

ASSEMBLY RESOLUTION No. 186

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED AUGUST 25, 2020

Sponsored by:

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

SYNOPSIS

Urges Governor and AG to pursue legal action against fossil fuel companies for damages caused by climate change.

CURRENT VERSION OF TEXT

As introduced.



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- 1 **AN ASSEMBLY RESOLUTION** urging the Governor and the Attorney
2 General to pursue legal action against fossil fuel companies for
3 damages caused by climate change.
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- 5 **WHEREAS**, Fourteen municipalities across the country and the States
6 of Massachusetts and Rhode Island have filed lawsuits against
7 companies that produce, promote, market, and profit from the sale
8 of fossil fuels under public nuisance and other torts, product
9 liability claims, or consumer protection claims; and
- 10 **WHEREAS**, Fossil fuel companies have produced, promoted, marketed,
11 and sold massive quantities of fossil fuels, primarily oil and natural
12 gas, despite knowing that the combustion and use of fossil fuels
13 emit greenhouse gases, including carbon dioxide, and these
14 companies have also known for decades that greenhouse gas
15 pollution accumulates and remains in the atmosphere for up to
16 hundreds of years, where it traps heat and causes the temperature to
17 rise, a process commonly referred to as “climate change”; and
- 18 **WHEREAS**, Fossil fuel companies continue to this day to produce,
19 promote, market, and sell massive amounts of fossil fuels and plan
20 to continue doing so for decades into the future; and
- 21 **WHEREAS**, Nearly two-thirds of all industrial emissions of greenhouse
22 gases since the 1750s can be traced to just 90 fossil fuel and cement
23 producers, and more than half of all industrial emissions since 1988
24 can be traced to 25 producers, with 90 percent of emissions since
25 1988 being attributable to combustion of the fossil fuels that the
26 companies produce and sell, rather than emissions from their own
27 operations; and
- 28 **WHEREAS**, Fossil fuel companies knew decades ago that the fossil fuel
29 products they produce and sell were altering the atmosphere and
30 would cause dire environmental impacts; and
- 31 **WHEREAS**, Fossil fuel companies knew that averting dangerous
32 climate change required reducing the use of their fossil fuel
33 products, and they were warned by industry scientists in stark terms
34 that fossil fuel use risked “catastrophic” harm from climate change
35 over the coming decades; and
- 36 **WHEREAS**, Fossil fuel companies and their representatives knew that
37 reductions in fossil fuel usage would result in the immediate
38 problem being considerably eased, questioned the long-term future
39 of fossil fuel use, and discussed internally the technical implications
40 of energy source changeover; and
- 41 **WHEREAS**, The past and ongoing conduct of fossil fuel companies
42 causes and exacerbates climate change and all of its impacts,
43 including higher temperatures, longer and more severe heat waves,
44 extreme precipitation events, including heavy downpours, rising sea
45 levels, and other severe and irreversible harms; and
- 46 **WHEREAS**, Any corporation that makes a product that causes severe
47 harm when used as intended should shoulder the costs of abating
48 that harm; and

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1 **WHEREAS**, The State of New Jersey has already suffered damages
2 from climate change, including inundation, erosion, and regular
3 tidal flooding of its property, and faces further imminent threats to
4 its property, its infrastructure, and the health and safety of its
5 residents; and

6 **WHEREAS**, The State of New Jersey, and its residents, will continue to
7 see additional harms and damages from climate change in the
8 coming decades, harms related to damage from more intense
9 superstorms and other extreme weather events, additional flooding
10 and coastal erosion, more severe heatwaves and associated
11 increases to energy and medical costs, increased medical costs
12 associated with projected increases in childhood asthma rates,
13 increased volatility in agriculture and aquaculture yields, and
14 additional costs associated with responding to and mitigating the
15 calamitous impacts of climate change; and

16 **WHEREAS**, The State of New Jersey should take all appropriate legal
17 action to protect the State from climate change impacts by shifting
18 costs associated with climate change back onto the companies who
19 knew their actions were contributing to climate change and its
20 dangerous impacts, but continued to produce, promote, market, and
21 sell fossil fuels; now, therefore,

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23 **BE IT RESOLVED** by the General Assembly of the State of New
24 Jersey:

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26 1. This House urges the Governor and the Attorney General to
27 pursue appropriate legal action against fossil fuel companies, in
28 order to shift the past and present costs associated with the damages
29 caused by climate change onto the companies that have created
30 those damages.

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32 2. Copies of this resolution, as filed with the Secretary of State,
33 shall be transmitted by the Clerk of the General Assembly to the
34 Governor and the Attorney General of the State of New Jersey.

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STATEMENT

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39 This resolution urges the Governor and the Attorney General of
40 the State of New Jersey to join 14 municipalities across the country
41 and the States of Massachusetts and Rhode Island in pursuing
42 appropriate legal action against fossil fuel companies, in order to
43 shift the past and present costs associated with the damage caused
44 by climate change onto the companies responsible for causing those
45 harms.

46 Fossil fuel companies have produced, promoted, marketed, and
47 sold massive quantities of fossil fuels despite knowing that the
48 combustion and use of fossil fuels emit greenhouse gases, including

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1 carbon dioxide. Those fossil fuel companies have known for
2 decades that greenhouse gas pollution accumulates and remains in
3 the atmosphere for hundreds of years, where it traps heat, causing
4 climate change, which has caused grave harms to this State.

5 The past and ongoing conduct of fossil fuel companies causes
6 and exacerbates climate change and all of its impacts, including
7 higher temperatures, longer and more severe heat waves, extreme
8 precipitation events, including heavy downpours, rising sea levels,
9 and other severe and irreversible harms. The State of New Jersey
10 has already suffered damages from climate change, including
11 inundation, erosion, and regular tidal flooding of its property, and
12 the State faces further imminent threats to its property, its
13 infrastructure, and the health and safety of its residents.

14 The Governor and the Attorney General of the State of New
15 Jersey should take legal action to hold fossil fuel companies
16 accountable for the severe harms caused by the use of their
17 products, used exactly as intended, especially since those
18 companies downplayed the risks of climate change to the general
19 public while continuing to produce, promote, market, and sell
20 products that they knew were causing these damages.