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July 12, 2016

CONTACT: Beth Miller/Brooke Armour
(916) 551-1383

CAHT Responds to CARB's Attempts At Illegal End-Run Around Two-Thirds-Vote of the Legislature

New plan would lead to even more legal uncertainty and take oversight away from Legislature

(SACRAMENTO)— The California Air Resources Board (CARB) today issued its plan to extend the cap-and-trade auction program. This new plan circumvents the Legislature in order to avoid the legally required 2/3 vote needed to continue the program.

Californians Against Higher Taxes issued the following response to today's actions by CARB:

"The current cap-and-trade auction program is already mired in legal uncertainty. The Court of Appeal has asked tough questions of CARB regarding how the auction program has raised billions in illegal taxes. At the same time, Legislative Counsel, the legal counsel for the Legislature, has made it explicitly clear that the cap-and-trade program cannot continue beyond 2020 without a vote of the Legislature. Instead of addressing the legal issues related to the auction program, CARB is ignoring them and moving forward unilaterally, without oversight or input from the Legislature, and without the 2/3-vote needed to make this program legally sound.

"In order for the cap-and-trade auction program to move forward, legal questions about the revenue raised by the program must be addressed. The Legislature must step up and reject CARB's illegal power grab."