

MEMORANDUM

TO: Representative John Adams
FROM: Senator Bill Seitz
DATE: May 6, 2011
RE: ALEC--False Claims Act Legislation

Congratulations on another outstanding ALEC meeting, and many thanks for the role that you and Kara played in making it such a success. I am truly heartened by the great number of Ohio Legislators, particularly from the House, who attended the meeting.

One of the things we should do a better job of doing is to communicate with one another as to what we learned at our various task force meetings. At the Civil Justice Task Force meeting, there was discussion about the recent upsurge in State False Claims Act legislation being considered. While this is understandable, as states are broke, the considered advice from our friends at ALEC was that such legislation is not well taken and should not be approved. My co-chair mentioned that the American Tort Reform Association has recently issued papers on this subject, and I have enclosed a copy for you. The reason why this is so important is that Senators Hughes and Oelslager have introduced such legislation in Ohio (Senate Bill 143) which has the backing of Attorney General DeWine, and I am told that Representative McGregor is considering the introduction of parallel legislation.

Obviously, anyone can introduce any legislation he or she wishes, but when our ALEC friends caution us against doing so, we should at least carefully consider their sage advice. I know that Representative Mecklenborg feels just as

strongly on this subject as I do, and anything that you can do to help educate our fellow ALEC members about this proposal would be welcome. Similarly, if our other members who are active in task forces have anything “for the good of the order” that should be shared with Ohio ALEC members, we should encourage them to do so.

Please give me a call and we can discuss this further. Thanks again for all your hard work on behalf of ALEC.



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