



**STATE OF NEW HAMPSHIRE
OFFICE OF THE GOVERNOR**

CHRISTOPHER T. SUNUNU
Governor

August 7, 2020

Governor's Veto Message Regarding House Bill 1375

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on August 7th, 2020, I have vetoed House Bill 1375, relative to claims for medical monitoring.

The most important public trust we have is when we turn on the faucet and expect clean water. Since taking office, my Administration has made clean, safe drinking water a priority. In 2018, I signed legislation allowing the Department of Environmental Services to set drinking water standards for PFAS. Those standards are among the most protective in the country, making New Hampshire a model for the rest of the Nation. We have filed significant lawsuits to hold polluters accountable and have made historic investments in drinking water infrastructure. We will continue to prioritize protecting our citizens from exposure to hazardous substances.

While this bill was sent to my desk with good intentions, I have concerns related to the impact it would have on businesses and consumers in the Granite State. As an environmental engineer, I am certainly familiar with exposure to toxic materials and the possibility for associated risks. That experience informs my view that this legislation would subject businesses to increased liability by creating a pathway for almost anyone exposed to hazardous or toxic substances to prove a claim for medical monitoring damages, regardless of the level, risk or consequences of exposure. Many substances that qualify as hazardous are associated with very limited health risks. By not requiring proof of injury or symptoms and excluding plaintiffs' past or present health status from being considered, this bill could open the floodgates to new, less severe claims which would divert resources from those who truly need them. This bill could lead to the unfortunate consequence that those most in need are unable to receive what they otherwise are entitled to.

House Bill 1375 is too broad and lacks necessary clarity. I encourage the proponents of this legislation to take the time to explore a more tailored and responsible approach in the next legislative session, and I stand ready to work with any legislators who wish to do so.

For the reasons stated above, I have vetoed House Bill 1375.

Respectfully submitted,

A handwritten signature in blue ink that reads "Chris T. Sununu".

Christopher T. Sununu
Governor