

Maine Climate Action **NOW!**

To: Maine Legislature Committee on Environment and Natural Resources

From: Amy Eshoo, Director, Maine Climate Action Now

Date: May 5, 2025

Re: LD 1870: An Act to Establish a Climate Superfund Cost Recovery Program to Impose Penalties on Climate Polluters

Senator Tepler, Representative Doudera, and members of the Committee on Environment and Natural Resources, my name is Amy Eshoo. I live in North Yarmouth and serve as the Director of Maine Climate Action Now (MCAN), a coalition of sixteen grassroots organizations from across Maine. These organizations include those with members that are farmers, immigrants, elders, in small communities, an indigenous community, environmentalists, educators, people of faith, and youth. Our coalition was formed to call for transformative systemic change to meet the challenge of what we then called climate change. I have recently heard a reframing of this phrase that makes sense to me. The climate has changed. What we are now facing in this crisis is *climate damage*. Possibly irreversible damage. This is why I am here today in support of LD 1870.

It is time to acknowledge and end gaslighting by the fossil fuel industry which knowingly was well aware of the dangers, the damage, that continued extraction and use of fossil fuels was doing to the world. They chose to put profit, their profits (not ours) over people, our environment and the natural world. They engaged in lying and propaganda campaigns to hide these truths and push forward their own agenda and business interests to our detriment.

In 2015, investigative journalists uncovered internal company documents showing that Exxon scientists have been warning their executives about “potentially catastrophic” anthropogenic (human-caused) global warming since at least 1977. Researchers and journalists have subsequently unearthed additional documents showing that the US oil and gas industry writ large—by way of its trade association, the American Petroleum Institute—has been aware of potential human-caused global warming since at least the 1950s.¹

¹ Supran, Geoffrey, Stefan Rahmstorf, and Naomi Oreskes. “[Assessing ExxonMobil’s Global Warming Projections](#).” *Science*, Vol. 379, No. 6628. January 13, 2023. Accessed May 2, 2025.

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Ironically they cannot protect themselves from the climate damage they created. But they continue to profit and are able to protect themselves, both as corporations and individuals, shield themselves with their money, from the climate in ways our communities in Maine can not.²

I am sure this committee's members are well aware of the recent increased frequency and ferocity of storms affecting Maine (both our coastal and inland communities). The damages from these storms have taxed our state, our resources and our futures. Why should Mainers be carrying this burden?

We can no longer afford to clean up damages that someone else is responsible for. I am proud of our state for leading the way in so many things. Maine can join the growing group of northeast states, Vermont and New York which have already passed climate superfund legislation, and Massachusetts, Rhode Island and Connecticut, which have proposed similar laws.³ Yes, this could lead to legal battles, but so did the fights against Big Tobacco, and against Purdue Pharma (for the opioid crisis) and those fights were successful in the end. There is precedent for this bill's superfund in the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) which was enacted by Congress in 1980 to ensure polluters paid to clean up toxic waste sites.⁴

This is our chance to create a fair and lasting solution to fund climate adaptation; to relieve our most burdened communities in Maine from these costs; to support MCAN's members throughout the state in this time of climate crisis. In the name of our coalition I urge you to vote OUGHT TO PASS on LD 1870. Thank you.

² Fossil fuel corporations made over \$102 billion in profits in 2024. EnergyProfits.org: <https://energy-profits.org/>

³ Polluters Pay: How States are Filling the Federal Climate Funding Gap in 2025, ncelenviro.org: <https://www.ncelenviro.org/articles/polluters-pay-how-states-are-filling-the-federal-climate-funding-gap-in-2025/> Accessed May 4, 2025.

⁴ Epa.gov: <https://www.epa.gov/superfund/superfund-cercla-overview#:~:text=The%20Comprehensive%20Environmental%20Response%2C%20Compensation%2C%20and%20Liability%20Act%20of%201980,waste%20at%20these%20sites%3B%20and> Accessed May 4, 2025.