

**SENATE RESOLUTION No. 57**

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**STATE OF NEW JERSEY**

**219th LEGISLATURE**

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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)**

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- 1   **A SENATE 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 Senate of the State of New Jersey:*

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

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

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STATEMENT

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

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

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1 decades that greenhouse gas pollution accumulates and remains in  
2 the atmosphere for hundreds of years, where it traps heat, causing  
3 climate change, which has caused grave harms to this State.

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

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