To the Editor:

Illinois lawmakers recently introduced The Illinois Climate Change Superfund Act, a so-called "climate superfund" bill. Before consideration of this legislation advances, it's fair to ask a basic question: Would this actually help people in our state, or would it simply make life more expensive?

We don't have to guess. New York and Vermont have already enacted similar laws that try to retroactively charge energy companies billions of dollars for global greenhouse gas emissions. The result: expensive litigation paid for by taxpayers.

Even if the litigation results in a judgment in favor of the State, awarding damages, those damages will not actually result in the money being spent to clean-up the environment for the people of Illinois. Lawyers may make a lot of money and the state may recover some money that will not necessarily be spent on the environment. Courts have repeatedly made clear that federal law – not state law – governs these kinds of issues. That means years of lawsuits with little chance the laws will survive.

If Illinois follows the same path, taxpayers will be forced to shoulder the burden of a law that is likely to be struck down. Given our considerable budget challenges, that's a poor use of limited public resources.

And even if such a law were to move forward, the costs would not magically stop with energy companies. They would get passed along through higher energy bills for families, higher costs for small businesses, and more pressure on local governments and public agencies.

Many people agree Illinois should keep working toward realistic climate solutions. But litigation that drives up costs, and delivers uncertain results isn't the way to do it. We should focus on practical, legal approaches that deliver real results.

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