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## LEGISLATION TO FORCE CHRISTIE BACK INTO RGGI INTRODUCED BY SENATORS SWEENEY, SMITH & BARNES

*Measure is First Step to Lower Carbon Emissions, Increase Funding for Renewable Energy Projects, and Create Jobs*

**TRENTON** – Senate President Steve Sweeney, Senate Environment and Energy Chairman Bob Smith and Senator Peter J. Barnes III introduced legislation today that would stop the Christie Administration and the Department of Environmental Protection (DEP) from changing rules and regulations in order to withdraw from the Regional Greenhouse Gas Initiative (RGGI). The new bill would override the DEP rule change and force the state to reenter the market-based, carbon-emission program.

“This isn’t Governor Christie’s empire. He cannot simply ignore the law,” said Senator Sweeney, D-Gloucester, Cumberland and Salem. “RGGI can reduce carbon emissions, lower energy costs for families and businesses, increase the development of renewable energy and create thousands of jobs in the process. We cannot allow Christie to once again turn his back on an economic driver that will put New Jerseyans back to work.”

RGGI is the nation’s first auction to sell and trade carbon dioxide emission credits to large-scale CO<sub>2</sub> polluters such as coal-powered plants. The proceeds from the auction go towards clean and renewable energy investments and energy efficiency programs. Nine Northeastern and Mid-Atlantic states belong to the coalition.

According to information Joseph A. Martens, New York State’s Commissioner of Environmental Conservation, provided in a recent letter to the editor of the *New York Times*, in only the first three years of implementation, RGGI has led to investments in clean energy that will reduce energy bills by \$1.3 billion and will create thousands of jobs.

“RGGI is a common sense approach that encourages power companies to work in cleaner, more efficient ways, while not limiting their ability to operate, all while reducing carbon emission and improving our environment. And this program has been quite effective in neighboring states, already making a significant dent in electric bills and investing \$1.75 billion in energy efficiency and clean energy programs,” said Senator Smith, D-Middlesex and Somerset. “New Jersey was on the verge of being a national environmental leader when, working with our neighbors, we established RGGI nearly a decade ago. But with one unilateral decision, Christie chose to side with polluters over the health and wellbeing of our state’s citizens as well as the quality of our air. We will not allow that decision to stand.”

The senators note that rejoining RGGI will be even more important as the federal Environmental Protection Agency (EPA) is expected to adopt rules requiring states to reduce their carbon emissions, something that can be accomplished through the participation in RGGI.

“A sea change is occurring in the aftermath of severe storms such as Hurricanes Sandy and Irene where people are beginning to recognize the real and devastating effects of climate change. With this realization is our responsibility to change our behavior such as reducing the pollution we pump into our air,” said Senator Barnes, D-Middlesex. “The federal government is on the brink of requiring states to take action to reduce their carbon emissions, yet the Christie Administration is making efforts to keep us out of such a program. It is completely illogical.”

In 2007, the Legislature through legislation sent marching orders to the DEP that they must “take any measure necessary” to govern the state’s participation in a greenhouse gas cap and trade program. With the measure introduced today, the Legislature would state that the Christie Administration’s attempt to roll back those rules is against legislative intent and therefore illegal.

Governor Christie, in May 2011, announced that he was withdrawing New Jersey from RGGI without seeking legislative approval. This past March, the Appellate Division of the New Jersey Superior Court ruled that the Christie Administration had acted improperly by pulling out of the program. The Court required the Administration to initiate an official rule making process. The Christie Administration published the proposed rule change beginning that process in the state register on Monday.

Under a Constitutional provision, the Legislature has the ability to stop an executive branch rule change that is inconsistent with Legislative intent by approving a concurrent resolution, providing the

Administration with 30 days to amend or withdraw the proposed rule and then approving a second resolution. This measure would be the first step in that process.  
The measure has been referenced to the Senate Environment and Energy Committee.