

2024 JUL 26 PM 1:21

LINDA MYHRE ENLOW
THURSTON COUNTY CLERK

Hearing Date:
Hearing Time:
Judge/Calendar:
Civil / Ex Parte

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF THURSTON

In Re:

PUBLIC INVESTMENT IMPACT
DISCLOSURE FOR INITIATIVE NO.
2124

On behalf of Petitioner No on 2124

No. 24-2-02509-34

STIPULATION AND ORDER TO
AMEND PIID OF I-2124

[PROPOSED]

I. STIPULATION

Petitioner No on 2124, Sponsor Jim Walsh, and the Attorney General (“Parties”) hereby agree and stipulate as follows:

1. Jim Walsh is the sponsor of Initiative Measure No. 2124 (“Initiative” or “I-2124”).
2. Under RCW 29A.72.027, Washington voters are entitled to a disclosure on the ballot reflecting the impact a ballot measure will have on public investments. For any ballot measure that (1) “[r]epeals, levies, or modifies any tax or fee” and (2) has “a fiscal impact statement . . . that shows that adoption of the measure would cause a net change in state revenue.” RCW 29A.72.027(1). This disclosure is known as a public investment impact disclosure or “PIID.”
3. The Attorney General is tasked with initially drafting any ballot measure’s PIID, subject to review and final resolution by this Court. *See* RCW 29A.72.027, .028.

STIPULATION AND ORDER TO AMEND PIID
of I-2124 – 1

1 4. On July 8, 2024, the Attorney General filed with the Secretary of State a proposed
2 PIID for I-2124 stating, “This measure would decrease funding for Washington’s public insurance
3 program for persons requiring long term care.”

4 5. On July 11, 2024, Petitioner filed a petition appealing the Attorney General’s
5 proposed PIID. On July 17, 2024, Petitioner filed its Opening Brief, and on July 22, 2024, the
6 Attorney General and Sponsor filed their Response Briefs.

7 6. The Parties have reached an agreement on an alternative PIID formulation that is
8 accurate, neutral, and satisfies the statutory requirements governing PIIDs. The alternative is:

9 This measure would decrease funding for Washington’s public insurance program
10 providing long-term care benefits and services.

11 7. In stipulating to this alternative PIID, Sponsor does not waive any aspect of his
12 position that the PIID statute does not permit a PIID for I-2124. *See generally Walsh v. Hobbs*,
13 No. 24-2-01702-34 (Thurston Cnty. Sup. Ct.); *Walsh v. Hobbs*, No. 103174-2 (Washington
14 Supreme Court). Sponsor stipulates to this alternative PIID in the event the courts do not block a
15 PIID from being certified for I-2124.

16 8. The Parties respectfully request that the Court enter an order adopting the agreed-
17 upon PIID. The PIID would appear on the ballot substantially as follows:

18
19
20 **AS PRESENTED ON THE BALLOT**

21 Initiative Measure No. 2124 concerns state long-term care insurance. This measure would
22 provide that employees and self-employed people must elect to keep coverage under
23 RCW 50B.04 and could opt-out any time. It would repeal a law governing an exemption
24 for employees.

25 This measure would decrease funding for Washington’s public insurance program
26 providing long-term care benefits and services.

27 Should this measure be enacted into law? Yes [] No []

STIPULATION AND ORDER TO AMEND PIID
of I-2124 – 2

1 DATED this 25th day of July, 2024.

2 PACIFICA LAW GROUP LLP

ROBERT W. FERGUSON
Attorney General

3
4 s/ Kai A. Smith

Paul J. Lawrence, WSBA #13557

5 Kai A. Smith, WSBA #54749

Meha Goyal, WSBA #56058

6 *Attorneys for Petitioner No on 2124*

s/ Karl D. Smith

Karl D. Smith, WSBA #41988

Marsha Chien, WSBA #47020

Attorneys for State of Washington

7
8 ARD LAW GROUP

9 s/ Joel B. Ard

Joel B. Ard, WSBA #40104

10 *Attorney for Sponsor Jim Walsh*

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27 STIPULATION AND ORDER TO AMEND PIID
of I-2124 – 3

PACIFICA LAW GROUP LLP
1191 SECOND AVENUE
SUITE 2000
SEATTLE, WASHINGTON 98101-3404
TELEPHONE: (206) 245-1700
FACSIMILE: (206) 245-1750

1 **II. ORDER**

2 Based on the stipulation of the Parties, it is hereby ORDERED that the PIID for Initiative
3 2124 shall read as follows:

4 This measure would decrease funding for Washington’s public insurance program
5 providing long-term care benefits and services.

6 The ballot title and PIID shall be displayed on the ballot substantially as follows:

7 Initiative Measure No. 2124 concerns state long-term care insurance. This measure would
8 provide that employees and self-employed people must elect to keep coverage under
9 RCW 50B.04 and could opt-out any time. It would repeal a law governing an exemption
for employees.

10 This measure would decrease funding for Washington’s public insurance program
11 providing long-term care benefits and services.

12 Should this measure be enacted into law? Yes [] No []

13
14 The Clerk is directed to file a certified copy of this order with the Office of the Secretary
15 of State.

16
17 IT IS SO ORDERED this 26 day of July, 2024.

18
19 
20 _____
Judge/Commissioner

Chris Lanese

21 Presented by:

22 PACIFICA LAW GROUP LLP

23
24 s/ Kai A. Smith
Paul J. Lawrence, WSBA #13557
25 Kai A. Smith, WSBA #54749
26 Meha Goyal, WSBA #56058
Attorneys for Petitioner No on 2124

27 STIPULATION AND ORDER TO AMEND PIID
of I-2124 – 4

1 ROBERT W. FERGUSON
2 Attorney General

3 *s/ Karl D. Smith*

4 Karl D. Smith, WSBA #41988
5 Marsha Chien, WSBA #47020
6 *Attorneys for State of Washington*

7 ARD LAW GROUP

8 *s/ Joel B. Ard*

9 Joel B. Ard, WSBA #40104
10 *Attorney for Sponsor Jim Walsh*

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27 STIPULATION AND ORDER TO AMEND PIID
of I-2124 – 5

PACIFICA LAW GROUP LLP
1191 SECOND AVENUE
SUITE 2000
SEATTLE, WASHINGTON 98101-3404
TELEPHONE: (206) 245-1700
FACSIMILE: (206) 245-1750