

HOUSE No. 4606

The Commonwealth of Massachusetts

In the Year Two Thousand Ten

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 1. Section 32 of chapter 30 of the Massachusetts General Laws, as appearing
2 in the 2008 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 the
4 state secretary and then to elected state officers, with printed copies available upon request to
5 elected state officers.

6 SECTION 2. Chapter 7 of the General Laws is amended by adding after Section 30 the
7 following new section:—

8 SECTION 30AA . (a)The secretary of administration and finance shall oversee the
9 implementation of the provisions of this section. The purpose of this section is to enhance the
10 responsibility and public accountability of state agencies and authorities by reducing the burden
11 of state paperwork on the public, preserving state financial and natural resources, and for other
12 specific purposes set forth below:—

13 (b) The specific purposes of this section are to:

(1) Minimize the paperwork burden for individuals, educational and non-profit institutions, businesses, state contractors, federal, state, 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.

(c) As used in this section, the following terms shall have the following meanings:(1)
“State agency” shall mean an agency as defined in section 1 of chapter 29 of the General Laws.

(2) “State authority” shall mean an authority as defined in section 1 of chapter 29 of the General Laws..(3) “Burden” shall mean time, effort, or financial resources expended by persons to generate, maintain, or provide information to or for a state agency, individuals, educational and non-profit institutions, businesses, state contractors, federal, county, local governments, and other persons;(4) “Collection of information” shall mean obtaining, causing to be obtained, soliciting, or requiring the disclosure to third parties, agencies, or the public, of facts, opinions, reports, or information 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.

(d) (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 4 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 electronic means;(B) Be clear and unambiguous concerning how to obtain the public information; and(C) Provides a telephone number and contact person or 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 electronically, the public information requested.

SECTION 3. This act shall take effect upon passage.