



Dear Members of House Judiciary Committee:

I write today on behalf of Special Olympics Vermont (SOVT), a Vermont non-profit corporation that is accredited by Special Olympics, Inc. We would like to respectfully express our concerns about S. 105. If passed this bill may have a significant detrimental effect on our insurance and therefore our ability to insure our athletes and coaches in competitions and to raise funds for SOVT through athletic fundraising events.

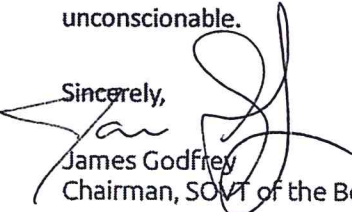
Founded on the belief that creating opportunity for people with intellectual disabilities in sport can help change lives and transform our culture, SOVT engages more than 1,700 athletes with disabilities, and over 400 "partners" (typically developing athletes who participate as teammates in Unified Sports) competing in 13 different sports throughout the year free of charge to their families. Athletes are also offered access to health exams in five different disciplines (dental, vision, hearing, physical therapy and nutrition) as well as the opportunity for leadership training and advancement.

SOVT is able to provide these opportunities, without cost to the athletes, through the support of hundreds of volunteers, coaches and fundraisers who participate at competitions and in fundraising activities like the Penguin Plunge and the Law Enforcement Torch Run which raise hundreds of thousands of dollars each year, without which we could not operate. While safety is of the utmost importance--for the athletes, volunteers and fundraisers--there are potential risks in these sorts of recreational activities. As with other sports and recreational organizations, our insurance carrier requires the use of waivers from liability.

We share the concerns raised by other recreation providers who submitted testimony to House Judiciary, and urge the House to look closely at language in S.105 that might prohibit the use of waivers for protection under the law, especially to the extent that a non-profit such as SOVT might be in a position where it is defending the use of a waiver where there was a full and knowing assumption of risk prior to engaging in a wholly voluntary activity.

On behalf of the Board of Directors of Special Olympics, Vermont, I respectfully request that you reconsider certain language in S.105, specifically as it relates to creating a rebuttable presumption that waivers are unconscionable.

Sincerely,


James Godfrey
Chairman, SOVT of the Board of Directors

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