

**New Hampshire School Boards Association
Legislative Bulletin
July 3, 2007**



Governor Vetoes HB 143

Amidst all the ‘End of Session’ work and gubernatorial signings of bills, a special occasion occurred and school board members and local officials need to be congratulated. Yesterday, Governor Lynch vetoed HB 143, which would have created the potential for “deep pocket” defendants, such as school districts, who may be minimally at fault in a lawsuit, to assume more than their proportionate financial liability for large damage awards.

In his veto message, the Governor stated, “HB 143 would change existing law and allow the jury to allocate fault only between those individuals or entities that remain parties to the lawsuit at the conclusion of the trial. This change in law would prohibit the jury from apportioning fault to certain individuals or entities who carry significant degrees of fault for the plaintiff’s injuries, but who either settled claims prior to conclusion of the lawsuit, or who are not parties to a particular lawsuit for other reasons. I cannot support this change in the law because it is unfair for a defendant with a low degree of fault to have to pay a disproportionately large share of the damages.”

The Governor also noted the Attorney General’s opposition to HB 143, and its resulting increased litigation costs and higher judgments borne by the taxpayers of the State of New Hampshire.

Thank you Governor Lynch, and to all Board members who helped voice our opposition to this bill. Together we have really made a difference!

The Governor’s veto message on HB 143 is available at:

<http://www.nh.gov/governor/news/2007/070207hb143.html>

For the complete text of any bill, go to <http://www.gencourt.state.nh.us/ns/billstatus/quickbill.html> and enter the bill number, e.g. HB678, SB78 or CACR18 (no spaces!).

For more information on specific legislation, please call Dean Michener, NHSBA Director of Governmental Affairs at 603-228-2061, or email: deanm@nhsba.org.

May you have an enjoyable and relaxing summer!