

ASSEMBLY, No. 183

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

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SYNOPSIS

Prohibits State's participation in multi-state cap-and-trade program to reduce carbon emissions from transportation sector.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT prohibiting the State's participation in a multi-state cap-
2 and-trade program to reduce carbon emissions from the
3 transportation sector, and supplementing Title 26 of the Revised
4 Statutes.

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6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:

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9 1. a. Notwithstanding the provisions of any other law, rule, or
10 regulation to the contrary, no State agency, or representative or
11 employee thereof, shall:

12 (1) enter any agreement or arrangement with the appropriate
13 representatives of other states, including the formation of a for-
14 profit or non-profit corporation, any form of association, alliance,
15 compact, or commission, or any other form of organization, in this
16 or another state, established for the purpose of creating a cap and
17 trade program for carbon emissions from combustion gas and diesel
18 engines or any similar multi-state program that would cap and
19 reduce the amount of allowable carbon emissions from the
20 combustion of transportation fuels; or

21 (2) adopt any rules or regulations that would establish a multi-
22 state cap and trade program to limit carbon emissions from
23 combustion gas and diesel engines or any similar program that
24 would cap and reduce the amount of allowable carbon emissions
25 from the combustion of transportation fuels.

26 b. Any action taken by a State agency, or representative or
27 employee thereof, prior to the date of enactment of this act that is
28 inconsistent with the prohibition established pursuant to subsection
29 a. of this section is hereby invalidated, and the State agency, or
30 representative or employee thereof, as appropriate, shall take all
31 necessary action to withdraw from the agreement or arrangement.

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33 2. This act shall take effect immediately.

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STATEMENT

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38 This bill would prohibit the State from participating in a multi-
39 state initiative cap-and-trade program to reduce carbon emissions
40 from the transportation sector. Specifically, the bill would prohibit
41 any State agency, or representative or employee thereof, from: (1)
42 entering any agreement or arrangement with the appropriate
43 representatives of other states, including the formation of a for-
44 profit or non-profit corporation, any form of association, alliance,
45 compact, or commission, or any other form of organization, in this
46 or another state, established for the purpose of creating a cap and
47 trade program for carbon emissions from combustion gas and diesel
48 engines or any similar multi-state program that would cap and

1 reduce the amount of allowable carbon emissions from the
2 combustion of transportation fuels; and (2) adopting any rules or
3 regulations that would establish a multi-state cap and trade program
4 to limit carbon emissions from combustion gas and diesel engines
5 or any similar multi-state program that would cap and reduce the
6 amount of allowable carbon emissions from the combustion of
7 transportation fuels.

8 In December 2018, the Commissioner of Environmental
9 Protection announced that New Jersey was joining with other
10 Northeast and Mid-Atlantic states to design a new regional low-
11 carbon transportation policy proposal to reduce greenhouse gas
12 emissions from the transportation sector, called the “Transportation
13 and Climate Initiative.” Other participants include Connecticut,
14 Delaware, Maryland, Massachusetts, Pennsylvania, Rhode Island,
15 Vermont, Virginia, and Washington, D.C. According to the
16 announcement, the initiative includes a proposal to cap and reduce
17 carbon emissions from the combustion of transportation fuels, and
18 investing proceeds from the program into low-carbon and more
19 resilient transportation infrastructure. While the reduction of
20 carbon emissions is an important goal, it is also important to protect
21 consumers from price increases that would likely result from a cap
22 and trade program.