KATE BROWN
Governor

July 1, 2015

The Honorable Tina Kotek
Speaker of the House
900 Court Street NE, H-269
Salem, OR 97310

Dear Speaker Kotek:

Yesterday I signed House Bill 3400, one of several bills dealing with the legalization of recreational marijuana. HB 3400 also enacts modest changes to the Oregon Medical Marijuana Program.

The Joint Committee on Implementing Measure 91 undertook a monumental task at the outset of the legislative session. With few examples of legal marijuana to look to for guidance, and continued criminalization of marijuana at the federal level, there were many issues needing to be addressed. I commend the members of the committee for their hard work.

As we move forward, it is my expectation that the agencies involved will focus on the principles of public safety and consumer protection during the rulemaking and implementation period, while also trying to provide an environment conducive to small business development. I am instructing the agencies and commissions tasked with the regulation of this issue to enact rules consistent with these principles, and as they arise, to suggest statutory changes necessary for future legislative sessions. I hope that as the agencies embark on this new work, they will have legislative support to ensure Oregon can be successful in the implementation and oversight of both the recreational and medical marijuana programs.

I know that in order to reach bi-partisan support for this bill, a relatively unique mechanism to prohibit the establishment of marijuana businesses was decided on by legislators as a solution for local governments, but has been met with some criticism. I support the compromise in this very limited area because I recognize that marijuana remains illegal under federal law. I do not expect to see this "opt out" solution in future legislation when a conflict with federal law is resolved.

Legalization of marijuana within the state will continue to present challenges requiring legislative action. Some of those challenges, like banking, are known to us but we are dependent on the federal government to act. Other issues need further statutory clarification beyond what

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was possible given the magnitude of accomplishing the task of passing legislation within the time available; unintended consequences for land use protections may be one such issue. More are yet to be discovered, or different than we anticipate today.

State agencies, notably the Oregon Liquor Control Commission, Oregon Health Authority, Oregon State Police, and Oregon Department of Agriculture and others, are tasked with developing and implementing new and complex regulatory regimes, programs, infrastructure, and public education efforts following the passage of HB 3400 and other marijuana related bills. As we learn what effective implementation requires, I anticipate a dialogue with the Legislature to allocate resources adequate to the task. I look forward to continuing to work to refine our system in the coming legislative sessions so that our citizens who avail themselves of the new laws do so in a way that is safe for them and for those who do not.

Sincerely,

Governor Kate Brown

KB/HM/sb

c: Senate President Peter Courtney