

ALEC EXPOSED

"ALEC" has long been a secretive collaboration between Big Business and "conservative" politicians. Behind closed doors, they ghostwrite "model" bills to be introduced in state capitols across the country. This agenda—underwritten by global corporations—includes major tax loopholes for big industries and the super rich, proposals to offshore U.S. jobs and gut minimum wage, and efforts to weaken public health, safety, and environmental protections. Although many of these bills have become law, until now, their origin has been largely unknown. With **ALEC EXPOSED**, the Center for Media and Democracy hopes more Americans will study the bills to understand the depth and breadth of how big corporations are changing the legal rules and undermining democracy across the nation.

ALEC's Corporate Board --in recent past or present

- AT&T Services, Inc.
 - centerpoint360
 - UPS
 - Bayer Corporation
 - GlaxoSmithKline
 - Energy Future Holdings
 - Johnson & Johnson
 - Coca-Cola Company
 - PhRMA
 - Kraft Foods, Inc.
 - Coca-Cola Co.
 - Pfizer Inc.
 - Reed Elsevier, Inc.
 - DIAGEO
 - Peabody Energy
 - Intuit, Inc.
 - Koch Industries, Inc.
 - ExxonMobil
 - Verizon
 - Reynolds American Inc.
 - Wal-Mart Stores, Inc.
 - Salt River Project
 - Altria Client Services, Inc.
 - American Bail Coalition
 - State Farm Insurance
- For more on these corporations, search at www.SourceWatch.org.

DID YOU KNOW? Corporations VOTED to adopt this. Through ALEC, global companies work as "equals" in "unison" with politicians to write laws to govern your life. Big Business has "a VOICE and a VOTE," according to newly exposed documents. **DO YOU?**

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BUSINESS OMBUDSMAN ACT

Did you know that global corporation Kraft Foods was the corporate co-chair in 2011?

{Title, enacting clause, etc.}

Section 1. {Short Title} This act may be cited as the Business Ombudsman Act

Section 2. {Definitions}

For purposes of this section, the term—

- (a) "Ombudsman" means the Business Ombudsman designated under section 3.
- (b) "Agency" means any government department, organization, board, commission, council, bureau, administrative tribunal, facility, institution or other governmental entity of (name of state),

Section 3. {Ombudsman Enforcement Powers}

(1) Not later than 180 days after the date of enactment of this act, the Governor shall appoint and the legislature confirm a Business Ombudsman, who shall report directly to the Governor, utilizing personnel of the Department of Economic Development to the extent practicable. Other agencies shall assist the Ombudsman and take actions as necessary to ensure compliance with the requirements of this act. Nothing in this act is intended to replace or diminish the activities of any Ombudsman or similar office in any other agency.

(2) The Ombudsman shall--

(A) work with each agency with regulatory authority over businesses to ensure that business concerns that receive or are subject to an audit, on-site inspection, compliance assistance effort, or other enforcement related communication or contact by agency personnel are provided with a means to comment on the enforcement activity conducted by such personnel;

(B) establish means to receive comments from business concerns regarding actions by agency employees conducting compliance or enforcement activities with respect to the business concern, means to refer comments to the head of the affected agency in the appropriate circumstances, and otherwise seek to maintain the identity of the person and business concern making such comments on a confidential basis to the same extent as employee identities are protected under state law;

(C) based on substantiated comments received from business concerns, annually report to the legislature and affected agencies evaluating the enforcement activities of agency personnel including a rating of the responsiveness to business of the various regional and program offices of each agency;

(D) in addition agencies will be rated on if they notify businesses about the Ombudsman and if they have an established non-retaliatory policy for individuals who file complaints with the Ombudsman; and

(E) coordinate and report annually on the activities, findings and recommendations to the Governor and to the heads of affected agencies; and

(F) provide the affected agency with an opportunity to comment on draft reports prepared under subparagraph (C), and include a section of the final report in which the affected agency may make such comments as are not addressed by the Ombudsman in revisions to the draft.

Section 4. {Term of Office}

The Ombudsman shall serve for a term of six years and until his or her successor is appointed and qualified. He or she may be reappointed for additional terms.

Section 5. {Removal and Vacancy}

(a) The Legislature by a vote of two-thirds of the members of each house present and voting may remove the Ombudsman from office, but only under the same state constitutional provisions for removal of judges or other public officials.

Section 6. {Reprisals Prohibited}

(a) No person who files a complaint or participates in any investigation or proceeding pursuant to this chapter shall be subject to any penalties, sanctions or restrictions in connection with his or her employment or be denied any right, privilege, or benefit because of such

action.

(b) A person who alleges a violation of this part may bring a civil action for appropriate injunctive relief, actual damages, and punitive damages. Punitive damages shall not exceed \$10,000.

Section 7. {Compensation}

The Ombudsman shall receive the same salary and benefits as a state judge at the general trial court or higher level. The salary of the Ombudsman shall not be diminished during the Ombudsman's term of office, unless by general law applying to all salaried officers of the state.

Section 8. {Ombudsman's Immunities}

(a) The substantive content of any finding, conclusion, recommendation, or report of the Ombudsman or member of the Ombudsman's staff shall not be reviewable in any court.

(b) The Ombudsman and the Ombudsman's staff have the same immunities from civil and criminal liabilities as a judge of this state.

(c) The Ombudsman and the Ombudsman's staff shall not be compelled to testify or produce evidence in any judicial or administrative proceeding with respect to any matter involving the exercise of their official duties except as may be necessary to enforce this Act.

Section 9. {Obstruction}

Any person who willfully obstructs or hinders the proper and lawful exercise of the Ombudsman's powers, or willfully misleads or attempts to mislead the Ombudsman in the Ombudsman's inquiries, shall be guilty of a (specify the level of offense).

Section 10. {Severability Clause.}

Section 11. {Repealer Clause}

Were your laws repealed?

Section 12. {Effective Date}

Adopted by the Commerce, Insurance and Economic Development Task Force on August 1, 2008.

Approved by the ALEC Board of Directors on September 11, 2008

About Us and ALEC EXPOSED. The Center for Media and Democracy reports on corporate spin and government propaganda. We are located in Madison, Wisconsin, and publish www.PRWatch.org, www.SourceWatch.org, and now www.ALECexposed.org. For more information contact: editor@prwatch.org or 608-260-9713.

Center for Media and Democracy's quick summary

This bill establishes a governor-appointed ombudsman that fields concerns from businesses about agencies and regulations. Note that the position is appointed by the governor, and reports only to the governor, with limited input from the legislature. See Wisconsin Governor Scott Walker's efforts to increase the number of governor-appointed officials centered in the Executive branch, and the creation of the Wisconsin Economic Development Corporation Board.