HOUSE DOCKET, NO. 1416 FILED ON: 1/20/2011

HOUSE . . . . . No. 1753

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:

An Act to reduce paperwork in the Commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Steven M. Walsh	*11th Essex*
Gale D. Candaras	
	☐ *[District]*
	☐

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By Mr. Walsh of Lynn, a petition (accompanied by bill, House, No. 1753) of Steven M. Walsh and Gale D. Candaras establishing a paperwork reduction program for agencies of the Commonwealth. State Administration and Regulatory Oversight.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *3051* OF 2009-2010.]

The Commonwealth of Massachusetts

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:

Section 32 of Chapter 30 of the Massachusetts General Laws, as appearing in the 2008 Official Edition, is hereby amended by adding the following at the end thereof:

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

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

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

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

The specific purposes of this section are to:

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

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

22 (3) Coordinate, integrate, and to the extent practicable and appropriate, make uniform to
23 the Commonwealth's information resources management policies and practices as a means to
24 improve the productivity, efficiency, and effectiveness of the Commonwealth's programs,
25 including the reduction of information collection burdens on the public and the improvement of
26 service delivery to the public;

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

29 (5) Provide for the dissemination of public information on a timely basis, on equitable
30 terms, and in a manner that promotes the best utility of the information to the public and makes
31 effective use of available science and information technology;

32 (6) Ensure that information technology is acquired, used, and managed to improve
33 performance of agency missions, including the reduction of information collection burdens on
34 the public;

35 (7) Improve the quality and use of state information to strengthen decision-making,
36 accountability, and openness in state government;

37 (8) Strengthen the partnership between the state agencies and authorities and the federal,
38 county, and local governments by minimizing the burden and maximizing the utility of
39 information created, collected, maintained, used, disseminated, and retained; and

40 (9) Preserve, to a greater extent, state and federal natural resources, and at the same time,
41 decrease energy consumption.

42 SECTION 2. Definitions.

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

44 (1) "State agency" shall mean awarding authorities of the commonwealth, including, but
45 not limited to, executive offices, agencies, departments, commissions, and public institutions of
46 higher education.

47 (2) “State authority” shall include, but not be limited to: the Bay State Skills Corporation,
48 Centers of Excellence, Community Economic Development Assistance Corporation, Community
49 Development Finance Corporation, Government Land Bank, Massachusetts Bay Transportation
50 Authority, Massachusetts Business Development Corporation, Massachusetts Capital Resource
51 Company, Massachusetts Convention Center Authority, Massachusetts Corporation for
52 Educational Telecommunications, Massachusetts Educational Loan Authority, Massachusetts
53 Health and Educational Facilities Authority, Massachusetts Higher Education Assistance
54 Corporation, Massachusetts Housing Finance Agency, Massachusetts Racing Commission,
55 Massachusetts Industrial Finance Agency, Massachusetts Industrial Service Program,
56 Massachusetts Legal Assistance Corporation, Massachusetts Port Authority, Massachusetts
57 Product Development Corporation, Massachusetts Technology Development Corporation,
58 Massachusetts Technology Park Corporation, Massachusetts Turnpike Authority, Massachusetts
59 Water Resource Authority, Nantucket Land Bank, New England Loan Marketing Corporation,
60 Pension Reserves Investment Management Board, State College Building Authority,
61 Southeastern Massachusetts University Building Authority, Thrift Institutions Fund for
62 Economic Development, University of Lowell Building Authority, University of Massachusetts
63 Building Authority, Victim and Witness Assistance Board, and the Woods Hole, Martha’s
64 Vineyard and Nantucket Steamship Authority.

65 (3) “Burden” shall mean time, effort, or financial resources expended by persons to
66 generate, maintain, or provide information to or for a state agency, individuals, educational and
67 non-profit institutions, businesses, state contractors, federal, county, local governments, and
68 other persons;

69 (4) “Collection of information” shall mean obtaining, causing to be obtained, soliciting,
70 or requiring the disclosure to third parties, agencies, or the public, of facts, opinions, reports, or
71 information by or for an agency, regardless of form or format;

72 (5) “Person” shall mean an individual, partnership, association, corporation, business
73 trust, or legal representative, an organized group of individuals, a State, territorial, tribal, or local
74 government or branch thereof, or a political subdivision of a State, territory, tribal, or local
75 government or a branch of a political subdivision;

76 (6) “Public information” shall mean any information, regardless of form or format, that
77 an agency discloses, disseminates, or makes available to another agency, persons, or the public;

78 (7) “Record keeping requirement” shall mean a requirement imposed for or by a state
79 agency or authority on persons to maintain specified records, including a requirement to- (A)
80 Retain such records; (B) Notify of the existence of such records or disclose such records to third
81 parties, persons, or the public; (C) Report to third parties, the federal or state government, or the
82 public regarding such records.

83 SECTION 3. Agency Responsibilities.

84 (1) With respect to the dissemination and/or collection of information, record keeping
85 requirements, and managing general information resources, each state agency and authority
86 shall:

87 (A) Reduce, whenever possible, information collection burdens on individuals,
88 educational and non-profit institutions, businesses, state contractors, federal, state, county, and
89 local governments, and other persons;

90 (B) Improve data quality, agency and authority efficiency and responsiveness to the
91 public;

92 (C) Promote public access to public information;

93 (D) Improve the integrity, quality, and utility of information to all users within and
94 outside the state agency or authority, including capabilities for ensuring dissemination and
95 sharing of public information;

96 (E) Plan a strategy of acquisition and use of information maintained in electronic format,
97 appropriate information and computer technology, and development of agency or authority
98 procedures to improve information resources management practices;

99 (F) Fulfill the purposes of this section, by such practices that include, but are not limited
100 to, the effective use of computer information technology and/or written notification of available
101 public information; and

102 (G) Develop and oversee the implementation of policies, principles, standards, and
103 guidelines on privacy, confidentiality, security, and disclosure.

104 (2) Consistent with any and all state and federal reporting and record keeping
105 requirements, prior to disseminating public information of more than four pages to the public, a
106 state agency or authority shall send timely and specific notification stating that such public
107 information exists with clear directions how to request such information, provided that such
108 notification:—

109 (A) Be made in writing or by computer technology;

110 (B) Be clear and unambiguous concerning how to obtain the public information;

111 (C) Provide a telephone number and contact person/position to call.

112 (3) Consistent with any and all state and federal reporting and record keeping
113 requirements, such agency or authority may disseminate, in written form or via computer, the
114 public information requested.

115 SECTION 4. This Act takes effect upon passage.