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Pacifica Clients Challenge Constitutionality of Initiative that Undermines Climate Progress in Washington

Pacifica is representing a broad coalition of climate advocates in challenging the constitutionality of Initiative Measure 2066 (I-2066), which Washington voters narrowly approved last month. The initiative rolls back progress on State and local clean energy laws and programs, and threatens the significant progress Washington State has made in addressing the climate crisis.

Pacifica clients Climate Solutions, Washington Conservation Action, Front and Centered, Washington Solar Energy Industries Association, and local sustainable builder Anthony Maschmedt are joined by King County and the city of Seattle in filing the lawsuit in King County Superior Court this week.

The lawsuit argues that I-2066 violates Washington's Constitution in three ways. First, it violates the requirement that an initiative can concern only a single subject. This requirement is meant to protect against "logrolling," or bundling of multiple proposals into one initiative. Second, I-2066 violates the Washington Constitution's subject-in-title rule because it did not accurately inform voters of the Initiative's full scope and consequences. Finally, I-2066 violates the requirement that the Initiative set forth in full each of the state law provisions it would repeal or amend. I-2066 fails to identify several state law provisions that it would alter.

"Among its far-reaching impacts," the lawsuit argues, "the Initiative jeopardizes the ability of local governments and other entities to establish energy-efficiency standards and reduce greenhouse gas emissions; it threatens programs that require the construction of energy efficient buildings; and it would make the clean energy transition chaotic and more expensive for Washingtonians."

The complaint asks the court to declare I-2066 is unconstitutional, and for an injunction prohibiting the implementation of the law.

The Pacifica litigation team includes [Kai Smith](#), [Paul Lawrence](#), [Noe Merfeld](#), and [Luther Reed-Caulkins](#).

Initiative 2066 was backed by conservative political action committee Let's Go Washington, the Building Industry Association of Washington, and the Washington Hospitality Association. It passed with just 51.7 percent of the vote.

Follow [this link](#) to view a copy of the complaint.

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