



TO: The Honorable Members of the Pennsylvania Senate
FROM: Gene Barr, Vice President, Government and Public Affairs
DATE: June 20, 2011
RE: Vote for Corman amendment to S.B. 1131 is vote for economic competitiveness

On behalf of the Pennsylvania Chamber of Business and Industry's thousands of statewide members, I'm urging you to help boost Pennsylvania's economic standing by voting "yes" on the Corman amendment— *meaningful* joint and several liability reform – to S.B. 1131.

A recent survey of 500 nationwide CEOs singled out Pennsylvania as one of the five worst states for job creators over the last five years – one reason being an unbalanced, unpredictable legal climate.

Pennsylvania also ranked dead last for its legal climate in the recent Boardroom Guide to Litigation: An Analysis of the Legal Climates of all 50 States. The study's authors specifically noted that Pennsylvania's unbalanced liability climate strongly discourages job creation and growth. Another study, the Institute for Legal Reform's most recent Lawsuit Climate: Ranking the States, positioned Pennsylvania a lackluster 36th.

It's not surprising then that the American Legislative Exchange Council just released its most recent "Rich States, Poor States" report, which ranked Pennsylvania 46th in overall economic performance.

Members of the state Senate can make great strides in improving the Commonwealth's economy and competitive position by siding with job creators, doctors, hospitals, local governments, taxpayers and consumers by voting for Sen. Jake Corman's amendment to S.B. 1131 and *opposing all others*.

This amendment would limit the application of joint and several liability to cases in which a defendant is held more than 60 percent liable or found liable for intentional fraud or tort, environmental hazards or drunk driving. This language passed the House on April 11th and is supported by Gov. Tom Corbett.

The Senate is scheduled to consider SB 1131, which includes language from the Fair Share Act but adds provisions that remove any meaningful reform from the bill. The addition of these

provisions can only be interpreted as an endorsement of the status quo. Accordingly, we urge you to support an amendment from Sen. Corman to remove the new provisions and oppose all other amendments. If the Corman amendment is adopted, SB 1131 will reflect legislation that has twice passed the General Assembly with bipartisan support.

If you have any questions or concerns, please contact Gene Barr or Sam Denisco. Thank you.