

HOUSE No. 3051

The Commonwealth of Massachusetts

PRESENTED BY:

Steven M. Walsh

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act to reduce paperwork in the Commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Steven M. Walsh	11th Essex
Jennifer M. Callahan	18th Worcester
Denise Provost	27th Middlesex
Christine E. Canavan	10th Plymouth
Gale D. Candaras	First Hampden and Hampshire
Cory Atkins	14th Middlesex
Bruce E. Tarr	First Essex and Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3268 OF 2007-2008.]

The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine
—————

AN ACT TO REDUCE PAPERWORK IN THE COMMONWEALTH.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 32 of Chapter 30 of the Massachusetts General Laws, as appearing in the 2006 Official
2 Edition, is hereby amended by adding the following at the end thereof:

3 “Such annual reports as required by law, shall be distributed through electronic mail to the state secretary
4 and then to elected state officers, with printed copies available upon request to elected state officers.”;

5 and Chapter 7 of the General Laws is amended by adding after Section 30 the following new Section
6 30AA:—

7 SECTION 1. The Secretary of Administration and Finance shall oversee the implementation of this Act,
8 which may be cited as the “Paperwork Reduction Act of the Commonwealth.”

9 The purpose of this Act is to enhance the responsibility and public accountability of state agencies and
10 authorities by reducing the burden of state paperwork on the public, preserving state financial and natural
11 resources, and for other specific purposes set forth below:—

12 The specific purposes of this section are to:

13 (1) Minimize the paperwork burden for individuals, educational and non-profit institutions, businesses,
14 state contractors, federal, state, county, and local governments, agencies, and other persons resulting from
15 the dissemination and collection of information for or by an agency of the Commonwealth;

16 (2) Ensure the greatest possible public benefit from and maximize the utility of information created,
17 collected, maintained, used, shared and disseminated for or by an agency of the Commonwealth;

18 (3) Coordinate, integrate, and to the extent practicable and appropriate, make uniform to the
19 Commonwealth’s information resources management policies and practices as a means to improve the
20 productivity, efficiency, and effectiveness of the Commonwealth’s programs, including the reduction of
21 information collection burdens on the public and the improvement of service delivery to the public;

22 (4) Minimize the cost to the state agencies and authorities of the creation, collection, maintenance, use,
23 dissemination, and disposition of information;

- 24 (5) Provide for the dissemination of public information on a timely basis, on equitable terms, and in a
25 manner that promotes the best utility of the information to the public and makes effective use of available
26 science and information technology;
- 27 (6) Ensure that information technology is acquired, used, and managed to improve performance of agency
28 missions, including the reduction of information collection burdens on the public;
- 29 (7) Improve the quality and use of state information to strengthen decision-making, accountability, and
30 openness in state government;
- 31 (8) Strengthen the partnership between the state agencies and authorities and the federal, county, and local
32 governments by minimizing the burden and maximizing the utility of information created, collected,
33 maintained, used, disseminated, and retained; and
- 34 (9) Preserve, to a greater extent, state and federal natural resources, and at the same time, decrease energy
35 consumption.

36 SECTION 2. Definitions.

37 The following definitions shall apply to words used in this section:

- 38 (1) "State agency" shall mean awarding authorities of the commonwealth, including, but not limited to,
39 executive offices, agencies, departments, commissions, and public institutions of higher education.
- 40 (2) "State authority" shall include, but not be limited to: the Bay State Skills Corporation, Centers of
41 Excellence, Community Economic Development Assistance Corporation, Community Development
42 Finance Corporation, Government Land Bank, Massachusetts Bay Transportation Authority,
43 Massachusetts Business Development Corporation, Massachusetts Capital Resource Company,
44 Massachusetts Convention Center Authority, Massachusetts Corporation for Educational
45 Telecommunications, Massachusetts Educational Loan Authority, Massachusetts Health and Educational
46 Facilities Authority, Massachusetts Higher Education Assistance Corporation, Massachusetts Housing
47 Finance Agency, Massachusetts Racing Commission, Massachusetts Industrial Finance Agency,
48 Massachusetts Industrial Service Program, Massachusetts Legal Assistance Corporation, Massachusetts
49 Port Authority, Massachusetts Product Development Corporation, Massachusetts Technology
50 Development Corporation, Massachusetts Technology Park Corporation, Massachusetts Turnpike
51 Authority, Massachusetts Water Resource Authority, Nantucket Land Bank, New England Loan
52 Marketing Corporation, Pension Reserves Investment Management Board, State College Building
53 Authority, Southeastern Massachusetts University Building Authority, Thrift Institutions Fund for
54 Economic Development, University of Lowell Building Authority, University of Massachusetts Building
55 Authority, Victim and Witness Assistance Board, and the Woods Hole, Martha's Vineyard and Nantucket
56 Steamship Authority.
- 57 (3) "Burden" shall mean time, effort, or financial resources expended by persons to generate, maintain, or
58 provide information to or for a state agency, individuals, educational and non-profit institutions,
59 businesses, state contractors, federal, county, local governments, and other persons;
- 60 (4) "Collection of information" shall mean obtaining, causing to be obtained, soliciting, or requiring the
61 disclosure to third parties, agencies, or the public, of facts, opinions, reports, or information by or for an
62 agency, regardless of form or format;
- 63 (5) "Person" shall mean an individual, partnership, association, corporation, business trust, or legal
64 representative, an organized group of individuals, a State, territorial, tribal, or local government or branch
65 thereof, or a political subdivision of a State, territory, tribal, or local government or a branch of a political
66 subdivision;

- 67 (6) "Public information" shall mean any information, regardless of form or format, that an agency
68 discloses, disseminates, or makes available to another agency, persons, or the public;
- 69 (7) "Record keeping requirement" shall mean a requirement imposed for or by a state agency or authority
70 on persons to maintain specified records, including a requirement to-
- 71 (A) Retain such records;
- 72 (B) Notify of the existence of such records or disclose such records to third parties, persons, or the public;
- 73 (D) Report to third parties, the federal or state government, or the public regarding such records.

74 SECTION 3. Agency Responsibilities.

- 75 (1) With respect to the dissemination and/or collection of information, record keeping requirements, and
76 managing general information resources, each state agency and authority shall:
- 77 (A) Reduce, whenever possible, information collection burdens on individuals, educational and non-profit
78 institutions, businesses, state contractors, federal, state, county, and local governments, and other persons;
- 79 (B) Improve data quality, agency and authority efficiency and responsiveness to the public;
- 80 (C) Promote public access to public information;
- 81 (D) Improve the integrity, quality, and utility of information to all users within and outside the state
82 agency or authority, including capabilities for ensuring dissemination and sharing of public information;
- 83 (E) Plan a strategy of acquisition and use of information maintained in electronic format, appropriate
84 information and computer technology, and development of agency or authority procedures to improve
85 information resources management practices;
- 86 (F) Fulfill the purposes of this section, by such practices that include, but are not limited to, the effective
87 use of computer information technology and/or written notification of available public information; and
- 88 (G) Develop and oversee the implementation of policies, principles, standards, and guidelines on privacy,
89 confidentiality, security, and disclosure.
- 90 (2) Consistent with any and all state and federal reporting and record keeping requirements, prior to
91 disseminating public information of more than four pages to the public, a state agency or authority shall
92 send timely and specific notification stating that such public information exists with clear directions how
93 to request such information, provided that such notification:—
- 94 (A) Be made in writing or by computer technology;
- 95 (B) Be clear and unambiguous concerning how to obtain the public information;
- 96 (C) Provide a telephone number and contact person/position to call.
- 97 (3) Consistent with any and all state and federal reporting and record keeping requirements, such agency
98 or authority may disseminate, in written form or via computer, the public information requested.

99 SECTION 4. This Act takes effect upon passage.