

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2001

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Legislative Document

No. 1118

H.P. 846

House of Representatives, February 22, 2001

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**An Act to Enact the Paperwork Reduction Act.**

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Reference to the Committee on State and Local Government suggested and ordered printed.

*Millicent M. MacFarland*

MILLICENT M. MacFARLAND, Clerk

Presented by Representative McKENNEY of Cumberland.  
Cosponsored by Senator TURNER of Cumberland and  
Representatives: BOWLES of Sanford, BRUNO of Raymond, LAVERRIERE-BOUCHER of  
Biddeford, MURPHY of Kennebunk.

2 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 5 MRSA §44, sub-§10**, as enacted by PL 1973, c. 612,  
§1, is amended to read:

6 **10. Program description.** A description of each program  
shall--be--provided and shall--include a summary of major  
8 expenditures, goals and objectives and future plans; and

10 **Sec. 2. 5 MRSA §44, sub-§11** is enacted to read:

12 **11. Paperwork Reduction Act compliance summary.** Pursuant  
to section 72, a summary of each department's efforts to comply  
14 with the provisions of the Paperwork Reduction Act.

16 **Sec. 3. 5 MRSA c. 4** is enacted to read:

18 **CHAPTER 4**

20 **PAPERWORK REDUCTION ACT**

22 **§71. Short title**

24 This chapter may be known and cited as the "Paperwork  
Reduction Act."

26 **§72. Paperwork Reduction Act**

28 Notwithstanding other provisions of law, a business  
30 operating in this State that is required on a periodic basis to  
report certain information or data to an agency or department of  
32 State Government is not required to report that information or  
data to more than one agency or department of State Government  
34 during a reporting period established by law or rule.

36 **1. Definitions.** As used in this section, unless the  
context otherwise indicates, the following terms have the  
38 following meanings.

40 A. "Agency of record" means the agency or department with  
which a requirement to report information or data originates.

42 B. "Information or data" means facts or statistics related  
44 to the operation of the business or to its ownership.

46 C. "Report" means any document required to be filed with any  
agency or department of State Government on a periodic basis  
48 that provides factual or statistical information about a  
business or its ownership.

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2 D. "Reporting period" means the interval of time in which a  
3 report is required to be filed, including, but not limited  
4 to, weekly, monthly, bimonthly, quarterly, semiannually or  
5 annually.

6 2. Periodic reporting. A business operating in this State  
7 that is required to periodically report information or data to an  
8 agency or department of State Government may not be required to  
9 report that information or data to an agency or department of  
10 State Government more than once during each established reporting  
11 period. A business operating in this State may only be required  
12 to report that information or data to a single agency or  
13 department of State Government during an established reporting  
14 period. That single agency is the agency of record.

15 3. Sharing of information and data. An agency or  
16 department of State Government that requires access to the same  
17 or similar information or data reported by a business under  
18 existing law may request that information from the agency of  
19 record. The agency of record shall provide that information or  
20 data in a timely manner to the requesting agency or department of  
21 State Government unless sharing of that information or data is  
22 prohibited for reasons of confidentiality under state or federal  
23 law.

24 4. Request for additional information or data. An agency  
25 or department of State Government that requires information or  
26 data from a business operating in this State that is not the same  
27 or similar to the information or data reported by a business  
28 under existing law may request that the agency of record require  
29 the business to submit additional information or data to the  
30 agency of record.

31 5. Obligation to identify agency or department of record.  
32 A business required to report information or data pursuant to  
33 existing law shall identify the agency of record upon a request  
34 for information or data from another agency or department of  
35 State Government.

36 6. Annual report. Beginning in 2003, each agency or  
37 department of State Government must include in its annual report  
38 to the Governor required under section 43 a summary of its  
39 efforts during the preceding fiscal year to comply with the  
40 provisions of this section. The summary must indicate the number  
41 and nature of any complaints filed by businesses against the  
42 reporting agency or department alleging violation of the  
43 provisions of this section and must summarize the actions by the  
44 agency or department to respond to such complaints. A copy of  
45 the policies established by the agency or department to carry out  
46 the requirements of this section must be appended to the summary.

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## SUMMARY

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6 This bill establishes the Paperwork Reduction Act. The bill  
8 requires that similar or identical information and data required  
10 to be reported periodically to state agencies or departments by  
12 businesses operating in the State be reported to a single agency,  
14 the agency of record. Historically, it is the agency or  
16 department of State Government that first required a business  
operating in this State to report information or data during a  
reporting period established by law or rule. The bill also  
requires that requests for additional information by a state  
agency be made through the agency of record and that a business  
disclose the identity of the agency of record to any state agency  
requesting that information.