

1 Hearing date: July 1, 2021  
2 Hearing time: 9:00 a.m.  
3 Judge/Calendar:  
4 Honorable Mary Sue Wilson

5  
6 **STATE OF WASHINGTON**  
7 **THURSTON COUNTY SUPERIOR COURT**

8 IN RE: BALLOT TITLE AND  
9 SUMMARY OF REFERENDUM 94

NO. 21-2-01106-34

10 On behalf of Climate Solutions, a  
11 Washington nonprofit organization

ORDER  
[PROPOSED]

12 The Court having considered the Petition to Appeal Ballot Title for Referendum  
13 No. 94, and all pleadings filed in support and opposition thereto, and having heard the  
14 arguments presented and being fully advised,

15 IT IS ORDERED that the challenge to the Ballot Title and Summary for Referendum  
16 No. 94 is **GRANTED IN PART AND DENIED IN PART**. The Ballot Title and Summary  
17 for this measure shall read as follows:

18 **Referendum 94:**

19 **BALLOT TITLE**

20 Statement of Subject: The legislature passed Engrossed Third Substitute House Bill 1091  
21 concerning reducing carbon pollution from transportation fuel [and voters have filed a sufficient  
22 referendum petition on portions of this bill].<sup>1</sup>

23 Concise Description: The portions of this bill subject to this referendum would authorize a “clean  
24 fuels program” to reduce transportation-related greenhouse gas emissions, including standards  
25 to reduce carbon intensity in transportation fuels, incentives to sell low-carbon fuels, and funding  
26 zero-emission electricity infrastructure.

<sup>1</sup> The bracketed language would be included if this measure qualifies to appear on the ballot. The bracketed language need not appear on the petitions.


1 Should the portions of this bill subject to this referendum be

2  Approved  Rejected

3 **BALLOT MEASURE SUMMARY**

4 The portions of this bill subject to this referendum would aim to reduce carbon pollution by  
5 authorizing a "clean fuels program," reduce aggregate greenhouse gas emissions per unit of  
6 transportation fuel by 20 percent below 2017 levels by 2038, and fund zero-emission electricity  
7 infrastructure. The program would establish standards to reduce carbon intensity in  
8 transportation fuels, provide incentives, including tax-exempt credits, to support availability of  
9 low-carbon fuels, and must include cost containment mechanisms.

10 DATED this 1<sup>st</sup> day of July 2021.

11   
12 HONORABLE MARY SUE WILSON  
13 Superior Court Judge

14 Presented by:

15 ROBERT W. FERGUSON  
16 Attorney General

17 *s/ Emma Grunberg*  
18 EMMA GRUNBERG  
19 Deputy Solicitor General  
20 1125 Washington Street SE  
21 PO Box 40100  
22 Olympia, WA 98504-0100  
23 Emma.Grunberg@atg.wa.gov  
24 (206) 251-3222

25 *s/Gregory J. Wong*  
26 GREGORY J. WONG  
Attorney for Petitioner  
Pacifica Law Group, LLP  
1191 Second Ave, Suite 2000  
Seattle, WA 98101-3404  
Greg.wong@pacificalawgroup.com  
(206) 245-1700