

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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The Spending Evaluation Act

Did you know that the Evergreen Freedom Foundation--which is connected to the Kochs--was the corporate co-chair in 2011?"

Summary

Proposing a constitutional amendment requiring a rigorous evaluation of current and proposed state programs, agencies and mandates.

Legislation

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF {insert state}:

Section 1. Article xx, {insert state} Constitution, is amended by adding Section xx to read as follows:

Section xx. {Evaluations of Proposed and Existing Government Programs, Agencies, and Mandates Required.}

(A) All acts at the legislature that create a new program, agency, or mandate requiring the expenditure of public funds shall sunset five years after authorization unless the Act has been evaluated as prescribed herein and the results of the evaluation are fully disseminated to the public.

(B) All programs, agencies, and mandates in existence as of when this Section became law shall be evaluated as prescribed herein within a period of 10 years and the results of each evaluation fully disseminated to the public. All programs, agencies, and mandates shall be evaluated as prescribed herein every 10 years and statutes authorizing any program, agency, or mandate not so evaluated shall be null and void pending the evaluation.

(C) A Government Review Commission consisting of nine members shall be appointed with the Governor, the Speaker of the House, and the presiding officer of the Senate appointing three members each. No member of the Government Review Commission may currently be a Member of the Legislature or be an employee of any government within two years prior to appointment. No member of the Government Review Commission may be an employee, owner with more than a 5 percent share, or officer of a company or corporation that receives more than 20 percent of its gross revenue from government directly or through subcontracts. Members of the Government Review Commission shall serve without pay and at the discretion of the official who appointed them.

(D) The Auditor General {or appropriate officer} shall, in consultation with the Government Review Commission, contract with one or more independent third parties for the purpose of evaluating and reporting on programs, agencies, and mandates as required herein. The Auditor General {or appropriate officer} and the Government Review Commission shall review reports for completeness, adherence to professional standards, and sound methodology. The Auditor General shall promulgate the results of all evaluations required herein to the Governor, the Legislature, and the general public.

(E) Each program, agency, or mandate, whether newly proposed or already in existence shall be evaluated for whether it:

(1) Creates clear and measurable net economic benefits that accrue generally to all citizens of the state, even in the absence of federal funding,

(2) Interferes with citizens' ability to engage in free enterprise,

(3) Causes government spending to merely displace private spending and to what degree it does so,

(4) Affects relative prices of goods and services and how it does so,

(5) Clearly fills a necessary function that only government can fill,

(6) Is likely to result in a financial obligation to the state that would necessitate a tax increase at some future time, and

(7) Any other criteria the Government Review Commission shall deem appropriate, but which shall not preclude the criteria named above.

(F) The Legislature shall provide funds to the Auditor General {or appropriate officer} to carry out the functions required herein.

(G) {Definitions.}

(1) "Independent third party" is a private entity or person having no ongoing financially dependent relationship with any government entity except the Auditor General that possesses the necessary expertise to conduct the evaluations and/or write the reports as described in this Section.

(2) "Reports" means written documents that comprehensively record the methods used and results of evaluations of programs, agencies, and mandates.

(H) A resident taxpayer of the state shall have standing to seek de novo judicial review as to whether the criteria set out in this Section have been met, by filing an action seeking declaratory, injunctive, quo warranto, or writ of prohibition relief.

Section 2.

(A) The constitutional amendment proposed by this resolution shall be submitted to the voters at an election to be held {appropriate date}. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment requiring a rigorous evaluation of current and proposed state programs, agencies and mandates."

Adopted by the Tax and Fiscal Policy Task Force at the Annual Meeting, August 7, 2010. Approved by the ALEC Board of Directors, September 19, 2010.