons and a record of the following acts, rules, and transactions:



(i) A roster of all Government Personnel. “Government personnel” means a village employee, officer, elected official, or member of a board or Commission.

(ii) A roster of all governmental or non-governmental entities, and their respective Persons in Control, who have a written contract with the Village and who receive a cumulative total of at least \$2500 annually from the Village. “Persons in Control” means officers, directors, trustees, and owners of each such entity, and members, partners or shareholders with a 10% or greater ownership interest in each such entity.

(iii) A record of the date, amount, and purpose of each and every payment of Village funds made by the Village government, regardless of the amount of such payment and, except where further disclosure is prohibited by law, the identity of the payee.

(iv) The following public records, to the extent they are not specifically excluded from disclosure under state or federal freedom of information, privacy, homeland security or other laws: village council resolutions, ordinances, codes, rules and zoning regulations. Failure to strictly comply with this disclosure provision shall not affect the validity of any law, resolution, ordinance, code, action, zoning regulation or rule.

(B) As to any contract subject to Section 2(A)(ii) of this Resolution, the roster shall include a basic summary of the nature of the contract, the goods received or services performed under the contract, the start and end date of the contract, the contract’s estimated amount or rate of payment, whether the contract is a no-bid contract or the competitive nature of the bidding process, and other information as determined by the Village Clerk which is not in violation of federal or state law, improperly divulges trade secrets or otherwise injures intellectual property rights.

(C) The Village Clerk, or the trustee responsible for maintaining and reporting the Village’s finances, shall promulgate rules to facilitate this Section 2 and are hereby given the authority to do so.

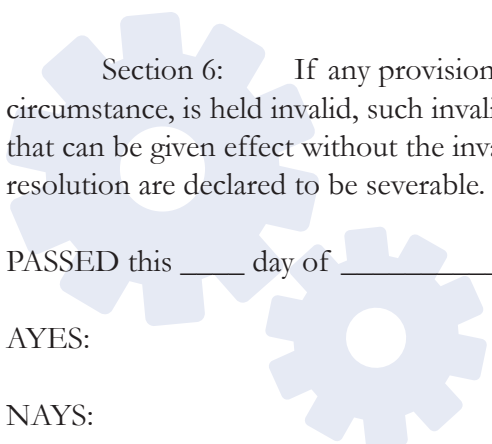
(D) “Publish” means indexed and placed in a reasonably searchable format that is available for viewing free of charge via the Internet on the Web Site.

(E) Except where prohibited by law, collective bargaining agreement, or other instrument, disclosure of the information required for the roster shall be a condition of conducting business with or otherwise receiving funding from the Village.

Section 3: The information identified in Section 2 above, except as otherwise provided therein, shall be made publicly available on a monthly basis, and in no event later than forty-five (45) days after such information comes into the possession of the Village.

Section 4: Nothing in this Resolution shall impinge on the right to request identical information from the Village under the procedures set out in the Illinois Freedom of Information Act, 5 ILCS 140/1, et seq. (the “FOIA”).

Section 5: Nothing in this Resolution shall require the Village to provide information on its Web Site that is otherwise exempt from disclosure under state or federal FOIA laws.



Section 6: If any provision of this resolution or the application thereof to any person or circumstance, is held invalid, such invalidity shall not affect other provisions or application of this resolution that can be given effect without the invalid provision or application, and to this end the provisions of this resolution are declared to be severable.

PASSED this \_\_\_\_ day of \_\_\_\_\_, 200\_.

AYES:

NAYS:

ABSENT:

APPROVED by me this \_\_\_\_ day of \_\_\_\_\_, 200\_.

President of the Village of Golf, Cook County, IL

ATTESTED and FILED in my office the  
\_\_\_\_ day of \_\_\_\_\_, 2008.

Clerk of the Village of Golf, Cook County, IL



## Model Language

Would you like your local government to improve its process for going into closed session? Could your government's process be more open than it is now? Liberty Leaders in Champaign proposed the following resolution to the County of Champaign. You can use this language as a model for your own transparency laws or resolutions at the village, township, city, and county levels, and with school, library and park district boards.

### **A RESOLUTION TO MODIFY THE PROCEDURE FOR GOING INTO CLOSED SESSION**

**WHEREAS**, the Illinois Open Meetings Act states that “The provisions for exceptions to the open meeting requirements shall be strictly construed against closed meetings”; (5 ILCS 120/1) and

**WHEREAS**, it also states that “The exceptions authorize but do not require the holding of a closed meeting to discuss a subject included within an enumerated exception (5 ILCS 120/2(b); and

**WHEREAS**, the citizens of Champaign County desire their government to be as open as possible,

**NOW, THEREFORE, BE IT RESOLVED** that Champaign County Board members will be given a written description of all topics to be considered in closed session at least 24 hours in advance of the meeting and in sufficient detail to allow an informed decision as to whether the topic should be handled in closed session.

**BE IT FURTHER RESOLVED** that any decision to go into closed session must be approved by at least two-thirds of the members present, which rule may not be suspended.

This resolution shall become effective at the first County Board meeting following adoption of this resolution.



# Model Language

How does your local government respond to FOIA appeals? When denied a FOIA request, would you like to improve your local government's process for considering appeals? Liberty Leaders in Champaign proposed the following resolution to the County of Champaign. You can use this language as a model for your own transparency laws or resolutions at the village, township, city, and county levels, and with school, library and park district boards.

## **A RESOLUTION TO ALLOW CITIZENS TO APPEAL FOIA DENIALS TO THE FULL COUNTY BOARD**

**WHEREAS**, the Illinois Freedom of Information Act states that “it is declared to be the public policy of the State of Illinois that all persons are entitled to full and complete information regarding the affairs of government and the official acts and policies of those who represent them as public officials and public employees.”; (5 ILCS 140/1) and

**WHEREAS**, it also states that anyone denied access to public records may appeal to the chair of the public body or his designee. If the appeal is denied, the requesting person may then file suit in the circuit court. (5 ILCS 140/10) and

**WHEREAS**, the citizens of Champaign County desire their government to be as open as possible, without requiring citizens to go to court,

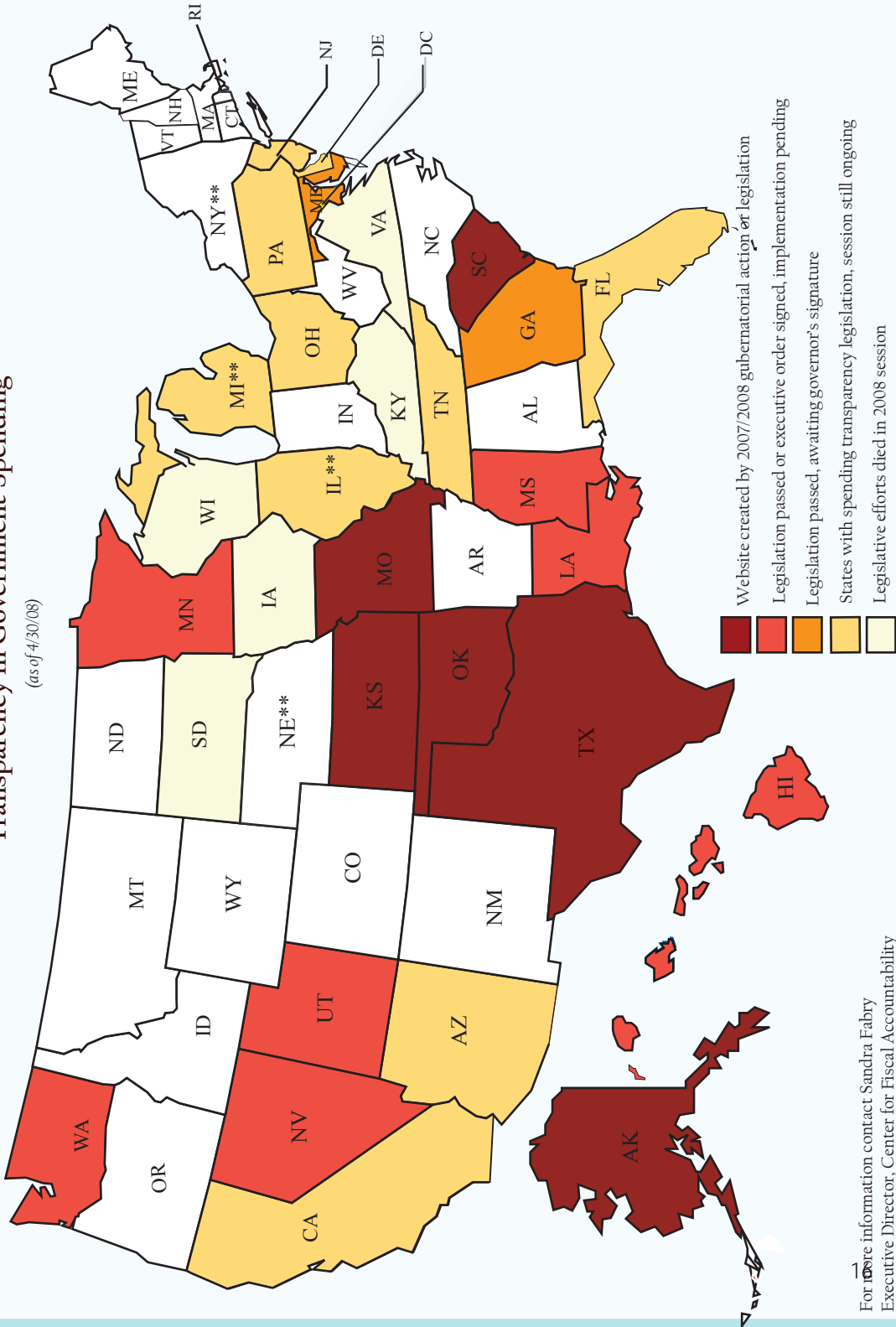
**NOW, THEREFORE, BE IT RESOLVED** that anyone denied access to county records may also appeal to the full County Board for consideration at their next regularly scheduled meeting.

**BE IT FURTHER RESOLVED** that a two-thirds majority is required to sustain the denial, which rule may not be suspended.

This resolution shall become effective at the first County Board meeting following adoption of this resolution.

# 2007/2008 State Legislative and Gubernatorial Efforts to Increase Transparency in Government Spending

(as of 4/30/08)



For more information contact Sandra Fabry  
 Executive Director, Center for Fiscal Accountability  
 Americans for Tax Reform, at [sfabry@atr.org](mailto:sfabry@atr.org)

Contact:  
John Tillman  
773-294-7523

## OPENING THE BOOKS IN ILLINOIS: BASIC TRANSPARENCY FOR BETTER GOVERNMENT

**(Chicago, IL.)** Do Illinois citizens deserve to know where their tax dollars go? Less than ten years ago, a state audit found that many of our public officials didn't think so. More than two-thirds of requests for public documents, the study found, were turned away at local offices. More than a quarter of them were denied altogether. One researcher told a story of a county sheriff who, in response to a request for jail records, "wadded up a copy of the state's freedom of information law," declaring, "I don't have to tell you nothing."<sup>1</sup>

A dramatic example, certainly, but one that clearly illustrates the injustice of blocking citizens from public information. Over the past few years, transparency legislation has swept the nation as a low-cost, bipartisan approach to better government. Illinois, with a few exceptions—its online contract database, Open Book, and its appropriations inquiries database—is far behind. HB 473, a more comprehensive transparency act, stalled in the Senate, leaving many citizens left to struggle with intimidating procedures and a bureaucratic maze to get basic information on their school, city council, or state government. Meanwhile, even the government itself has no real tracking device for spending: as a recent Auditor General report revealed, the total amount of state-funded programs in Illinois is a "mystery."<sup>2</sup>

In 2006, when transparency legislation passed on the federal level, a spokesman for Sen. Barack Obama (D-IL) noted that the bill "just made so much intuitive sense that no one could understand how Congress could not pass it." In states across the nation, the feeling is mutual, and low-cost, effective transparency programs have been put into place. These programs have served as a win-win for both legislators and citizens. The time has come for a similar program here in Illinois.

Transparency is popular across party lines, and for good reason. Illinois citizens—parents, workers, taxpayers, and seniors—deserve a comprehensive program for open books and open access to crucial information. Illinois government should have nothing to hide, and citizens should have nothing to fear from seeking basic information. Nor should they have to jump through hoops to get that information.

Illinois needs to implement a full, comprehensive transparency program, requiring that state and all local governments receiving state funds open up their books in one easy-access website. This program is low-maintenance, popular, and easy to enact. It is also long overdue.

### **Opening the Books: The Basics of Comprehensive Transparency**

In 2006, President Bush signed the Federal Funding Accountability and Transparency Act into law, co-sponsored by Senators Tom Coburn (R-OK) and Barack Obama (D-IL). The act created an online, searchable database of expenditures which essentially allows citizens to "Google their tax

-More-

dollars.” Soon after, in 2007, states across the nation followed suit. Kansas became the first state to enact legislation mandating a website detailing state expenditures (their site will be available in March of 2008), and Minnesota, Oklahoma, Texas, Hawaii, South Carolina, and Missouri soon followed. (See Appendix A for a summary of state transparency efforts to date).

Many of these states have put a basic transparency model into place—a searchable, easy-access website that details all state expenditures, contracts, grants, and checks—that has been a tremendous success. We have detailed this model below.

### **Open Illinois: Proposed Transparency Program**

A comprehensive Illinois transparency program should mandate the creation of a timely, searchable website that lists every contract let and every check paid by state government. It would include all expenditures, including contracts and grants, and will provide ready access to the details supporting such payments, their purpose and who authorized the payment. The database should include the following:

1. The amount, date, authorizer, payer, and payee of all state expenditures;
2. Details and purpose of payment, including check numbers;
3. All state contracts, agreements, and grants;
4. All vendors used and the contracts pertaining to those vendors;
5. A listing of state expenditures by:
  - a. object of expense with links to the warrant or check register level; and
  - b. to the extent maintained by state agency accounting systems in a reportable format, class and item levels.

Information in the database should be presented in a manner that is searchable and intuitive to users. At a minimum, the database must allow users to:

1. Search and aggregate state funding by any element of the information;
2. Ascertain through a single search the total amount of state funding awarded to a person, group, or organization by a state agency; and
3. Download information yielded by a search of the database.

For an example of a similar database successfully put into place in Texas, visit:

<http://www.window.state.tx.us/comptrol/pendlist/cashdrill.php>

To see Missouri’s successful open records website, visit:

<http://www.mapyourtaxes.mo.gov>

Currently, citizens in Illinois face a bureaucratic maze when searching for simple information about state government. A single, unified website will serve as a valuable resource for not only citizens, but for policy makers as well—and for people from both sides of the political aisle.

**-More-**

Transparency websites have also proven to be popular and widely used. The Missouri Accountability Portal, for instance, collected over 1.77 million hits in its first four months.<sup>3</sup>

### **Making Transparency a Reality**

A well-run, coordinated, comprehensive transparency website need not be an expensive project—and, as Oklahoma State Senator Randy Brogdon recently pointed out, “Any cost for implementation is far less than the cost of not knowing where the tax dollars are being spent.”<sup>4</sup> Here in Illinois, as the Auditor General’s recent report confirmed, the opportunities for savings are significant.

Estimated costs of transparency programs vary from state to state. In Oklahoma, the fiscal impact statement estimated costs for the website at around \$40,000, with another \$250,000 for long-term maintenance. Just next door to Illinois, meanwhile, Missouri Governor Matt Blunt implemented the Missouri Accountability Portal ([www.mapyourtaxes.mo.gov](http://www.mapyourtaxes.mo.gov)) out of existing revenues, without adding any additional tax dollars.

Partnerships are also available for transparency programs. Americans for Tax Reform notes that “companies like Google are already partnering with several of the states to improve search functions on government websites.” These partnerships help to further defray implementation costs.

Illinois can customize its solution based on the state’s existing online infrastructure. In addition, sample legislation is available from the American Legislative Exchange Council, ready for customization as well. With a budget topping \$50 billion, however, and with undocumented programs hiding from sight, transparency is both affordable and necessary. Even better, in the long term, transparency allows for more efficient use of tax dollars—something Illinois citizens from both sides of the aisle will applaud.

### **The Bottom Line**

Transparency is a widely popular, bipartisan reform that will inject much-needed sunshine into Illinois state government. States around the nation are moving towards full online transparency, creating low-cost solutions with wide popular support. Illinois should implement a similar transparency program with a comprehensive, up-to-date website as outlined above—a program that will serve as a win-win for both legislators and citizens.

**-More-**

---

<sup>1</sup> Society of Professional Journalists. “Freedom of Information Toolkit,” <http://www.spj.org/foitoolkit.asp>

<sup>2</sup> Illinois Policy Institute, “Auditor General Report: State Has No Record Of Its Own Programs,” November 17, 2007.

<sup>3</sup> “South Carolina Governor Wins Broad Support for Spending Transparency Order,” Sandra Fabry, *Budget and Tax News*, February 1, 2008.

<sup>4</sup> “State Spending Website Needed,” Tom Coburn and Brandon Dutcher, *The Oklahoman*, October 18, 2006.

## APPENDIX A: State Transparency Legislation

### KANSAS

Sponsored by Rep. Kasha Kelley, Kansas's HB 2368 passed in 2007 as an amendment to the state budget. The bill mandates a single, searchable and publicly available website to be managed by the state's Department of Administration. The bill also created a Public Finance Transparency Board. The site covers annual expenditures (including contractual services), revenues and bonded indebtedness. Website will launch in March of 2008 and will include data from fiscal year 2002 and onward.

### HAWAII

Sponsored by Rep. Marcus Oshiro (D), Hawaii's transparency bill (Act No. 272; HB 122) passed in 2007. The program mandates a free, publicly available and searchable website administered by the state's Department of Budget and Finance. The site includes "state awards" including, grants, subgrants, loans, awards, cooperative agreements, other forms of financial assistance, contracts, subcontracts, purchase orders, and task orders. The site will be established before January 1, 2009.

### MINNESOTA

Rep. Erik Paulsen (R) sponsored HF 548, passed in 2007, which created a free and public website with a searchable database of state contracts, including grants. The site is due to launch in early 2008.

### MISSOURI

With Executive Order 7-24, Missouri Governor Matt Blunt put Missouri's transparency program into place in 2007. The Missouri Accountability Portal is a free, web-based catalogue of all government spending, grants, and contracts since 2007. Managed by the Commissioner of Administration, the site launched in July of 2007 and has received millions of hits since then.

### OKLAHOMA

Senate Bill 1, codified into law in 2007, was sponsored by state Senator Randy Brogdon (R). Administered by the Office of State Finance, the Taxpayer Transparency Act provides for a free, single, searchable website listing all state grants, contracts, certain tax refunds, payments made under Oklahoma jobs programs, expenditures from constitutional reserve fund, and a full "Tax Expenditure Report." The site is due to launch in early 2008.

### SOUTH CAROLINA

Through executive order, South Carolina Governor Mark Sanford established the state's transparency act in 2007. It calls for a free, unified, searchable website run by the state Comptroller General's Office. In addition, each cabinet agency must establish a searchable page on its own website for specific agency expenditures. The sites include all appropriated or non-appropriated funds by a state agency in forms including but not limited to grants, contracts, and subcontracts. All specific agency expenditures included. The sites will launch in March of 2008.

### TEXAS

Sponsored by Rep. Mark Strama (D), Texas's transparency bill—HB 3430—was codified into law in 2007. It calls for a single searchable and publicly available online database run by the Office of State Comptroller and featuring all state expenditures including contracts and grants. The site launched in October of 2007.

### VIRGINIA

In 2005, State Senator Walter Stosch (R) introduced Virginia's transparency legislation, which calls for a single, searchable and publicly available website run by the Auditor of Public Accounts. The site, which launched in 2005, includes expenditure, revenue and demographic information from the ten most recently ended fiscal years in the Commonwealth.

*Source: Americans For Tax Reform*

###