

Oregon Communities For A Voice In Annexations

Promoting & Protecting Citizen Involvement in Land Use Issues

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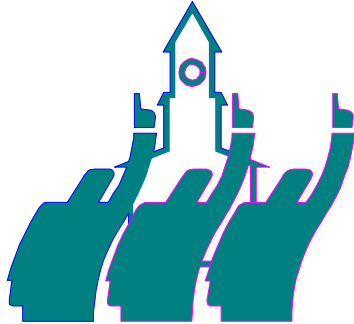
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March 5, 2015

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To: The Honorable Brian Clem, Chairman, and members
House Committee on Rural Communities, Land Use and Water

Re: HB 2938, Testimony of OCVA

Dear Chairman Clem & Committee Members:

First, Mr. Chairman, thank you for sponsoring this bill to rein in the practice of "hostage" annexations. OCVA proposed the language for the measure and urges this committee to move HB 2938 to the House floor with a "Do Pass" recommendation.

Our arguments in support are threefold:

1. **Lack of Necessity:** We have never seen or heard any legitimate reason why a city needs to require consent to annexation in exchange for providing a county service extraterritorially (such as building permits) as a proxy for the county;
2. **LC Opinion:** On January 9, 2006, Legislative Counsel issued an opinion that states, "**A city may require consent to annexation only for delivering its own services, not for acting as an agent of the appropriate service provider.**" Obviously that word has not gotten out to Oregon cities;
3. **Fairness:** Why should citizens be forced to have their property taxes as much as doubled and face \$thousands in assessments simply for obtaining a simple service such as a building permit? **PLEASE PUT YOURSELVES IN THE POSITION OF THAT CITIZEN: HOW WOULD YOU FEEL?**

This bill does not deny a city the right to annex for provision of its own services. We are simply asking that the LC opinion above be codified into law.

The part of our original language that eliminated the ability of cities to avoid the proposed change through IGAs or their comprehensive plans was not adopted in the drafting of the bill. That concerns us. We are hopeful that the language as written is intended to prevent such exemption. Thank you for listening and for your consideration.

Respectfully,

Jerry Ritter
Secretary, OCVA