

## 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).

& MEETINGS M

**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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### Transparency in Lawsuits Protection Act

#### Summary

On occasion, courts create an "implied" cause of action or a right to sue in regulatory legislation. The principles for when courts will or will not create these "implied" causes of action are vague and uncertain. For that reason, there should be transparency in legislation as to whether any act of the legislature creates a new right to sue. Where the cost of lawsuits may have significant adverse impacts on citizens in the state, the legislature, at the time it acts, should weigh both the risks and benefits of creating a new right to sue. New rights to sue based on state legislation should not be left to random acts of courts. This legislation will reform the existing system to assure this needed transparency regarding the creation of new rights to sue.

#### Model Legislation

##### Section 1. {Title}

This Act may be known as the Transparency in Lawsuits Protection Act.

##### Section 2. {Purpose}

The purpose of this Act is to ensure that any legislative act, regulatory or otherwise, in this State shall not create a private right of action unless such a right is expressly stated in the legislation.

##### Section 3. {Transparency Required}

Any legislation enacted in this State creating a private right of action shall contain express language providing for such a right. Courts of this state shall not construe a statute to imply a private right of action in the absence of such express language.

##### Section 4. {Effective Date}

This Act is effective upon enactment and shall apply to any action that has not yet been initiated or is pending on the date of enactment of this Act.

*Adopted by the Civil Justice Task Force at the Spring Task Force Summit in April, 2007. Approved by the ALEC Board of Directors, May, 2008.*

**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.

### Center for Media and Democracy's quick summary

This bill prohibits a court from finding an implied right to sue under a governmental regulatory scheme. A statute must specifically provide a right to sue for one to exist. This bill has the effect of limiting defendant liability.

Did you know that Victor Schwartz-- a lawyer who represents companies in product litigation--was the corporate co-chair in 2011?