

New Jersey State League of Municipalities Conference Resolution No. 2020-11

Resolution Urging the Governor and Attorney General to Pursue Legal Action Against Fossil Fuel Companies for Damages Caused by Climate Change.

WHEREAS, twenty-three municipalities and states across the country 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, and/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 that the New Jersey League of Municipalities 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 and perpetrated fraud on New Jerseyans; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to our representatives in Congress, the members of the New Jersey General Assembly and the State Senate, the New Jersey Attorney General, the Lieutenant Governor and the Governor of the State of New Jersey.

Sponsors

Hon. Colleen Mahr
Mayor, Borough of Fanwood

Hon. Laurie Huryk
Council Member, Township of Toms River

Hon. Jason Cilento
Mayor, Borough of Dunellen

Hon. Brandon Bernier
Council Member, City of Roselle

Hon. John Weber
Council President, Borough of Bradley Beach