

State of  
Washington  
House of  
Representatives



Feb. 6, 2024

Representative Beth Doglio  
Chair, House Environment and Energy Committee

Representative Sharlett Mena  
Vice Chair, House Environment and Energy Committee

Re: Request for a public hearing on Initiative 2117

Dear Chair Doglio and Vice Chair Mena:

We are writing to urge you to schedule a public hearing on Initiative 2117, concerning carbon tax credit trading. More than 400,000 Washingtonians signed each of the initiatives, telling us they are important public policy that we should consider. Their voices deserve to be heard in the legislative process.

Article II, Section 1 of the Washington State Constitution requires the Legislature to extend "precedence" to certified initiatives to the Legislature. It is settled law that no word in the state constitution may be ignored or rendered superfluous: *Washington Water Power Co. v. Graybar Elec. Co.*, 112 Wn.2d 847, 859 (1989); *Group Health Coop. v. King Cy. Med. Soc'y*, 39 Wn.2d 586, 637 (1951). Simply put: the requirement to give these initiatives precedence imposes a mandatory obligation upon the Legislature.

Although no case law specifically addresses what precedence entails, we believe that at the very least it requires the Legislature to engage in formal consideration of the policy brought before us by the people. The way each chamber begins its formal consideration of a policy is through a public hearing.

As you know, House Republicans moved to suspend the rules upon referral to add instructions for the House Environment and Energy Committee to promptly schedule Initiative 2117 for a public hearing. Every Democratic member voted against this motion. In opposing the motion, the Majority Leader pointed out that initiatives to the Legislature are not subject to cutoff. However, the House Environment and Energy Committee tentatively has only four meetings scheduled after opposite house policy committee cutoff. Given the compressed schedule in this 60-day legislative session, we urge you to schedule this initiative for a public hearing alongside Senate bills during the normal hearing process after house of origin cutoff on Feb. 13.

Sincerely,

Handwritten signature of Representative Mary Dye in black ink.

Representative Mary Dye  
Ranking Member  
House Environment and Energy Committee

Handwritten signature of Representative Alex Ybarra in black ink.

Representative Alex Ybarra  
Assistant Ranking Member  
House Environment and Energy Committee