

## **PRESS RELEASE**

**September 15, 2010**

**For Immediate Release**

**Contact Committee Chairman Martin L. Gross**

**(603) 224-2341**

### **Superior Court Dismisses Boston and Maine Corporation's Lawsuit Against Legislative Ethics Committee**

The Superior Court (Justice Larry Smukler) has dismissed Boston and Maine Corporation's lawsuit against the Legislative Ethics Committee, which arose from the Committee's informal resolution of the Railroad's ethics complaint against Rep. Peter Leishman. In that case, the Committee issued a public Letter of Caution to Rep. Leishman, rather than proceeding with a formal charge or hearing.

The Court adopted the position put forth on the Committee's behalf by the NH Attorney-General's office, that where there is no violation of constitutional rights, proper enforcement of legislative rules, including disciplinary rules, is exclusively a matter for the legislature, rather than the courts. The Court also ruled that the way the Committee proceeded didn't amount to a violation of Part 1, Article 8 of the NH Constitution, which protects public access to governmental proceedings.

The Committee very much appreciates the support it received from Assistant Attorney General Laura Lombardi, who represented the Committee in the lawsuit.

A copy of the Superior Court's decision is attached.