



Pierce County

Office of the County Executive

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June 30, 2016

Doug Richardson, Chair
Pierce County Council
930 Tacoma Ave South, Room 1046
Tacoma, WA 98402

Dear Chair Richardson:

I am returning Ordinance 2016—35s with my veto. This ordinance requested the Planning Commission to consider amendments to the Pierce County Code related to marijuana. I am vetoing this ordinance because my job as an elected official requires me to advance the will of the people who voted in 2012, in a comprehensive election, to legalize recreational marijuana.

This topic has been the subject of studies, debates and votes for many years. Quite frankly, the time has come to move forward, be diligent in enforcement and carry out the wishes of the people who reside in Pierce County.

Taking a look back at the path we have travelled provides some important context for my decision. In 1998, the people of the State of Washington passed Initiative 692 which approved the use of medical marijuana. I-692 received a 59% “yes” statewide vote and passed in 30 out of 39 counties. In Pierce County, the measure passed with nearly 120,000 “yes” votes.

Although I-692 allowed for the use of medical marijuana, it did not provide for any regulation. Finally, in 2015, as the Washington State Liquor and Cannabis Board (LCB) was implementing regulation and licensing for recreational marijuana, the legislature passed licensing requirements for medical marijuana. This law, requiring medical marijuana production, processing and retail to be licensed and regulated, goes into effect tomorrow, July 1, 2016.

Washington State passed the significant and comprehensive Initiative 502 in 2012. The intent of I-502 was to legalize, tax and regulate recreational marijuana in all parts of the state, in accordance with state regulation. More than 340,000 residents in Pierce County voted on the measure that year. Of that total, more than 54% of the voters said “yes;” for the state, the approval was 55.7%. More than 180,000 Pierce County residents voted “yes.”

In each of the elections (I-692 and I-502), Pierce County residents clearly indicated their approval of legal, regulated production and sale of marijuana. That’s why I was dismayed to watch last April’s costly election unfold. The results of the low-voter turnout reflected a small, select portion of Pierce County. Only 65,000 people in unincorporated Pierce County actually cast ballots in the April 2016 advisory election. 34,000 people voted “no” on the advisory ballot. In other words, five times as many Pierce County residents voted in 2012’s election than in the April election, a far greater voter sampling.

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Attempting to ban the production, processing and sale of marijuana piecemeal throughout Washington state defeats one of the most important goals of I-502: that is, the eradication of the black market. Effective regulation, licensing and enforcement of marijuana is the best tool we have for keeping marijuana out of the hands of young people.

There are 217 licenses to sell alcohol in unincorporated Pierce County and 1,743 total locations county-wide. The LCB does a good job in regulating and enforcing laws and regulations with respect to liquor licenses in Pierce County. We have the right to expect that same level of enforcement on marijuana as we have with alcohol.

To that end, the LCB has set forth comprehensive regulations. The current county regulations do not allow for the production, processing or sale of marijuana outside of the urban area or in any areas where kids may congregate. The current county regulations require a conditional use permit to produce, process or sell state-licensed marijuana. That means communities near these places will receive public notice of public hearings where neighbors can participate. Community members will have the opportunity to tell the hearing examiner their concerns.

As for the existing unlicensed medical marijuana establishments, I authorized notification letters be sent last fall to the owners of medical marijuana establishments located in Pierce County and the owners of the buildings where medical marijuana was sold. The letters notified the operators and owners of the change in Washington state law beginning July 1, 2016. Further, they were notified that Pierce County would enforce the state requirement for a license to produce or sell medical marijuana. By all accounts, the unlicensed medical marijuana establishments are closing, either because they will not be receiving a license or because the state-issued license will not be issued by July 1. If any unlicensed establishments remain open, Pierce County will close them.

As elected officials, we cannot shirk our duty to rationally and responsibly enforce the marijuana regulations imposed by the state.

I offer my support and collaboration to you and the County Council to effectively and efficiently implement the production, processing and sale of marijuana in Pierce County in accordance with Washington state law and Pierce County regulation.

Sincerely,


Pat McCarthy
Pierce County Executive