



## Environmental Priorities Coalition

### **Testimony in support of LD1870, *An Act to Establish a Climate Superfund Cost Recovery Program to Impose Penalties on Climate Polluters***

**May 5, 2025**

Senator Tepler, Representative Gramlich and distinguished member of the Joint Standing Committee on Environment & Natural Resources, my name is Cathy Breen. I am here today to speak on behalf of the Environmental Priorities Coalition (EPC), an inclusive statewide alliance of 39 conservation, climate action, and public health organizations that is marking its 20th anniversary this year. Each year we work together to develop and identify a slate of policy priorities to act on the climate crisis, further environmental justice, protect land, water, and wildlife, and cultivate healthy Maine communities. This is a lengthy and rigorous process that takes place over the summer and fall before each legislative session. For this current session, the EPC has prioritized LD1870, *An Act to Establish a Climate Superfund Cost Recovery Program to Impose Penalties on Climate Polluters*, so I am speaking in support of this bill.

Many of us in the EPC have participated in the development and implementation of Maine's climate action plans, the most recent of which is *Maine Won't Wait, 2.0*.<sup>1</sup> Whether joining in the work of various Climate Council Working Groups, advocating for legislation and investments to implement recommendations, or connecting our communities with state programs and resources that help prepare for severe storms and conditions that are on the horizon, EPC members are deeply engaged in meeting the climate crisis all across Maine. Like you, we are well aware of the huge toll that severe storms have taken on Maine homeowners, renters, businesses and communities in recent years.

LD1870 builds on policies that Maine adopted both decades ago and just this past month. Beginning with the landmark beverage container redemption program in the 1970's, Maine has long enacted legislation that requires generators of pollution to pay for its impacts. Additional examples of "make polluters pay" measures are the more recent paint stewardship program,<sup>2</sup> the oil spill management program,<sup>3</sup> and most recently, the extended producer responsibility program

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<sup>1</sup>[https://www.maine.gov/climateplan/sites/maine.gov.climateplan/files/2024-11/MWW\\_2024\\_Book\\_112124.pdf](https://www.maine.gov/climateplan/sites/maine.gov.climateplan/files/2024-11/MWW_2024_Book_112124.pdf)

<sup>2</sup> <https://legislature.maine.gov/statutes/38/title38sec2144.html>

<sup>3</sup> <https://www.mainelegislature.org/legis/Statutes/38/title38sec548.html>

for packaging.<sup>4</sup> These laws all reflect an important shared value in Maine: when a party makes a mess, pollutes our natural resources, or damages our environment, it's that party - *not Maine taxpayers* - who should foot the bill. LD1870 builds on decades of statutes based on this same shared value by charging the largest fossil fuel companies for damage they've caused in Maine.

Much more recently, the legislature just passed LD1<sup>5</sup> with bi-partisan votes in both chambers. This legislation set up a \$15 million fund to help homeowners make their properties more resilient in the face of increasingly severe weather. In addition, it invests in improved emergency communication systems for the Maine Emergency Management Agency, and makes grants available to municipalities and counties to strengthen infrastructure that is vulnerable to the increase in flooding, washouts, high winds and other conditions that climate change is causing. These programs were seeded with a one-time transfer of unexpected revenues from the Bureau of Insurance, and these funds will run out. LD1870 will bring more money into Maine so that we can all be better prepared for severe weather and better resourced after severe weather hits.

Lastly, I want to address remarks made by the Commissioner of the Maine Department of Environmental Protection about this bill. They're understandable since DEP lacks the capacity to collect money from big oil companies; that's not in DEP's wheelhouse. But advocates for this bill are already actively engaging with other state agencies who may be able to fulfill this role. We're optimistic that we can clear that hurdle before your work session.

The 39 members of the EPC urge your support for LD1870, and we thank you for your consideration.

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<sup>4</sup> <https://www.maine.gov/dep/waste/recycle/epr.html>

<sup>5</sup> <https://legislature.maine.gov/backend/App/services/getDocument.aspx?documentId=116009>