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Date: March 8, 2021  
To: Members of the House Health & Government Operations  
From: Holly Porter, Executive Director  
Re: HB 1078 – Attorney General – Climate Change Actions - Authorization - OPPOSE

Delmarva Chicken Association (formerly Delmarva Poultry Industry, Inc.), the 1,600-member trade association representing the meat-chicken growers, processing companies and allied business members on the Eastern Shore of Maryland, the Eastern Shore of Virginia, and Delaware **opposes** HB 1078 and asks for an unfavorable committee report.

HB 1078 would allow the attorney general to investigate and prosecute or defend any civil or criminal suit on a business, corporation or other entity that contributes to climate change – whether by action or inaction. The attorney general could also hire outside counsel to investigate and/or prosecute or defend.

DCA has grave concerns as to the very broad definitions of tortious or otherwise unlawful conduct that contributes to climate change, especially the term “inaction.” In reality, almost every citizen of Maryland and every business has or may at some time do something that could be classified as contributing to climate change – from a family driving a large SUV to a farmer applying fertilizer to help his/her plants grow. Or a chicken grower who utilizes a significant amount of electricity to raise healthy birds, and cannot afford solar as an option (inaction).

Rather than penalizing businesses by possible lawsuits, we would better suggest elevating mitigation efforts, such as cost-share to plant more trees or incentives to lower fossil fuel use.

Based on this broad approach to trying to protect the environment and reduce climate change, we urge **an unfavorable** committee report on HB 1078.

Should you have any additional questions, please feel free to contact me at [porter@dcachicken.com](mailto:porter@dcachicken.com) or 302-222-4069 or Nick Manis, Manis Canning & Associates, 410-263-7882.