

ALEC at the Oklahoma 55th Legislature

As a brief reminder, the American Legislative Exchange Council, ALEC, is an organization sponsored by corporations. ALEC provides model bills, approved by the corporate sponsors, to primarily state legislators for enactment at home. The bills advocate for benefits to some of the corporations and are usually deceptive in language. Oklahoma Republican legislators have been very active in ALEC and many bills have been enacted here in the past. The known members from Oklahoma are all Republicans and total more than most other states.

ALEC has employed preemption in a number of the model bills for states to block actions of counties and municipalities. Oklahoma passed in 2014 the preemption of counties and municipalities from setting minimum wages. In 2015, Oklahoma preempted counties and municipalities from regulating oil explorations in their boundaries. Sen. Brecheen introduced a bill advocating for the preemption of any action by counties and municipalities that exceeded what the state had set for the state. This was likely his personal extension of the ALEC preemption idea.

The Right to Farm Act (HJR1012) is also a preemption bill but in this case the preemption would block the state legislature from regulating farm practices. The ALEC model bill did not originally call for a constitutional change and this version was enacted in Oregon. A later attempt to reverse the preemption to allow protection of organic farmers from contamination of their crops with transgenic crops failed. Never the less, the model bill then became one that called for the preemption to be less reversible as a constitutional amendment; as in HJR1012, which resulted in SQ777. The wording of this question seems so innocuous, and who would be against farming? Ask one of those organic farmers in Oregon.

Lindsey Nicole Henry Scholarships program is a derivative of ALEC's The Special Needs Scholarship Program model bill. This bill was enacted into law 5 years ago here. The law was contested and was in litigation until this year when the Oklahoma Supreme Court ruled it was constitutional. The scholarship can only be applied to one of the approved schools and some are religious based. The argument for allowing the public funded scholarship to be applied to one of these schools is that the scholarship was awarded to the student and the student makes the choice of school. This ruling would presumably be applicable to any student so a run on public funds has started with more scholarships proposed.

ALEC has offered two other voucher model bills with other palliative names; the Education Saving Accounts Act and Equal Opportunity Education Scholarship Act. Bills based on these model bills were introduced in the 2015 and 2016 terms. Bills in both Houses never made it to the floor in either House before the cutoff for this session. With the frenzy in this state for charter schools, we can anticipate their return in the next session.

The Oklahoma Council of Public Affairs was disappointed that these bills were not enacted. The council espouses the same language as ALEC to promote these vouchers; parents should have the right for a choice for how their child is taught. Both ALEC and OCPA refer to the concept of Nobel Prize-winning economist Milton Friedman, who published a radical idea: just because we fund schools through government doesn't mean politicians know how to run schools or what education is best for other people's children. All of this talk of choice is the subterfuge to mask the fact all three are interested in privatizing education. Friedman said at the 2005 ALEC meeting that vouchers are really a step towards "abolishing the public school system." ALEC is also motivated by all of its corporate sponsors that are interested in their corporate schools. You might not think of Wal-Mart with schools as the subject, but Wal-Mart sure does. This corporation is well into the market.

HJR1013, Joint Resolution opposing the proposed Environmental Protection Agency and Army Corps of Engineers rule defining waters of the United States, is another ALEC model bill that passed the House but died on the Senate floor.

This is unlikely to be all the legislation introduced in the 55th Legislature based on ALEC model bills but locating them has been made more difficult. The previously available search engine at the ALEC website has been modified so now the user must be acquainted with information about the bill that only a member would probably know.