

ASSEMBLY, No. 653

STATE OF NEW JERSEY

214th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2010 SESSION

Sponsored by:

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SYNOPSIS

Requires State Treasurer to organize and publish certain contract and grant data and information on State expenditure Internet website.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



1 AN ACT concerning the development of a State expenditure Internet
2 website, supplementing chapter 18A of Title 52 of the Revised
3 Statutes.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. As used in this act:

9 “Chief Technology Officer” means the person appointed by and
10 serving at the pleasure of the Governor, pursuant to section 9 of
11 P.L.2007, c.56 (C.52:18A-227), who is responsible for the day-to-
12 day operations of the Office of Information Technology, in but not
13 of the Department of the Treasury;

14 “Internet” means the international computer network of both
15 federal and non-federal interoperable packet switched data
16 networks;

17 “State agency” means any of the principal departments in the
18 Executive Branch of State Government and any division, board,
19 bureau, office, commission, or other instrumentality within or
20 created by such principal department, and any independent State
21 authority, commission, instrumentality, or agency; and

22 “State Treasurer” means the Treasurer of the State of New
23 Jersey.

24
25 2. a. The State Treasurer, in consultation with the Chief
26 Technology Officer, shall, on or before July, 1 2009, design and
27 develop, maintain and operate a single, searchable Internet website
28 with the capacity to retain and display data and information
29 concerning State expenditures, including but not limited to
30 purchases, contracts, or agreements and grants, awards, or loans, the
31 cost or contract price of which is to be paid with or out of State
32 funds by or on behalf of a State agency, pursuant to various
33 provisions of State law.

34 b. The State expenditure website developed in accordance with
35 subsection a. of this section shall, at a minimum, be: (1) accessible
36 through a link prominently displayed on the home page of the
37 official website for the State of New Jersey; (2) available to the
38 general public without charge for access; and (3) organized
39 chronologically by State fiscal year, with additional consideration
40 for type of expenditure and State agency involved with the
41 expenditure of State funds. The website shall provide opportunity
42 for public comment regarding its utility and recommendations for
43 its improvement.

44 c. Data and information made available on the State expenditure
45 website may be updated or revised periodically, but shall not be
46 subject to removal.

1 d. Notwithstanding any other law to the contrary, the State
2 expenditure website shall not retain or display data or information
3 deemed private or confidential by State or federal law, rules, or
4 regulations.

5
6 3. a. The State Treasurer shall, for State fiscal years beginning
7 on or after July 1, 2009, publish, on the State expenditure website
8 developed in accordance with subsection a. of section 2 of P.L. ,
9 c. (C.) (pending before the Legislature as this bill), notice of
10 all purchases, contracts, or agreements and notice of all grants,
11 awards, or loans, the cost or contract price of which is to be paid
12 with or out of State funds by or on behalf of a State agency,
13 pursuant to various provisions of State law.

14 b. The notice of a purchase, contract, or agreement published in
15 accordance with subsection a. of this section shall, at a minimum,
16 include: (1) the name and address of the entity contracting with the
17 State; (2) the names of the principal officers and directors of the
18 entity and, if the contracting entity is a subsidiary of another entity,
19 the name and address of the parent entity and the names of its
20 principal officers and directors; (3) a description of the goods and
21 services provided; (4) the cost or price; (5) the beginning and
22 termination dates; and (6) the State fund from which the contract is
23 to be paid with or out of.

24 c. The notice of a grant, award, or loan published in accordance
25 with subsection a. of this section shall, at a minimum, include: (1)
26 the name and address of the entity receiving a grant from the State;
27 (2) the names of the principal officers and directors of the entity
28 and, if the entity receiving the grant is a subsidiary of another
29 entity, the name and address of the parent entity and the names of
30 its principal officers and directors; (3) a statement indicating the
31 purpose or intent of the grant; (4) the cost or price; (5) the date of
32 the award; and (6) the State fund from which the grant is to be paid
33 with or out of.

34
35 4. The State Treasurer shall develop rules and regulations,
36 pursuant to the provisions of the “Administrative Procedure Act,”
37 P.L.1968, c.410 (C52:14B-1 et seq.), as are necessary to effectuate
38 the purposes of this act.

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40 5. This act shall take effect immediately.

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43 STATEMENT

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45 This bill requires the State Treasurer to organize and publish
46 certain State contract and grant data and information on a single,
47 searchable Internet website.

1 Under the provisions of the bill, the State Treasurer, in
2 consultation with the Chief Technology Officer in the Office of
3 Information Technology, is required to design and develop, operate
4 and maintain an Internet website with the capacity to retain and
5 display data and information concerning State expenditures. For
6 purposes of the bill, State expenditures include but are not limited
7 to purchases, contracts, or agreements, and grants, awards, or loans
8 paid with or out of State funds by or on behalf of a State agency.

9 The bill provides that on or before July 1, 2009, the State
10 expenditure website must, at a minimum, be: (1) accessible through
11 a link prominently displayed on the home page of the official
12 website for the State of New Jersey; (2) available to the general
13 public without charge for access; and (3) organized chronologically
14 by State fiscal year, with additional consideration for type of
15 expenditure and State agency involved with the expenditure of State
16 funds. The website must also provide an opportunity for public
17 input regarding its utility and recommendations for its
18 improvement.

19 In addition, the bill provides that the State expenditure website
20 may be updated or revised periodically, but stipulates that data and
21 information made available must not be subject to removal.
22 Provisions of the bill also stipulate that the State Treasurer is
23 prohibited from displaying data or information deemed private or
24 confidential by State or federal law, rules, or regulations.

25 For State fiscal years beginning on or after July 1, 2009, the bill
26 requires the State Treasurer to utilize the website to publish notice
27 of certain contracts and grants. In particular, the State Treasurer is
28 required to utilize the website to publish notice of all purchases,
29 contracts, or agreements and all grants, awards, or loans, the cost or
30 contract price of which is to be paid with or out of State funds by or
31 on behalf of a State agency.

32 In providing notice of a purchase, contract, or agreement, the
33 State Treasurer must disclose: (1) the name and address of the
34 entity contracting with the State; (2) the names of the principal
35 officers and directors of the entity and, if the contracting entity is a
36 subsidiary of another entity, the name and address of the parent
37 entity and the names of its principal officers and directors; (3) a
38 description of the goods and services provided; (4) the cost or price;
39 (5) the beginning and termination dates; and (6) the State fund from
40 which the contract is paid with or out of. Under the bill, similar
41 information is required for notice of all grants, awards, or loans.

42 The development of a State expenditure Internet website is
43 intended to provide State residents with an easily accessible and
44 comprehensive "one stop" source for information on the
45 expenditure of State funds. Similar to the initiatives in more than a
46 dozen states, the development of a single, searchable website for
47 contract and grant data and information will improve transparency

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- 1 and accountability and simplify the process to access information
- 2 concerning the allocation and spending of public tax dollars.