

Subscribe



Main menu

Letter: On PFOA legislation and Campion/Sears commentary:

Posted Thursday, October 18, 2018 6:15 pm

Don't miss the big stories. Like us on Facebook. Like 14K

To the Editor:

I hate to quibble with my colleagues Senators Campion and Sears, but contrary to the suggestion in their recent opinion piece that I voted to let polluters "off the hook," I fully support the principal objective of the PFOA legislation they introduced last year — and that's why I intend to introduce a new version in January. When I read them say, however, that the bill required that "negligence must be proven" to support an award and I compare it to the actual language of the bill as passed, I have to scratch my head. Under the bill, an attorney will win an award of damages (and will get attorneys' fees that may far exceed the cost of monitoring) if the lawyer can alternatively establish legal liability based on "strict liability," "battery," "trespass" and "nuisance." Lawyers, insurance companies and businesses in our state will tell you this can include a finding of liability without any evidence that anyone was in the least bit careless or intended harm. That's the type of expansive language that can prompt insurers to not do business in Vermont and for employers to do business elsewhere. No need to address the other points these fine senators make in response to my original article, which I stand by. My point is that, with a little tweaking, we can next year get this bill through in an improved (and if necessary, a veto-resistant) form. I look forward to working with my colleagues on this important legislation next session.

Linda Joy Sullivan,

Dorset

The writer is represents the Bennington-Rutland district in the Vermont House.

ADVERTISEMENTS