



Testimony in Support of the Responding to Emergency Needs from Extreme Weather (RENEW) Act

HB1438/SB0958

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Committee: Energy, Education, and Environment Committee

The RENEW Act: Making Polluters – Not Taxpayers - Pay

The storms are stronger, the waters rise,
Smoke fills the air, fire scars the skies.
Maryland suffers—yet who pays the cost?
Not those who caused it, but those who've lost.

They knew for decades, yet spread their lies,
Chose profit over our children's cries.
Like Big Tobacco, they played the game,
And left us drowning in heat and flame.

If you break it, you must pay,
That's the law, that's the way.
No more burden on those in need—
Make polluters own their greed.

Maryland stands, our voices grow,
For change we need—we won't let go.
Pass RENEW, make wrongs made right,
Protect our future—join the fight!

Honorable Chairman Feldman, Vice Chair Kagan, and Esteemed Members of the Committee,

Thank you for the opportunity to provide testimony in strong support of the Responding to Emergency Needs from Extreme Weather (RENEW) Act (HB1438/SB0958). This crucial legislation will hold fossil fuel companies accountable for the damages they have inflicted on Maryland's communities, ensuring that the burden of recovery and adaptation does not fall unfairly on our residents, particularly those who are already vulnerable.

My name is Jennifer Laszlo Mizrahi, and I serve as a Maryland Climate Commissioner, representing philanthropy. I am also the co-founder of the Mizrahi Family Charitable Fund, which supports dozens of nonprofit organizations across Maryland. I have seen firsthand the devastating effects of climate change on our state—flooding, extreme heat, rising insurance costs, and a growing strain on public resources. Without action, these impacts will only worsen,

threatening Maryland's status as a "Goldilocks" state—one that is "just right" for families, businesses, and long-term economic prosperity.

The Deception of Big Oil and Gas: A Familiar Playbook

We have seen this story before. It is strikingly similar to what happened with Big Tobacco and the opioid crisis. I grew up in the largest tobacco-producing district in the world. My father, a cancer doctor, saw firsthand how the tobacco industry knowingly misled the public, even giving free cigarettes to employees while denying the deadly link to cancer. Day after day, he treated patients suffering and dying from lung cancer. Despite enormous opposition, my father and his colleagues testified before Congress. Their efforts, along with those of many others, led to warning labels, greater public awareness, and eventually a \$246 billion settlement to states, saving lives and improving public health.

Big Oil and Gas have followed the same deceptive playbook. They knew over 50 years ago that their products were fueling climate catastrophes, yet they chose profit over responsibility, misleading the public while the damage escalated.

- **ExxonMobil** conducted internal research on climate change as early as the 1970s. Despite knowing the harm they were causing, they funded campaigns to spread doubt about climate science and downplay the risks of global warming.
- **Shell's** own internal documents from the 1980s indicated they were aware of the potential dangers of climate change. Yet, they publicly downplayed the risks and lobbied against strong climate action.
- The **Union of Concerned Scientists** has published numerous reports showing that the American Petroleum Institute, a trade association representing the oil and gas industry, has long known about climate change but engaged in campaigns to cast doubt on the science and influence public opinion.

The Costs of Inaction: Maryland's Budget Cannot Bear This Burden Alone

We are all paying the price for fossil fuel companies' lies. Here in Maryland:

- **Ellicott City has committed \$228 million to flood prevention.**
- **Prince George's County requires \$60 million annually for stormwater management.**
- **By 2040, Maryland is projected to need billions for seawalls and coastal protections alone.**
- **Many homeowners, including myself, can no longer obtain flood insurance, making it impossible to sell homes where a mortgage is required.**
- **Our schools have had to close due to extreme heat, and wastewater systems are failing under extreme rain.**

Meanwhile, Maryland faces a massive budget crisis. We cannot afford to cut essential services, such as healthcare, disability services, housing, and education, while allowing multi-billion-dollar international corporations to escape responsibility for the harm they have caused. People

with disabilities, seniors, and vulnerable communities should not be left out in the cold while fossil fuel giants reap record profits.

Maryland Climate Commission Recommendation

The Maryland Climate Commission formally recommended polluter-pay actions in our **December 2024 Annual Report**. This recommendation underscores the necessity of holding fossil fuel companies financially accountable for the damages they knowingly caused.

Addressing Misleading Industry Opposition

Opponents of the RENEW Act, such as the Maryland Chamber of Commerce, argue against retroactive liability and strict accountability. However:

- **Retroactive Liability:** The U.S. Supreme Court upheld retroactive liability under **CERCLA**, recognizing that addressing environmental damage requires bold measures. (United States v. Monsanto Co., 1988)
- **Strict Liability:** Similar to **Big Tobacco's Master Settlement Agreement**, industries that knowingly caused public harm can be held accountable. (Tobacco settlement precedent)
- **Fairness:** The **polluter-pays principle** is well established. Just as states held **tobacco companies** and **opioid manufacturers** accountable, so too must we hold **fossil fuel companies** responsible for the damage they have caused.

Conclusion: "If You Break It, You Bought It"

This bill is about fairness. It ensures that those who profited from environmental harm pay their fair share, rather than placing the burden on Maryland taxpayers.

Big Tobacco was held accountable for its lies and the deaths it caused. So too was the Sackler family for their wrongful practices that led to opioid deaths. **The fossil fuel industry broke it. Now we need your help to make them pay.**

Maryland cannot afford to delay action. We must protect our communities, secure our economy, and ensure that our most vulnerable residents are not left behind. **I urge a favorable report on HB1438/SB0958.**

Thank you for your time and consideration.

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<https://marylandmatters.org/2025/01/27/trumps-climate-orders-and-marylands-budget-crisis-demand-bold-action-now/>

Trump’s climate orders and Maryland’s budget crisis demand bold action now

President Donald “Drill Baby Drill” Trump’s new executive orders doubling down on fossil fuels and slashing clean energy mandates have sent a dangerous message: America is moving backward in the fight to protect the people and planet we love.

But here in Maryland, we don’t have to follow his lead. Instead, we can seize this moment to double down on progress and accountability, ensuring our state remains resilient in the face of the growing climate crisis. Given our budget crisis, we need to do it in a way that is fair, cost effective and will ensure our economy can thrive.

For Maryland, a state uniquely vulnerable to climate change impacts like rising seas, flooding and extreme heat, the stakes couldn’t be higher. We cannot rely on Washington to safeguard our future. Maryland must act decisively to secure its climate resilience and economic stability — and we can start by making polluters pay for their lies and the damage they’ve caused.

Maryland’s “Goldilocks” advantage is at risk

Maryland is a “Goldilocks State” — not too hot, not too cold, with a temperate climate that fosters economic growth and a high quality of life. We have the kind of inclusive values and excellent institutions of higher education and science that can make us attractive to people looking to relocate from other states. But the accelerating climate crisis is putting that balance at risk. Extreme weather events are becoming more frequent and severe, threatening lives, livelihoods, and infrastructure.

The costs are staggering. In Baltimore and St. Mary’s County, millions are being spent to upgrade stormwater systems as rainfall intensifies. Annapolis has committed \$84 million to protect against rising tides. Statewide, Maryland will need billions more to shield our communities and transition to clean energy. Meantime, we are facing a budget crisis.

So far, however, Maryland’s budget is looking like it will rely on cuts to services and increases in fees and taxes to some Marylanders alone — leaving money on the table that morally should be ours.

We need measures that will hold corporate polluters accountable while delivering resources Maryland needs to combat climate change effectively. Without such forward-thinking policies, taxpayers will bear the brunt of lost services and mounting expenses, while fossil fuel companies rake in record profits.

The solution: three bills to make polluters pay

Maryland has a chance to lead where Washington is failing. Three pivotal bills could shift the financial burden of the climate crisis from taxpayers to the corporations that created it:

1. **The RENEW Act (HB128)**: This bill establishes a fund for climate resilience projects, funded by fossil fuel companies. Similar bills have passed in Vermont and New York. Here at home, it could yield \$9 billion to finance critical infrastructure improvements and clean energy initiatives.
2. **Climate Lawsuit Authority (HB340)**: This legislation enables Maryland to hold fossil fuel companies accountable in court for their role in causing climate damage. Similar lawsuits have already achieved significant settlements in other states, redirecting billions of dollars toward climate solutions.
3. **Coal Fee Legislation**: Speaker Pro Tem Dana Stein's upcoming bill will place a fee on coal transportation in Maryland, directing approximately \$300 million a year toward renewable energy projects and public health programs in communities affected by coal pollution.

Supercharging Maryland's economy

Fossil fuel companies claim that holding them accountable will hurt the economy, but the opposite is true. By investing in clean energy, climate resilience and public health, Maryland can create thousands of good-paying jobs in industries of the future. These investments will reduce energy costs, improve air quality and attract businesses and residents who value a sustainable, forward-thinking state.

Moreover, making polluters — not taxpayers — pay for the damages they caused will ease the financial burden on Maryland families. Rather than watching their tax dollars go to emergency repairs and cleanup, Marylanders can look forward to a future where corporate accountability funds prevention and innovation. It worked with tobacco and opioids, and should be done with fossil fuel companies as well.

Maryland has already made significant strides toward combating climate change, achieving a 30% reduction in greenhouse gas emissions since 2006. But we can't rest on our laurels. Trump's executive orders remind us that federal leadership cannot be counted on to protect our communities. The responsibility lies with us to secure a livable future.

By passing the RENEW Act, HB340 and the coal fee legislation, Maryland can set a national example of climate leadership and economic fairness. These bills are not just about holding polluters accountable — they're about protecting the places we call home, the people we love and the opportunities we want to preserve for future generations.

It's time to act boldly. Let's make polluters pay — and ensure Maryland remains a beacon of resilience and progress in an increasingly uncertain world.

Jennifer Laszlo Mizrahi is co-founder of the Mizrahi Family Charitable Fund, which is a financial supporter of Maryland Matters. She serves on the Maryland Climate Commission and multiple nonprofit advisory boards. Contact: JLM@LaszloStrategies.com <https://mizrahienterprises.com/charitable>