

### 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](http://www.SourceWatch.org).

NEWS PUBLICATIONS MEMBERS MODEL

**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?**

## Resolution Requesting Congress of the United States to Enact Legislation that Requires Congress to Specify the Constitutional Authority for the Enactment of Laws

### Summary

A resolution for the purpose of petitioning the Congress of the United States to enact legislation that requires Congress to specify the constitutional authority for the enactment of law; prohibits federal agency rules or regulations from preempting or otherwise interfering with state or local powers without express statutory authority; and requires a list of factual findings, establishing a substantial nexus between the regulatory effect of the proposed law and interstate commerce if Article 1, Section 8, Clause 3, of the Constitution is identified as the Constitutional provision granting authority to Congress for its proposed law.

### Model Legislation

**WHEREAS**, the federal government was established by the states through the ratification of the Constitution of the United States; and

**WHEREAS**, the federal government was granted carefully limited powers under the Constitution of the United States and the Tenth Amendment to the United States Constitution provides that "the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people"; and

**WHEREAS**, the Constitution of the United States established a system in which the states ceded only certain powers to the federal government; and

**WHEREAS**, the framers recognized that separation of powers is essential and ensured that the rights of the people would be protected by establishing checks and balances not only between the branches of the federal government but also between the federal government and state governments; and

**WHEREAS**, the legislative, executive and judicial branches of the federal government have by many actions usurped powers reserved by the Constitution of the United States to the states and to the people; and

**WHEREAS**, the legislative, executive and judicial branches of the federal government, the relationship between the federal government and state governments established by the Constitution of the United States has been severely unbalanced; and

**WHEREAS**, the federal judiciary, itself a branch of the federal government, has failed to stop many of these federal excesses; and

**WHEREAS**, less federal preemption means states can act as true laboratories of democracy, seeking novel social and economic policies without risk to the nation; and

**WHEREAS**, to restore the balance of power between the federal government and state governments intended by the framers of the Constitution of the United States, the federal government must carefully consider, and be accountable for, the constitutional boundaries of its jurisdiction to protect the states and the people from the unwarranted assumption of power by the federal government.

**NOW THEREFORE BE IT RESOLVED** by the Legislature of the state of {insert state}, a majority of all members of the two houses concurring, that the One Hundred and Fourth

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Congress of the United States enact legislation requiring the Congress of the United States to cite the section of the Constitution that grants Congress the authority to enact proposed laws. The {insert state} Legislature supports the inclusion in such legislation:

1. That Congress be required to state explicitly the extent to which the proposed section of law preempts any state, local or tribal law, and if so, an explanation of the reasons for such preemption.
2. That Federal agency rules or regulations may not preempt or otherwise interfere with State or local powers without express statutory authority. Agencies must allow states notice and an opportunity to be heard in the rule-making process.
3. That if Article I, Section 8, Clause 3, of the Constitution of the United States, is identified as the Constitutional provision granting authority to Congress for its proposed law, Congress must report a list of factual findings establishing a substantial nexus between the regulatory effect of the proposed law and interstate commerce.

**BE IT FURTHER RESOLVED** that the Secretary of State of the State of {insert state} transmit certified copies of this Resolution to the president of the United States; and to each Member of the Senate of the United States; and the House of Representatives of the United States; and the Speaker of the House of Representatives and the President of the Senate of each state legislature in the United States.

**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](http://www.PRWatch.org), [www.SourceWatch.org](http://www.SourceWatch.org), and now [www.ALECexposed.org](http://www.ALECexposed.org). For more information contact: [editor@prwatch.org](mailto:editor@prwatch.org) or 608-260-9713.