

HOUSE No. 3051

The Commonwealth of Massachusetts

In the Year Two Thousand 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
2 Official 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
4 the state secretary and then to elected state officers, with printed copies available upon request to
5 elected state officers.”;

6 and Chapter 7 of the General Laws is amended by adding after Section 30 the following
7 new Section 30AA:—SECTION 1. The Secretary of Administration and Finance shall oversee
8 the implementation of this Act, which may be cited as the “Paperwork Reduction Act of the
9 Commonwealth.”The purpose of this Act is to enhance the responsibility and public
10 accountability of state agencies and authorities by reducing the burden of state paperwork on the
11 public, preserving state financial and natural resources, and for other specific purposes set forth
12 below:—The specific purposes of this section are to:(1) Minimize the paperwork burden for
13 individuals, educational and non-profit institutions, businesses, state contractors, federal, state,
14 county, and local governments, agencies, and other persons resulting from the dissemination and

collection of information for or by an agency of the Commonwealth;(2) Ensure the greatest possible public benefit from and maximize the utility of information created, collected, maintained, used, shared and disseminated for or by an agency of the Commonwealth:(3) Coordinate, integrate, and to the extent practicable and appropriate, make uniform to the Commonwealth's information resources management policies and practices as a means to improve the productivity, efficiency, and effectiveness of the Commonwealth's programs, including the reduction of information collection burdens on the public and the improvement of service delivery to the public;(4) Minimize the cost to the state agencies and authorities of the creation, collection, maintenance, use, dissemination, and disposition of information;(5) Provide for the dissemination of public information on a timely basis, on equitable terms, and in a manner that promotes the best utility of the information to the public and makes effective use of available science and information technology;(6) Ensure that information technology is acquired, used, and managed to improve performance of agency missions, including the reduction of information collection burdens on the public;(7) Improve the quality and use of state information to strengthen decision-making, accountability, and openness in state government;(8) Strengthen the partnership between the state agencies and authorities and the federal, county, and local governments by minimizing the burden and maximizing the utility of information created, collected, maintained, used, disseminated, and retained; and(9) Preserve, to a greater extent, state and federal natural resources, and at the same time, decrease energy consumption.

SECTION 2. Definitions. The following definitions shall apply to words used in this section:(1) "State agency" shall mean awarding authorities of the commonwealth, including, but not limited to, executive offices, agencies, departments, commissions, and public institutions of higher education.(2) "State authority" shall include, but not be limited to: the Bay State Skills

38 Corporation, Centers of Excellence, Community Economic Development Assistance
39 Corporation, Community Development Finance Corporation, Government Land Bank,
40 Massachusetts Bay Transportation Authority, Massachusetts Business Development Corporation,
41 Massachusetts Capital Resource Company, Massachusetts Convention Center Authority,
42 Massachusetts Corporation for Educational Telecommunications, Massachusetts Educational
43 Loan Authority, Massachusetts Health and Educational Facilities Authority, Massachusetts
44 Higher Education Assistance Corporation, Massachusetts Housing Finance Agency,
45 Massachusetts Racing Commission, Massachusetts Industrial Finance Agency, Massachusetts
46 Industrial Service Program, Massachusetts Legal Assistance Corporation, Massachusetts Port
47 Authority, Massachusetts Product Development Corporation, Massachusetts Technology
48 Development Corporation, Massachusetts Technology Park Corporation, Massachusetts
49 Turnpike Authority, Massachusetts Water Resource Authority, Nantucket Land Bank, New
50 England Loan Marketing Corporation, Pension Reserves Investment Management Board, State
51 College Building Authority, Southeastern Massachusetts University Building Authority, Thrift
52 Institutions Fund for Economic Development, University of Lowell Building Authority,
53 University of Massachusetts Building Authority, Victim and Witness Assistance Board, and the
54 Woods Hole, Martha's Vineyard and Nantucket Steamship Authority.(3) "Burden" shall mean
55 time, effort, or financial resources expended by persons to generate, maintain, or provide
56 information to or for a state agency, individuals, educational and non-profit institutions,
57 businesses, state contractors, federal, county, local governments, and other persons;(4)
58 "Collection of information" shall mean obtaining, causing to be obtained, soliciting, or requiring
59 the disclosure to third parties, agencies, or the public, of facts, opinions, reports, or information
60 by or for an agency, regardless of form or format;(5) "Person" shall mean an individual,

partnership, association, corporation, business trust, or legal representative, an organized group of individuals, a State, territorial, tribal, or local government or branch thereof, or a political subdivision of a State, territory, tribal, or local government or a branch of a political subdivision;(6) “Public information” shall mean any information, regardless of form or format, that an agency discloses, disseminates, or makes available to another agency, persons, or the public;(7) “Record keeping requirement” shall mean a requirement imposed for or by a state agency or authority on persons to maintain specified records, including a requirement to-(A) Retain such records;(B) Notify of the existence of such records or disclose such records to third parties, persons, or the public;(D) Report to third parties, the federal or state government, or the public regarding such records.

SECTION 3. Agency Responsibilities.(1) With respect to the dissemination and/or collection of information, record keeping requirements, and managing general information resources, each state agency and authority shall:(A) Reduce, whenever possible, information collection burdens on individuals, educational and non-profit institutions, businesses, state contractors, federal, state, county, and local governments, and other persons;(B) Improve data quality, agency and authority efficiency and responsiveness to the public;(C) Promote public access to public information;(D) Improve the integrity, quality, and utility of information to all users within and outside the state agency or authority, including capabilities for ensuring dissemination and sharing of public information;(E) Plan a strategy of acquisition and use of information maintained in electronic format, appropriate information and computer technology, and development of agency or authority procedures to improve information resources management practices;(F) Fulfill the purposes of this section, by such practices that include, but are not limited to, the effective use of computer information technology and/or written

notification of available public information; and(G) Develop and oversee the implementation of policies, principles, standards, and guidelines on privacy, confidentiality, security, and disclosure.(2) Consistent with any and all state and federal reporting and record keeping requirements, prior to disseminating public information of more than four pages to the public, a state agency or authority shall send timely and specific notification stating that such public information exists with clear directions how to request such information, provided that such notification:—(A) Be made in writing or by computer technology;(B) Be clear and unambiguous concerning how to obtain the public information; (C) Provide a telephone number and contact person/position to call.(3) Consistent with any and all state and federal reporting and record keeping requirements, such agency or authority may disseminate, in written form or via computer, the public information requested.

SECTION 4. This Act takes effect upon passage.