Brown’s climate bill SB32 not ready for prime time

By Jim Nielsen  |  August 22, 2016  |  Updated: August 22, 2016 3:32pm

Passing SB32, as it is written, sends a clear message that Sacramento has no interest in taking the time to fix what has not worked.
The California Legislature’s most contentious bill of the year, SB32, which attempts to establish far-reaching reductions in greenhouse emissions, is in the final stages of the legislative process. It miraculously moved out of a committee meant to hold the line on state spending with very little scrutiny or transparency.

Creating cleaner air is a noble cause. We all want clean air for our children, grandchildren and ourselves.

At issue is the blank check authority that SB32 hands over to faceless, unelected state bureaucrats at the California Air Resources Board. The board has repeatedly failed to produce basic performance reviews of its climate change programs.

The board’s self-proclaimed achievement has been so fuzzy that a bipartisan group of legislators has called for a state audit of its programs. Republican and Democratic lawmakers want to better understand what, if any, emission reductions the programs are achieving. Repeatedly, the board has failed to provide basic information to the Legislature. The audit request has stalled and will not be approved before this legislative session terminates at the end of the month.

No reasonable lawmaker will deny that the very fundamentals of good policy-making require evaluations of whether a program is working, based on sound criteria. When we see where a policy or program is failing or has not met expectations, we need to come to an agreed upon solution before expanding or renewing the program.

The nonpartisan Legislative Analyst’s Office earlier this year issued a report stating that there were little to no reductions in greenhouse emissions despite billions of dollars having been spent from

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methodology for calculating actual emission reductions is flawed, therefore creating further skepticism about whether the Legislature should let the air board have whatever it wants for another decade.

The Brown administration has turned a blind eye and is moving forward with climate-change plans that extend beyond 2020. This is a shocking contradiction to the clear legal opinion provided by the Legislature's own attorney.

The attorneys for the Legislature unequivocally determined that the Brown administration does not have the authority to extend climate-change plans beyond current standards.

The nonpartisan Legislative analyst further opined the governor’s lack of statutory authority.

All of this tells us that we need to take the time to do this the right way. Passing SB32, as it is written, sends a clear message that Sacramento has no interest in taking the time to fix what has not worked; to develop clear transparency and accountability components in the proposed policy; nor to work with stakeholders on a thoughtful path forward that will actually help clean our air in California.

Until the air board shows sound scientific evidence of success of its programs, it is irresponsible and counterproductive for the Legislature to pass SB32.

*State Sen. Jim Nielsen, R-Gerber (Tehama County), represents portions of Butte, Glenn, Tehama, Colusa and Sutter counties in the California Legislature.*