



THEODORE R. KULONGOSKI
Governor

August 2, 2005

The Honorable Peter Courtney, President
The Oregon Senate
900 Court St. NE.
Salem, Oregon 97301

Dear President Courtney:

I am writing to encourage the Senate to concur with Senate Bill 1037 D because we need to bring a level of predictability and certainty to Oregon's land-use process after the passage of Measure 37.

All of the issues in SB 1037 D – other than transferability – relate to giving government, including Oregon's 36 counties, 240 incorporated cities and the numerous other public entities with land-use authority, and the State of Oregon and its agencies, a uniform procedure for processing Measure 37 claims. As it passed the Senate, SB 1037 D included these procedural amendments, but it was not moving in the House. My office engaged in discussions about what it would take to move the bill to the floor of the House for a vote, and the issue of limited transferability was identified and agreed upon to become part of this procedural bill.

I understand there is not consensus around the limited transferability issue, but it is imperative to bring clarity to the processing of Measure 37 claims. If we do not pass a bill providing for a uniform claims process throughout Oregon, our numerous public entities will deliver different and conflicting applications and interpretations of Measure 37. The result will increase government costs by bringing about litigation and will challenge the public's confidence in our ability to govern.

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Each of us has taken an oath of office to uphold the constitution and laws of Oregon. I did not vote for Measure 37, but 61 percent of Oregonians did. It is the current law and it is that law that we have an obligation to uphold and implement.

Sincerely,



THEODORE R. KULONGOSKI
Governor

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