

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?**

State Data Quality Act

Summary

An act to ensure and maximize the quality, objectivity, utility, and integrity of information disseminated by State agencies to the public, and to the Federal Government in support of Federal programs, and to provide the public with administrative mechanisms for requesting that such information be corrected or improved.

Model Legislation

Be it enacted by _____ of the _____.

Section 1. {Short Title} This Act may be cited as the “Data Quality Act of 2003”.

Section 2. {Purposes} The purposes of this Act are to -

(a) require that agencies of this State which disseminate information to the public that is likely to influence their decisions, choices, rights, or duties attempt to ensure and maximize, consistent with available resources and considering the costs and benefits involved, the quality, objectivity, utility, and integrity of such information;

(b) require that agencies of this State which provide information to the Federal Government in furtherance of Federal programs which are likely to impact the citizens of this State, or persons or entities which conduct business or other activities in this State, attempt to ensure and maximize, consistent with available resources and considering the costs and benefits involved, the quality, objectivity, utility, and integrity of such information;

(c) establish principles which agencies of this State must apply in developing guidelines for ensuring and maximizing the quality, objectivity, utility, and integrity of such information; and

(d) provide administrative mechanisms which can be utilized by citizens of this State, or persons or entities which conduct business or other activities in this State, who are affected, or are likely to be affected, by such information, to seek and obtain correction or improvement of information that does not comply with the principles set out in this Act or the guidelines issues by State agencies pursuant to this Act.

Section 3. {Agency Responsibilities} Each agency which disseminates information subject to this Act shall -

(a) develop and issue, no later than one year after enactment of this Act, with opportunity for public comment and in consultation with other State agencies, guidelines to implement the purposes, principles, and provisions of this Act.

(b) designate an official who shall be primarily responsible for developing and implementing the agency guidelines.

(c) report annually to the Governor and the Legislature on --

(1) the number and nature of petitions received pursuant to this Act and its guidelines;

(2) how such complaints were resolved by the agency; and

(3) any significant problems or issues experienced in implementing this Act and the agency guidelines.

Section 4. {Governor Responsibilities} The Governor, or a person delegated such responsibility, shall -

(a) coordinate development of guidelines among the State agencies to ensure that they are reasonably consistent with each other and that they are in compliance with the Act; and

(b) make recommendations to the Legislature as appropriate, based on the agencies' annual reports, for any changes viewed as needed to improve this legislation.

Section 5. {Principles} The guidelines shall be based on, reflect, and incorporate the following principles -

(a) All information disseminated by an agency shall be subject to standards of quality that are appropriate to its significance, type, and timeliness.

(b) All information and data collected should be subject to rigorous review for the purposes of quality control. In the case of scientific information, this might require external peer review with opportunity for public comment and/or legislative oversight.

(c) Information should provide sufficient supporting data and analytical methods to allow the information to be substantially reproducible by another party, within an appropriate margin of error.

(d) Where information, data, or methods developed by outside parties are relied on by an agency in developing the agency's information, the agency shall ensure that such information, data, or methods meets quality standards established under this act.

(e) When it comes to the attention of an agency, whether by an agency determination in response to a petition or otherwise, that information which it is disseminating is materially out of compliance with this Act or its guidelines, the agency shall cease disseminating such information or the portion of such information which has been found to be out of compliance or affected by such non-compliance.

Section 6. {Petitions}

(a) The agency guidelines required by section 3 shall provide an administrative petition mechanism by which affected persons can seek and obtain correction or improvement of agency information which is not in compliance with this Act or the agency's guidelines.

(b) The administrative petition mechanism shall specify a reasonable and appropriate time period within which the agency must respond to the substance of a petition which is not trivial or frivolous.

(c) The petition mechanism will not apply to information which is not final and which is undergoing a public comment or peer review process, including development of agency response thereto, unless the petitioner can show that the interim information being disseminated is causing, or is likely to cause, significant adverse impact.

(d) If the agency guidelines place responsibility for responding to a petition in a portion of the agency which was significantly involved in developing the information which is the subject of the petition, the guidelines shall also provide for right of appeal from the initial response which shall be the responsibility of a portion of the agency which was not involved in developing the subject information.

(e) In responding to a petition, the agency shall inform the petitioner of the action which will be taken and attempt to specify when it will be taken.

(f) Agencies shall inform the public of their guidelines and petition procedures in a manner or manners designed to achieve the

broadest possible dissemination, preferably through their Internet site.

Section 7. {Confidentiality} Nothing herein shall be construed to impinge on existing rights or legal obligations regarding privacy, trade secrets, intellectual property, or other confidentiality protections.

Section 8. {Definitions}

(a) "Affected person" means an individual or other entity which can reasonably claim that it is adversely affected, or likely to be adversely affected, by, or which actively uses, the disseminated information which it claims is not in compliance with this Act or the agency guidelines.

(b) "Dissemination" means agency initiated or sponsored distribution to the public, either through actual distribution or by notice of general availability. It does not include a simple reference or link to information developed or disseminated by others.

(c) "Information" means any representation of knowledge, facts, estimates, or analytical results regardless of form or format.

(d) "Integrity" refers to securing information against unauthorized access or revision.

(e) "Objectivity" means that the information is accurate, reliable, clear, complete, up-to-date, and unbiased in both substance and presentation.

(f) "Quality" is a term encompassing "objectivity", "utility", and "integrity".

(g) "Substantially reproducible" means that the information as disseminated is capable of being tested to see whether application of the original and supporting data and materials and identical methods of analysis will generate similar results, within an appropriate margin of error.

(h) "Utility" means that the information clearly serves its intended purpose for its intended users.

Section 9. {Effective Date} The quality principles and standards of this Act, and the agency guidelines required by this Act, will take effect thirty days after an agency issues its guidelines, which must be no later than one year after the date of enactment.

Section 10. {Reviewability} This Act is not intended to provide any right of action or remedy not already provided for by law.

Adopted by the Natural Resources Task Force at the Spring Task Force Summit, March 29, 2003. Approved by the full ALEC Board of Directors April, 2003.

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.

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.

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