

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.

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?**

[Home](#) → [Model Legislation](#) → Commerce, Insurance, and Economic Development

Political Funding Reform Act

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

Summary

This model bill prohibits the payroll deduction of monies used for political purposes. It also establishes penalties for a violation of this section.

Model Legislation

Section 1. {Short Title} This Act shall be known as the Political Funding Reform Act.

Section 2. {Legislative Declaration} This legislature finds and declares:

- A. That it is in the interest of this State's citizens to ensure that government resources, including public employee time, public property or equipment, and supplies be used exclusively for activities that are essential to carrying out the necessary functions of government;
- B. That necessary governmental functions do not include using government resources to confer a political benefit or advantage on any private individual or organization, including, but not limited to, public employee unions and their members;
- C. That using government resources in any way to promote, support, or enhance the political activities of any private individual or organization, above that of other citizens or private organizations, is not a necessary or desirable function of government; and
- D. Therefore, it is the public policy of this State to prohibit the use of any government resources to collect or assist in the collection of political funds or to promote or assist in the political activity on behalf of any private individual or organization.

Section 3. {Definitions}

- A. For the purposes of this Act, "public employer" means any state or local government, government agency, government instrumentality, special district, joint powers authority, school board or special purpose organization that employs one or more persons in any capacity.
- B. For purposes of this act, all money shall be deemed to be "political funds" if any portion thereof is expended upon, or commingled with funds used for political activity, including, but not limited to:
 1. independent expenditures for communications advocating the election or defeat of clearly identified candidates for public office;
 2. participating in, or intervening in (including the publication or distribution of statements), any political campaign on behalf of (or in opposition to) any candidate for public office, or any political party or committee;
 3. supporting or opposing any pending or proposed ballot measure, including but not limited to efforts to collect signatures to place a measure on the ballot, and any efforts, including but not limited to direct mail and media campaigns, to solicit signatures for initiative petitions or to discourage voters from signing initiative petitions;
 4. contributions to, and/or the operations or expenses of, a Political Action Committee; or
 5. communications or other activities of organizations where a substantial part of their activity which involves carrying on propaganda, or otherwise attempting to influence voters or legislation or ballot issues.
- C. The terms used in this subsection shall have the same meaning as under Section 501(c)(3) of Title 26, United States Code, and regulations promulgated by the Secretary of the Treasury thereunder.
- D. This section shall not apply to activities that are necessary to fulfill statutory obligations to inform the electorate and/or the public about the candidates or issues to be voted upon in a forthcoming election.

Section 4. {Prohibitions} A public employer is prohibited from collecting or deducting or transmitting political funds within the meaning of this section.

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.

Section 5. {Penalties}

A. For a period of two years, no public employer shall collect, deduct, or assist in the collection or deduction of funds for any purpose for a person or organization if, in violation of this article, the person or organization has:

1. used as political funds, as defined in section 3(A) or (B), any of the funds collected or deducted for it by any public employer, or
2. commingled funds collected or deducted by any public employer with political funds.
3. whenever funds for multiple levels of an organization (local, regional, state, and/or national) are deducted, collected, and/or transmitted to a single recipient for all affiliates that receive funds from the recipient organization.

B. Any employee whose wages have been deducted in violation of the provisions of this article may bring suit in a court of competent jurisdiction to obtain injunctive relief against the violator or person or public employer threatening violation. If the state enjoys sovereign immunity, nothing in this section shall be considered or otherwise construed to waive, or in any way abrogate such immunity. An employee whose wages have been deducted in violation of this article may bring suit in a court of competent jurisdiction to recover damages equal to:

1. from a public employer violating the provisions of this article, or failing to take appropriate action when informed of the violation, any amounts actually deducted from the public employee's wages; and
2. from any individual or organization acting separately or in league with a public employer to violate the provisions of this article, twice any amounts actually received by said individual or organization from the injured public employee
3. The remedies in i. and ii. above shall not preempt any other causes of action and damage awards which may be available to public employees injured as a result of violations of this act.

C. In any judgment for the plaintiff intended to enforce of this article the court may award reasonable attorneys' fees as part of the court costs.

Section 6. {Void Agreements} Any written or oral agreement, understanding, or practice between a public employer and any individual or organization that is in violation of the provisions of this article shall be deemed void on the effective date of this legislation, or ninety (90) days after its passage, whichever is later.

Section 7. {Severability Clause} If any phrase, clause, or part of this article is found to be unconstitutional by a court of competent jurisdiction, the remaining phrases, clauses, and parts shall remain in full force and effect.

Section 8. {Effective Date}

Adopted by the CIED Task Force at the States and Nation Policy Summit on December 2, 1998. Approved by the ALEC Board of Directors January 1999.

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 essentially prohibits public employee union dues from being used for political purposes. It would significantly impact public employee unions like the American Federation of State, County, and Municipal Employees (AFSCME), the biggest union spender on political activities, and whose expenditures primarily benefit Democrats. This bill provides that "no public employer shall collect, deduct, or assist in the collection or deduction of funds" that can be used for political purposes, or are commingled with funds used for political purposes. Because union dues are typically collected by the employer, this would essentially drain public employees of funds that can be used for election-related activities.

Wisconsin Governor Scott Walker went further than this act in his 2011 "Budget Repair Bill." Rather than merely limiting what kinds of public employee union dues the state would collect, Walker stopped collecting union dues entirely.

See also "Voluntary Contributions Act,"
"Paycheck Protection Act."