

**From:** [Paul Burns](#)  
**To:** [Pieciak, Mike](#)  
**Subject:** RE: follow up  
**Date:** Tuesday, April 18, 2023 10:54:52 AM  
**Attachments:** [Treasurer Earth Day op ed 2.0.docx](#)

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Mike,

I've taken the liberty of using track changes to suggest some edits for your consideration. I'll briefly describe them in order:

- The correct name is "Rebuild"
- In the last week or so, RBD has recalculated and placed Vermont 5<sup>th</sup> on the list instead of 4<sup>th</sup>. I just want you to be most accurate here.
- Most climate experts say we really need to shoot for no more than 1.5 degrees C of warming (instead of 2 degrees).
- The reference to the federal Build Back Better is appropriate, but I want to make sure we don't mischaracterize in any way. It was a proposal in the Senate, and then of course, BBB never passed. But it wasn't President Biden's plan.
- I added our neighbor Massachusetts to the list of states considering this approach in legislation.
- I added "climate" to superfund just for clarity's sake since some may be familiar only with superfund for hazardous waste sites.
- Finally, the last suggestion was meant to avoid the impression that Vermont can explore Polluter Pays only if these other states go first and their programs are found to be successful. I broke up that paragraph because I think the sentence I added could pair very well with your two near the end, beginning with "Polluter Pays is a thoughtful..."

I'll try to connect by phone too, but wanted to get this to you so you could take a look.

Thanks so much. Once again, this is excellent.

Best,  
Paul

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**From:** Pieciak, Mike <Mike.Pieciak@vermont.gov>  
**Sent:** Tuesday, April 18, 2023 8:45 AM  
**To:** Paul Burns <pburns@vpig.org>  
**Subject:** Re: follow up

Redacted pursuant to 1 V.S.A. 317 (c)(7)

Thank you very much Paul. Please feel free to give me a ring at 802 [REDACTED] anytime and I'll try to pick up regardless of what's going on. Many thanks!

All the best,  
Mike

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**From:** Paul Burns <[pburns@vpig.org](mailto:pburns@vpig.org)>  
**Sent:** Monday, April 17, 2023 4:38 PM  
**To:** Pieciak, Mike <[Mike.Pieciak@vermont.gov](mailto:Mike.Pieciak@vermont.gov)>  
**Subject:** RE: follow up

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Mike,

First, this is terrific. You make a clear and commonsense case for holding the fossil fuel companies responsible for the damage they've caused (and are causing). I have just a couple small points I'd suggest. Happy to hop on the phone for a few minutes if you have time.

Thanks!  
Paul

802-793-1985

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**From:** Pieciak, Mike <[Mike.Pieciak@vermont.gov](mailto:Mike.Pieciak@vermont.gov)>  
**Sent:** Monday, April 17, 2023 11:54 AM  
**To:** Paul Burns <[pburns@vpig.org](mailto:pburns@vpig.org)>  
**Subject:** Re: follow up

Hi Paul -

I hope all is well with you and you enjoyed the beautiful weekend (which now seems like a distant memory!).

Thank you very much for the materials that you sent my way - I found them all to be very useful background in developing the OpEd I mentioned.

If you might have a few minutes, I would appreciate your thoughts on it - I've attached it to this email. Happy to jump on a quick call if you have time today. Thank you Paul.

All the best,  
Mike

FYI - here is another resource I found very helpful from Sen Van Hollen's Office: <https://www.vanhollen.senate.gov/imo/media/doc/Polluters%20Pay%20Climate%20Fund%20Act%20White%20Paper1.pdf>

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**From:** Paul Burns <[pburns@vpirg.org](mailto:pburns@vpirg.org)>  
**Sent:** Tuesday, April 4, 2023 12:25 PM  
**To:** Pieciak, Mike <[Mike.Pieciak@vermont.gov](mailto:Mike.Pieciak@vermont.gov)>  
**Subject:** follow up

**EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.**

Hi Treasurer,

Seeing you at the SH just now reminded me of the follow up we promised. Apologies for the delay – that’s my fault. We really appreciated the call last week. While we’re obviously disappointing that we won’t immediately move forward as we had hoped, we remain committed to addressing any and all issues or concerns and getting you fully on board in the future.

In the meantime, here are a few of the updates and items we discussed:

- Reps. Nadler and Bowman’s op-ed ([N.Y. State can make polluters pay](#))
- An op-ed by our colleague in NY, Blair Horner, who heads up NYPIRG: <https://www.lohud.com/story/opinion/2023/03/13/ny-taxpayers-climate-change/69994038007/>
- Rebuild by Design’s [Atlas of Disaster](#), which finds that Vermont has the 4<sup>th</sup> highest per capita spending on climate-related recovery and repairs
- A story about the Neil Young/Food Fight concert: <https://www.mynbc5.com/article/neil-young-joins-vermont-gmo-fight/3324323>

Per the legal questions, the recent developments are turning our way:

- The U.S. Solicitor General’s filed a [brief](#) with SCOTUS arguing that certain climate cases should be heard in state courts.
- [The 8<sup>th</sup> Circuit ruled](#) last week that a climate case should be heard in state court. (Notably, the State of Vermont filed a [friend of the court brief](#) in this case.)
- The [AG in Connecticut is arguing the same](#) in a similar case there – also in the 2<sup>nd</sup> Circuit.

We’ll convene our legal team again and circle back with Gavin and Justin to find a time to do a debrief and explore more fully their questions and concerns.

Best,  
Paul

P.S. I mentioned this Wall Street Journal story when we spoke. It’s really something: [https://www.wsj.com/articles/massive-hacking-for-hire-operation-infiltrated-exxons-climate-opponents-prosecutors-say-8ccfdb?st=m4s3ek0undjhmfp&reflink=article\\_email\\_share](https://www.wsj.com/articles/massive-hacking-for-hire-operation-infiltrated-exxons-climate-opponents-prosecutors-say-8ccfdb?st=m4s3ek0undjhmfp&reflink=article_email_share)

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