

1 Hearing date: June 28, 2021
2 Hearing time: 1:30 pm
3 Judge/Calendar:
4 Honorable Carol Murphy

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

8 IN RE: BALLOT TITLE AND
9 SUMMARY OF REFERENDUM 95

NO. 21-2-01107-34

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. 95, 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 for Referendum No. 95 is
16 **DENIED**, except to the extent that the Attorney General's Proposed Alternative Ballot Title
17 and Summary are adopted and the Ballot Title and Summary for this measure shall read as
18 follows:
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1 **Referendum 95:**

2 **BALLOT TITLE**

3 Statement of Subject: The legislature passed Engrossed Second Substitute Senate Bill 5126
4 concerning a cap and invest program to reduce carbon pollution [and voters have filed a
5 sufficient referendum petition on portions of this bill].¹

6 Concise Description: The portions of this bill subject to this referendum would authorize the
7 Department of Ecology to cap greenhouse-gas emissions, define terms, designate which
8 government entities have responsibilities and who is regulated under the act, affect enforcement,
9 and prohibit certain taxes.

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

11 Approved Rejected

12 **BALLOT MEASURE SUMMARY**

13 The portions of this bill subject to this referendum would authorize the Department of Ecology
14 to establish a cap on greenhouse gas emissions, define certain terms used throughout the act, and
15 designate the responsibilities of government entities under the act. They would provide that a
16 person may be a regulated entity under the act and that a regulated entity must submit compliance
17 instruments. They would also prohibit local governments from implementing a charge or tax.

18 DATED this 29th day of June 2021.

19 
HONORABLE CAROL MURPHY
Superior Court Judge

20 Presented by:

21 ROBERT W. FERGUSON
22 Attorney General

23 *s/ Emma Grunberg*
EMMA GRUNBERG
24 Deputy Solicitor General
1125 Washington Street SE

25 _____
26 ¹ The bracketed language would be included if this measure qualifies to appear on the ballot. The bracketed language need not appear on the petitions.

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4 Receipt Acknowledged,
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