



MEASURE: HB 3455
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SUBMITTED BY: John Ludlow

**Testimony of John Ludlow, Chair, Clackamas County
In Opposition to HB 3455
House Committee on Rules
Wednesday, April 17, 2013**

Chair Garrett and Members of the Committee:

For the record, my name is John Ludlow, Chair of the Clackamas County Board of Commissioners (BCC). Thank you for the opportunity to appear before you today on behalf of the BCC to voice our strong opposition to HB 3455, which would establish a process for electing boards of directors for county service districts. We believe that this legislation would significantly impair the delivery of important services within Clackamas County by removing the Board's voice in the governance of County service districts.

County service districts, organized under ORS 451 ("County Districts"), are an invaluable tool used by many counties across the state to provide a diverse range of needed services to a broad range of constituents. County Districts are governed by the Board of County Commissioners ("Board") of the respective county in which they are located. County Districts are often the means of providing economy of scale services that a city cannot, yet would substantially benefit all residents, such as sewer service, regional recreational activities through parks, or funding to city libraries that also serve unincorporated residents. These County Districts allow for the provision of services greater than city boundaries for the collective benefit of taxpayers through lower rates or costs.

The governance and leadership provided by Boards give these districts the ability to see competing needs and balance priorities for the benefit of residents. It also allows the greater support of a county's resources in meeting the objectives of those districts. Neither of these benefits would be available to independent districts.

The bill before you today seeks to remove the Board's voice in a decision on whether or not to convert a County District into an independent district and confusingly creates another kind of independent district when statute already provides for one. For example, you can have a county service district for wastewater treatment as both Clackamas and Washington County do under ORS 451, or you can have an independent wastewater service district under ORS 450. It is unnecessary to create yet another type of independent district when state law already provides for the same. The bill does not address how budgeting, management, or any sort of transition would take place and would leave a confusing muddle through which all parties would have to navigate. There already exists a clear mechanism to allow for the transition of a County District to become an independent district pursuant to ORS 198, a process that allows the Board of the affected county to have a voice in the decision; a voice that this bill seeks to remove.

We have seen special districts both within our respective counties and statewide become mired in minor but contentious issues, or caught in a battle of personalities that has led to paralysis and

the failure of the independent district to accomplish its purpose. As volunteer part-time electeds, these boards do not have the same time or resources at the leadership level to devote to significant issues as full time Board members do. Also, the scope of the district's leadership's purview is narrowed to just that single purpose entity rather than being able to take into account the broader context of the impact of decisions on the community at large. By having the Board as full time electeds available to work on the governance of County Districts, complex problems with overlapping issues can be dealt with in a nuanced and global manner.

For the above reasons, we believe that creating a mechanism to remove County Boards as the governing bodies of functioning, successful County Districts is inappropriate. Many County Districts have a long tradition of service and have built state- and nationally-known identities for the benefit of their constituents. These traditions of service have been built up with the trust and reliance of its constituent members, including local governments. We believe it would be a grave error to remove the voice of Boards from these decisions and would lead to a less effective and efficient government.

I urge you to oppose HB 3455 and thank you for your consideration.