

State of New Hampshire HOUSE RECORD

First Year of the 160th General Court Calendar and Journal of the 2007 Session

Vol. 29 Concord NH Friday, February 16, 2007 No. 15A
Contains: Corrected Committee Report Judiciary, Public Hearings Science, Technology and Energy.

ADDENDUM TO HOUSE CALENDAR

MEMBERS OF THE HOUSE:

Due to clerical errors, an incorrect committee report on **HB 143**, relative to the apportionment of damages in civil actions, which appears on the Consent Calendar for Wednesday, February 21, was sent to the House Clerk's office and two public hearings for Science, Technology and Energy were omitted. The corrections appear below.

Terie Norelli, Speaker

WEDNESDAY, FEBRUARY 21 CONSENT CALENDAR

JUDICIARY

CORRECTED COMMITTEE REPORT

HB 143, relative to the apportionment of damages in civil actions. **OUGHT TO PASS.**

Rep. David J Bettencourt for Judiciary: This legislation is a reaction to the New Hampshire Supreme Court's interpretation of who can be named as a party for the purpose of apportionment of damages in civil action cases. Under the current system, as a result of the DeBenedetto ruling, individuals who are not listed as defendants can be found liable for damages. This bill would eliminate the "empty chair" defense which causes fewer cases to be settled because of the complexity of cases with floating defendants. This bill encourages settlements which will help to ease court dockets and keep courts costs down. The committee felt that while no system is perfect, it is better for the loss to be borne by the defendant's insurance company rather than the innocent plaintiff. **Vote 17-1.**

COMMITTEE MEETINGS THURSDAY, FEBRUARY 22

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

- 1:00 p.m. **HB 467**, requiring the department of environmental services to develop a climate action plan and to report on global warming issues.
- 2:30 p.m. **HB 694**, establishing a commission to study the feasibility of tidal power generation under the Little Bay and General Sullivan Bridges, in Dover.

