

WHAT IS ALEC?

ALEC stands for American Legislative Exchange Council, the organization itself claims to be a nonpartisan group that wants limited government, free markets, and federalism (ALEC 2021). The primary concern about **ALEC** is that it allows for private sessions between corporate lobbyists



Group protesting ALEC and corporate money that was involved with policies at the Minnesota capital building in 2012. (photo by Fibonacci Blue)

and politicians through the dissemination of model bills for legislators. **ALEC** has come under scrutiny before for being a lobbying group that has private sessions with corporate

representatives and legislators which influences the normal policy processes (Jackman, 2017).

CRITICAL INFRASTRUCTURE PROTECTION ACT

Critical Infrastructure Protection Act (**CIP**) was a Model Policy that was made by ALEC, first drafted in 2017 and finalized in 2018. According to **ALEC** the policy is to define the criminal act of a person(s) trespassing on any facility that is critical to infrastructure, while also making them liable for any damages physical or personal. The Act also includes a section on what consequences organization that colluding with the person(s) that trespassed and that they will also be liable for damages. (ALEC 2018)

IMPLICATION OF CIP ACT

Policies based on the **CIP** have been attempted in 14 states with 8 passing through the legislation to become law (need to use the data that was collected to update numbers). The policies based on the **CIP** model bill have made protesting near or at locations of pipelines for fossil fuels nearly if not completely impossible without getting a criminal charge that has

been increased from the normal penalties (Climate Solution Center, 2020; Moore & Shaw, 2020).



Protester that locked themselves to equipment at the North Dakota Keystone pipeline work site in 2016. (photo: Desiree Kane)

RESEARCH OBJECTIVE

The objective of this analysis is to show just how widespread **ALEC influences** within the United States regarding the **CIP** throughout the United States. There have been several places that have tried to pass policies restricting the abilities for people to protest near places of critical infrastructure this can be anything from federal buildings, to places that are used in production of energy.

DATA AND METHOD

Data:

50 states, 2017-2020 (4 year), panel data. The panel data about what legislators were members of **ALEC** and where they served was collected from SourceWatch. Ballotpedia was used to find the dates that the legislators were in office during the time frame of the research. All information was codified with **1** for being a member of **ALEC** or **0** for not being a member. The data for the states that passed a **CIP** policy was collected from The International Center for Not-for-Profit Law organization.

Method:

Analytical methods used: Cox regression survival analysis

Dependent variable: Coded **1** for the adoption of **CIP**, Coded **0** for no adoption.

Independent variable: Percent of legislators with **ALEC** membership in the state legislature, Gross State Product per capita

ANALYSIS RESULTS

VARIABLES	COEFFICIENTS
% ALEC legislators	0.048*** (2.70)
Gross State Product per Capita	-0.000* (1.67)

* $p < 0.10$; ** $p < 0.05$; *** $p < 0.01$

CONCLUSION

ALEC primarily focuses on members of state legislation for their membership from political offices. Many of the non-political members are corporate representatives having a greater influence than the general population or other non-corporate interest groups.

The results of the analysis show that when a state legislature has a high percentage of **ALEC** members it is more likely to adopt the **CIP**. However, when a state has a higher Gross State Product per capita it is less likely to adopt the **CIP**. **ALEC** is an organization that has access to large amounts of funds and other resources than the states with lower Gross State Product per capita which could be the cause of **ALEC's** influence on policy (ALEC Exposed, 2017).

REFERENCES

- ALEC Exposed. (2017). What is ALEC? https://www.alecexposed.org/wiki/What_is_ALEC
- American Legislative Exchange Council. (2018). Critical Infrastructure Protection Act. ALEC. <https://www.alec.org/model-policy/critical-infrastructure-protection-act/>
- American Legislative Exchange Council. (2021). About ALEC. ALEC. <https://www.alec.org>
- Ballotpedia. (2021). About. <https://ballotpedia.org/Ballotpedia:About>
- Climate Solution Center. (2020, June 7). Criminalizing Environmental Protests: ALEC Helps Make Protests Illegal. <https://climatesolutioncenter.com/alec-illegal-protests/>
- International Center for Not-for-Profit Law. (2021, April 1). US Protest Law Tracker. ICNL. <https://www.icnl.org/usprotestlawtracker/>
- Jackman, M. (2017, May 10). ALEC's Influence over Lawmaking in State Legislatures. Brookings. <https://www.brookings.edu/articles/alecs-influence-over-lawmaking-in-state-legislatures/>
- Moore, D., & Shaw, D. (2020, June 1). 'Liberate' Rally Organizers Worked to Criminalize Anti-Pipeline Protests. Sludge. <https://readsludge.com/2020/06/01/liberate-rally-organizers-worked-to-criminalize-anti-pipeline-protests/>
- SourceWatch. (2019, September 19). ALEC Politicians. https://www.sourcewatch.org/index.php?title=ALEC_Politicians