



NEW YORK STATE SENATOR

Daniel L. Squadron

## Squadron, Members of Senate Democratic Conference Hold Public Forum on Alec's Role in Legislature

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### **ALEC's Activities May Constitute Lobbying Under NY Law -- Receives Corporate Funding, Claims Credit for 39 NYS Bills**

ALBANY -- Today, State Senator Daniel Squadron, the ranking member of the Senate Investigations and Government Operations Committee (IGO), and his colleagues in the Senate Democratic Conference convened a public forum on the American Legislative Exchange Council (ALEC) and its activities in the New York State Legislature.

ALEC, which receives funding from corporate members while claiming responsibility for dozens of pieces of "model legislation" for which it actively advocates, is not a registered lobbying organization; rather, it is registered as a 501(c)(3) charitable organization. Yet ALEC claims that it had 39 model bills introduced in the New York legislature in 2010. It also claims to distribute model "legislative resolutions" and "issue alerts" advocating for and against specific legislation.

It is unclear what the 39 bills are and whether they are still active. Analysis strongly indicates that at least three bills currently moving through the legislature - S281 ("Stand Your Ground" legislation), S5769 (prohibiting regulation of Voice Over Internet Protocol services), and S7112 (a voter ID bill) - are closely based on ALEC's model legislation.

Today's forum was co-sponsored by Senators Joseph Addabbo, Eric Adams, Adriano Espaillat, Michael Gianaris, Ruth Hassell-Thompson, Liz Krueger, Velmanette Montgomery, Suzi Oppenheimer, Kevin Parker, Bill Perkins, Gustavo Rivera, John Sampson, and Toby Ann Stavisky.

The forum considered the following questions:

- How many bills currently active in the legislature have their origins in ALEC model legislation?
- What role did ALEC play in the authorship and development of the bills?
- Do the activities that ALEC undertakes amount to “lobbying” as defined by New York State law?
- What other influence does ALEC have in the operation of New York State government?

Testimony was provided by Susan Lerner of Common Cause, former Executive Director of the NY State Lobby Commission David Grandeau, and Tim Judson of the Progressive States Network. Additional testimony was submitted by the Brennan Center for Justice, ColorOfChange and the Center for Media and Democracy, all attached below.

Last month, in a letter to Majority Leader Dean Skelos and IGO Committee Chair Carl Marcellino, Squadron requested a formal hearing into ALEC's activities in New York. While Senator Skelos and Marcellino did not convene a hearing, Senator Squadron called today's public forum under Senate Rule VII Section 4(b), which states, “any Senator may convene a public forum on proposed or pending legislation within the jurisdiction of a committee upon which he or she is a member.”

[Senator Squadron's full letter requesting a hearing is available here.](#)

"ALEC receives major funding from corporations and, by its own claim, introduced 39 pieces of legislation in our legislature. ALEC's getting paid to push for and against bills, yet we have absolutely no idea what, who and how ALEC is pushing," said **Senator Squadron**. "Today's forum is less about what we know about ALEC, and more about what we don't know: the many outstanding questions about its role in our government. It's time for a real conversation about ALEC's role and influence here in the New York."

"Since I have been advocating for more transparency in state government from the time I first arrived in Albany, Senator Squadron's call for a public forum on the activities of ALEC seems like a no-brainer. Such public discussion should reveal whether it's really a lobbying group, which then should register as such in NY State, instead of continuing to be registered as a public charity under section 501 (c) (3) of our tax code," said **Senator Joseph Addabbo**.

"I applaud Senator Squadron for convening a public forum on this important matter. Given that it appears the American Exchange Legislative Council (ALEC) is engaging in activities intended to influence the legislative process, yet are not registered as a lobbyist, certainly warrants further review and investigation. New York State has made great strides to make our government more accountable over the past number of years and any perceived impropriety that may be occurring must be investigated rigorously," said **Senator Neil D. Breslin**.

**Senator Michael Gianaris** said, "ALEC's interest in government policy actions must be investigated to ensure undisclosed, backroom lobbying is not controlling our legislative agenda. As we continue our efforts to reduce the influence of money in politics, I urge Senate Republicans to comply with Senator Squadron's request for an investigation of ALEC's activities to ensure elected officials act in the best interest of their constituents."

"When it appears that a specific group has exerted undue influence over legislation in New York State without operating under the proper 'lobbying' guidelines, it gives cause for concern. Today's public forum is being held to closely examine the exact relationship between ALEC and the New York State Legislature," said **Senator Ruth Hassell-Thompson**.

"ALEC's promotion of the shameful Florida 'stand your ground' law and its push to restrict the voting rights of minorities, students, and the elderly have put this unsavory, shadowy organization in the spotlight," said **Senator Liz Krueger** (D-Manhattan). "But it's disturbing how little we know about ALEC. The group seems to be lobbying on behalf of its corporate members with near-total opacity -- scoffing at laws that are in place to prevent corruption."

"I am dismayed that our Senate leadership ignored Senator Squadron's request for a formal hearing into alleged improprieties by ALEC. Organizations like ALEC that seek to influence the legislative process -- yet blatantly disregard the laws governing such activities -- threaten our democratic ideals and deprive the public of its right to know by whom and how our public policy is being shaped," said **Senator Suzi Oppenheimer**.

"I support my Senate colleagues in instituting this forum to look into the status ALEC's activities with government. If this group should in fact be considered as a lobbying organization then that designation should be made without delay. It is important that the integrity and open government of our body is preserved. In terms of the Stand Your Ground legislation, my unwavering opposition to this bill is steadfast. I am disappointed that this bill has been introduced in New York especially in light of the recent tragedy faced by Trayvon Martin's family," said **Senator Kevin Parker**.

"There is no question that ALEC has advocated and, in many instances, succeeded in bringing conservative legislation from other parts of the country like the Stand Your Ground bill to the New York State legislature. I believe we have to demand more transparency from

organizations like ALEC that exercise influence over lawmakers but do not disclose their activities to the public. New Yorkers have the right to know where legislation that could impact their daily lives is coming from and who is advocating to see that it passes in the dark of night, without public scrutiny," said **Senator Gustavo Rivera**.

"The American people have much to gain from shining light on the origins of the legislation that affects us all," said **Marge Baker, Executive Vice President at People For the American Way Foundation**. "The people of New York have spoken out against ALEC's extreme agenda, and we commend their representatives in the New York Senate Democratic Caucus for putting their constituents above corporate special interests and holding these hearings. The people of New York deserve an open and transparent legislature, and revealing ALEC's influence in the statehouse is an important step toward achieving that goal."

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