SENATE RESOLUTION No. 57

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:
Senator LORETTA WEINBERG
District 37 (Bergen)
Senator JOSEPH P. CRYAN
District 20 (Union)

Co-Sponsored by:
Senators Bateman and Codey

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.

(Sponsorship Updated As Of: 9/24/2020)
A Senate Resolution urging the Governor and the Attorney General to pursue legal action against fossil fuel companies for damages caused by climate change.

Whereas, Fourteen municipalities across the country and the States of Massachusetts and Rhode Island have filed lawsuits against companies that produce, promote, market, and profit from the sale of fossil fuels under public nuisance and other torts, product liability claims, or consumer protection claims; and

Whereas, Fossil fuel companies have produced, promoted, marketed, and sold massive quantities of fossil fuels, primarily oil and natural gas, despite knowing that the combustion and use of fossil fuels emit greenhouse gases, including carbon dioxide, and these companies have also known for decades that greenhouse gas pollution accumulates and remains in the atmosphere for up to hundreds of years, where it traps heat and causes the temperature to rise, a process commonly referred to as “climate change”; and

Whereas, Fossil fuel companies continue to this day to produce, promote, market, and sell massive amounts of fossil fuels and plan to continue doing so for decades into the future; and

Whereas, Nearly two-thirds of all industrial emissions of greenhouse gases since the 1750s can be traced to just 90 fossil fuel and cement producers, and more than half of all industrial emissions since 1988 can be traced to 25 producers, with 90 percent of emissions since 1988 being attributable to combustion of the fossil fuels that the companies produce and sell, rather than emissions from their own operations; and

Whereas, Fossil fuel companies knew decades ago that the fossil fuel products they produce and sell were altering the atmosphere and would cause dire environmental impacts; and

Whereas, Fossil fuel companies knew that averting dangerous climate change required reducing the use of their fossil fuel products, and they were warned by industry scientists in stark terms that fossil fuel use risked “catastrophic” harm from climate change over the coming decades; and

Whereas, Fossil fuel companies and their representatives knew that reductions in fossil fuel usage would result in the immediate problem being considerably eased, questioned the long-term future of fossil fuel use, and discussed internally the technical implications of energy source changeover; and

Whereas, The past and ongoing conduct of fossil fuel companies causes and exacerbates climate change and all of its impacts, including higher temperatures, longer and more severe heat waves, extreme precipitation events, including heavy downpours, rising sea levels, and other severe and irreversible harms; and

Whereas, Any corporation that makes a product that causes severe harm when used as intended should shoulder the costs of abating that harm; and
WHEREAS, The State of New Jersey has already suffered damages from climate change, including inundation, erosion, and regular tidal flooding of its property, and faces further imminent threats to its property, its infrastructure, and the health and safety of its residents; and

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

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

BE IT RESOLVED by the Senate of the State of New Jersey:

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

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

STATEMENT

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

Fossil fuel companies have produced, promoted, marketed, and sold massive quantities of fossil fuels despite knowing that the combustion and use of fossil fuels emit greenhouse gases, including carbon dioxide. Those fossil fuel companies have known for
decades that greenhouse gas pollution accumulates and remains in
the atmosphere for hundreds of years, where it traps heat, causing
climate change, which has caused grave harms to this State.

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

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