

Cletis Boyer
Belfast
LD 1870

www.thirdact.org/maine

Dear Senator Tepler, Representative Doudera, and members of the Environment and Natural Resources Committee,

I am testifying in support of the passage of LD 1870, establishing the Maine Climate Superfund. The basis of this law is sound: “make polluters pay” was recognized as a legal justification in The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, which was enacted by Congress on December 11, 1980.

The change in our climate fostered by the burning of fossil fuels has been studied over half-a-century. Ironically, the emergence of climate science was due in no small measure to the research of major gas and oil producers, and their research clearly identifies their culpability in producing, selling, and distributing fossil fuels, the burning of which causes global warming, and the changes in our climate which are destabilizing world societies.

The gas and oil companies duplicity in first hiding, and later denying, the causal connection between burning fossil fuels and climate change is what validates making the polluters pay. Insurance companies sell us policies to protect us against the costs of natural disasters and accidents, but CO2 pollution is neither a natural disaster nor an accident, but a knowingly caused harm, which even insurance companies cannot handle.

LD 1870 will require the State to identify the impact of fossil fuel related climate pollution, then identify the largest emitters responsible for that pollution, and demand fair compensation in proportion to their share of emissions. Fortunately, in addition to the emergence of a scientifically valid climate science, there has been developed a scientifically valid attribution science to make this possible. What is morally and ethically fair can, in fact, be determined.

The fossil fuel companies have significantly contributed to climate destabilization and the consequential damages to our natural and built environments, and they should pay to repair that damage. And they can indeed afford to pay: the global gas and oil market recorded revenues of \$5.95 trillion in 2024, the hottest year on record. These companies can afford to pay for repair to the environment they are ultimately responsible for damaging, but Maine communities cannot. LD 1870 will allow us to right a wrong.

I am testifying as a member of Third Act Maine, our State’s Working Group of the national social action group of over 60 year olds. We are in the third act of our lives, and we are committing ourselves to battling climate change and strengthening democracy, especially for the youngest generation, our grandchildren, now in the first act of their lives.

As my above remarks note, there are many numbers needed to fully understand our plight. But the simplest one is ppm of CO2 in the atmosphere. 350 ppm is the highest level of concentration which will allow the earth’s atmosphere to stabilize. In 1750, at the beginning of the Industrial Revolution that number was 280. 190 years later, in 1940, when I was born, it had increased to 311. Today, 85 years later, it is 428 and climbing. 350 ppm “net zero” was reached in 1987, half of my lifetime ago. 428 ppm of CO2 in the atmosphere did not occur because of natural processes, it occurred because of the burning of fossil fuels. The damage from storms we experience in

Maine, the warming of the Gulf of Maine faster than most bodies of water in the world, the rising sea levels affecting our coastal communities, all these entail damage to life and livelihood, harm to the natural and physical structures we live in and around. I doubt that we can fully stabilize our climate. But some repair can occur, and the gas and oil companies must be held accountable for helping to pay for it.

Please vote Ought to Pass on LD 1870.

Respectfully submitted by
Cletis Boyer, Belfast Hub of Third Act Maine.