

Maine State Legislature
Committee on Judiciary
March 6, 2025

**Testimony of Conservation Law Foundation in Opposition to L.D. 635,
*Resolve, to Direct the Attorney General to Drop the Lawsuit Filed Against Big Oil Companies
Concerning Climate Change***

Chair Carney, Chair Kuhn, and members of the Committee on Judiciary, my name is Sean Mahoney and I am Vice-President and Senior Counsel at the Conservation Law Foundation (CLF). CLF appreciates the opportunity to submit this testimony in opposition to L.D. 635.

CLF is a member-supported nonprofit advocacy organization working to conserve natural resources, protect public health, and build healthy communities in Maine and throughout New England. In Maine for almost four decades, CLF works to ensure that laws and policies are developed, implemented and enforced that protect and restore our natural resources; are good for Maine's economy and environment; and equitably address the climate crisis.

CLF urges the committee to reject L.D. 635 because it is bad public policy for the legislature to interfere with the Attorney General's ongoing attempt to "shift[] the costs of climate change-related harms back onto the entities whose deception caused and exacerbated them." *State of Maine v. Chevron Co. et al.*, 2:25-cv-00001-NT, Complaint (Nov. 26, 2024) ("Chevron Complaint"), ¶ 20.

L.D. 635 would force Maine's Attorney General to dismiss a pending lawsuit against "the largest oil and gas companies in the world. . ." *Id.* ¶ 30. The lawsuit alleges that while fossil fuel companies "have promoted and profited from the extraction and consumption of fossil fuels," *id.* ¶ 10, to the tune of billions and billions in annual profits,¹ Maine meanwhile "has spent, and will continue to spend, millions of dollars to recover from and adapt to climate change-induced harms." *Chevron Complaint* ¶ 10. The Attorney General seeks compensatory and other relief on behalf of Maine people.

At a time when Mainers struggle to afford groceries and heat their homes,² much less grapple with the devastating consequences of climate-change-driven storms,³ it is bad public policy for the Legislature to

¹ *I. Ivanova, CBS News, 4 oil companies had total sales of \$1 trillion last year* (Feb. 2, 2023); *see also S. Reed, New York Times, Oil Giants Pump Their Way to Bumper Profits* (Feb. 2, 2024).

² *State of Maine, Office of the Public Advocate, Electric Ratepayer Advisory Council, Third Annual Report* (Dec. 1, 2024), generally and *see* p 12 ("The home energy burden is 14% for Maine's low-income households – more than double the 6% accepted target. [And the] energy affordability gap is growing. . .").

³ "In a span of just four weeks during December 2023 and January 2024, three historically severe storms caused catastrophic inland and coastal flooding, resulting in unprecedented devastation to infrastructure and communities across the state from Western Maine to Washington County and tragically claimed the lives of four Maine people. Heroic action by hundreds of first responders across the state likely saved many more lives. The damage to public infrastructure, as reported to FEMA, reached at least \$90 million, with millions more in losses to private homes and businesses." *H. Pingree, State of Maine Governor's*

second-guess the Attorney General’s assessment that this litigation will advance the interests of Mainers. The Attorney General is Maine’s chief law officer. Maine has long recognized the Attorney General’s “power and duty to institute, conduct and maintain such actions and proceedings as he deems necessary for the protection of public rights. . .” *Bell v. Town of Wells*, 510 A.2d 509, 519 (Me.1986) (quoting *In re Estate of Thompson*, 414 A.2d 881, 890 (Me.1980)). Maine’s legislature should not intrude on the Attorney General’s discretion to prosecute this meritorious case.

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We are grateful for the opportunity to testify and urge you to vote ought not to pass on LD 635.