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*Testimony of Benjamin Dudley
To the Committee on Veterans and Legal Affairs
In opposition to L.D. 194, “An Act To Prohibit Contributions, Expenditures and Participation by
Foreign Government-owned Entities To Influence Referenda”
Monday, 15 March 2021*

Senator Luchini, Representative Caiazzo and members of the Committee, my name is Benjamin Dudley; I am the director of Mainers for Clean Energy Jobs and I testify today in opposition to this bill.

Mainers for Clean Energy Jobs is a coalition of businesses, labor unions, trade associations, environmental leaders, noted economists and policy experts who support the New England Clean Energy Connect. The voices around our table are not always unified when it comes to public policy but we are now because the Clean Energy Connect . . .

- Is a billion-dollar investment in public infrastructure in Maine (at no cost to Mainers);
- It will suppress electricity prices across New England;
- It will annually deliver enough clean energy to displace 3 million tons of climate-changing carbon emissions (the equivalent of 700,000 cars); and
- Is required to place 40,000 acres of Maine forest into permanent conservation (a 40 to 1 ratio of conservation land to project footprint).

These are findings of fact and the consequence of orders by multiple, impartial, regulatory agencies – state and federal.

We oppose this bill because (a) it is intended to silence a voice on only one side of the public debate, (b) its longer-term consequences are unknown and (c) because we fail to see a harm that it would remedy.

This bill would gag Hydro-Québec, preventing them from responding to a ballot initiative funded by three competitors:

- Calpine Corporation (of Houston, Texas)
- Vistra Energy (of Irving, Texas)
- NextEra Energy (of Juno Beach, Florida)

These are the owners of fossil fuel electricity generating stations in Maine. According to emissions data filed with the DEP, in Maine alone these three companies collectively released a half million tons of carbon dioxide into the atmosphere in 2019. Analysis by a former Maine State Economist estimates that these companies, and their fossil-fuel generating peers across New England, will conservatively realize losses exceeding \$1 billion over just the first 15 years of operation of the Clean Energy Connect.

This explains why the PAC established and funded by these companies, Mainers for Local Power, paid 99% of the nearly \$2 million cost of the petition circulators for the initiative currently seeking to kill the Clean Energy Connect.

So, the intent of the bill before you today is to silence one of the largest clean energy producers on the continent, a company that is accountable to a people who share not just a border with Mainers but also deep ties of blood and of values. It seeks to disempower the voice of a company that is answerable to the public in one of the world's strongest democracies, while further empowering the voices of some of Maine's worst greenhouse gas polluters, who operate in the interests of shareholders.

In seeking to target this one company, the potential impact of the bill on others is unknown and unknowable. Has anyone assessed the degree to which publicly-traded companies doing business in Maine have substantial shares held by foreign government pension funds, for example? We certainly have no way of knowing whom it might gag in future. Neither do the businesses themselves.

In conclusion, Mainer's nothing to fear from information any more than the legislature does. Our robust campaign finance laws already require that ballot campaign communications disclose who fund them. Our laws already require regular disclosures of ballot campaign contributions and expenditures (which is precisely why I can speak to who paid for the new initiative). In this context, the true danger to Mainers is a government that seeks to control who can speak and who cannot.

Words of Justice Louis Brandeis seem particularly apt, "If there be time to expose through discussion, the falsehoods and fallacies, to avert the evil by the processes of education, the remedy to be applied is more speech, not enforced silence."

With respect for the sponsors and their sincerely-held concerns, we urge you to move this legislation ought not to pass.

Thank you for the opportunity to share our perspective with you.