

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?**

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Environmental Corrupt Organizations - Preventative Legislation and Neutralization (ECO-PLAN) Act

Did you know the trade group for the gas industry was a corporate co-chair in 2011?

Section 1. {Definitions}

(1) "Documentary material" means any book, paper, document, writing, drawing, graph, chart, photograph, phonograph record, magnetic tape, computer printout, website, or any other data compilation from which information can be obtained or from which information can be translated into usable form, or other tangible item.

(2) "Enterprise" includes any person, sole proprietorship, partnership, corporation, business trust or other profit or nonprofit legal entity, and includes any union, or group of individuals associated in fact although not a legal entity, and both illicit and licit enterprises and governmental and nongovernmental entities.

(3) "Investigative agency" means the any federal, state, or local government investigatory body.

(4) "Pattern of illicit activity" means engaging in at least two incidents of herein listed, no less than one from (7)(a) of this section and one from (7)(b) of this section or two from (7)(a) of this section, as illicit activity that have the same or similar intents, results, accomplices, victims or methods of commission or otherwise are interrelated by distinguishing characteristics, including a nexus to the same enterprise, and are not isolated incidents, provided that the last of such incidents occurred within five years after a prior incident of illicit activity. Notwithstanding any provision of law providing that a previous prosecution is a bar to a subsequent prosecution, conduct that constitutes an incident of illicit activity may be used to establish a pattern of illicit activity without regard to whether the conduct previously has been the subject of a criminal prosecution or conviction or a juvenile court adjudication, unless the prosecution resulted in an acquittal or the adjudication resulted in entry of an order finding the youth not to be within the jurisdiction of the juvenile court.

(5) "Person" means any individual or entity capable of holding a legal or beneficial interest in real or personal property.

(6) "Public Official" means a judge or other person in civil or military authority under the United States or the State of _____.

(7) "Illicit activity" includes conduct of a person committed both before and after the person attains the age of 18 years, and means to commit, to attempt to commit, to conspire to commit, to have knowledge of the crime and fail to notify a public official or to solicit, coerce or intimidate another person to commit:

(a) Any conduct that constitutes a crime as defined under any of the following provisions of the Revised Statutes:

(A), relating to animal and ecological terrorism

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.

(b) Or any conduct that constitutes a crime as defined under any of the following provisions of the Revised Statutes:

(A), relating to bribery and perjury;

(B), relating to obstructing governmental administration;

(C), relating to abuse of public office;

(D), relating to interference with legislative operation;

(E), relating to criminal homicide;

(F), relating to misprision of a felony.

(G), relating to assault and related offenses;

(H), relating to intimidation;

(I), relating to coercion;

(J), relating to explosives;

(K), relating to theft, burglary, criminal trespass and related offenses;

(L), relating to arson and related offenses;

(M), relating to criminal mischief;

(N), relating to robbery;

(O), relating to destructive devices;

(P), relating to wildlife;

(Q), relating to business and commercial offenses;

(R), relating to communication crimes;

(S), relating to firearms and other weapons;

(T), relating to riot;

(8) "Pecuniary value" means anything of value in the form of money, a negotiable instrument, a commercial interest or anything else the primary significance of which is economic advantage; or any other property or service that has a value in excess of \$50.

(9) Notwithstanding contrary provisions, when this section references a statute in the Revised Statutes that is substantially different in the nature of its essential provisions from what the statute was when this section was enacted, the reference shall extend to and include amendments to the statute.

Section 2. {Illicit activity unlawful; penalties}

(1) It is unlawful for any person who has knowingly received any proceeds derived, directly or indirectly, from a pattern of illicit activity to use or invest, whether directly or indirectly, any part of such proceeds, or the proceeds derived from the investment or use thereof, in the acquisition of any title to, or any right, interest or equity in, real or personal property or in the establishment or operation of any enterprise.

(2) It is unlawful for any person, through a pattern of illicit activity, to acquire or maintain, directly or indirectly, any interest in or control of any real or personal property or enterprise.

(3) It is unlawful for any person employed by, or associated with, any enterprise to conduct or participate, directly or indirectly, in such enterprise through a pattern of illicit activity.

(4) It is unlawful for any person to conspire, endeavor to violate, or to have knowledge of and fail to notify a public official of any of the provisions in subsections (1), (2) or (3) of this section.

(5)(a) Any person convicted of engaging in activity violating provisions of subsections (1) to (4) in this section shall be subject to confinement no less than 5 years and no more than 30 years.

(b) In lieu of a fine otherwise authorized by law, any person convicted of engaging in conduct in violation of the provisions of subsections (1) to (4) of this section, through which the person derived a pecuniary value, or by which the person caused personal injury or property damage or other loss, may be sentenced to pay a fine no more than \$2 million plus court costs and the costs of investigation and prosecution, reasonably incurred.

(6) An allegation of a pattern of illicit activity is sufficient if it includes considerably the following:

(a) A statement of the acts constituting each incident of illicit activity in ordinary and concise language, and in a manner that enables a person of common understanding to know what is intended;

(b) A statement of the relation to each incident of illicit activity that the conduct was committed on or about a designated date, or during a designated period of time;

(c) A statement, in the language of Section 1.1 (4) or other ordinary and concise language, designating which distinguishing characteristic or characteristics interrelate the incidents of illicit activity; and

(d) A statement that the incidents alleged were not isolated.

(7) Notwithstanding any other provision of law, a criminal action or proceeding may be commenced at any time within fifteen years after the conduct in violation of any subsection under Section 1.2 terminates or the cause of action accrues.

Section 3. {Short Title} Sections 1 through 3 may be cited as the Environmental Corrupt Organizations- Preventative Legislation and Neutralization Act or as ECO-PLAN.

*Adopted by the Criminal Justice Task Force at the Annual Meeting July 31, 2003.
Approved by the full ALEC Board of Directors August, 2003.*

From CMD: This bill aims to criminalize environmental activism and give government the power to defund and shut-down alleged "eco-terrorist" activities (similar to RICO authority). However, it provides no clear definition of what constitutes "animal and ecological terrorism," potentially giving law enforcement broad discretion to silence critics of a corporation's environmentally hazardous behavior.