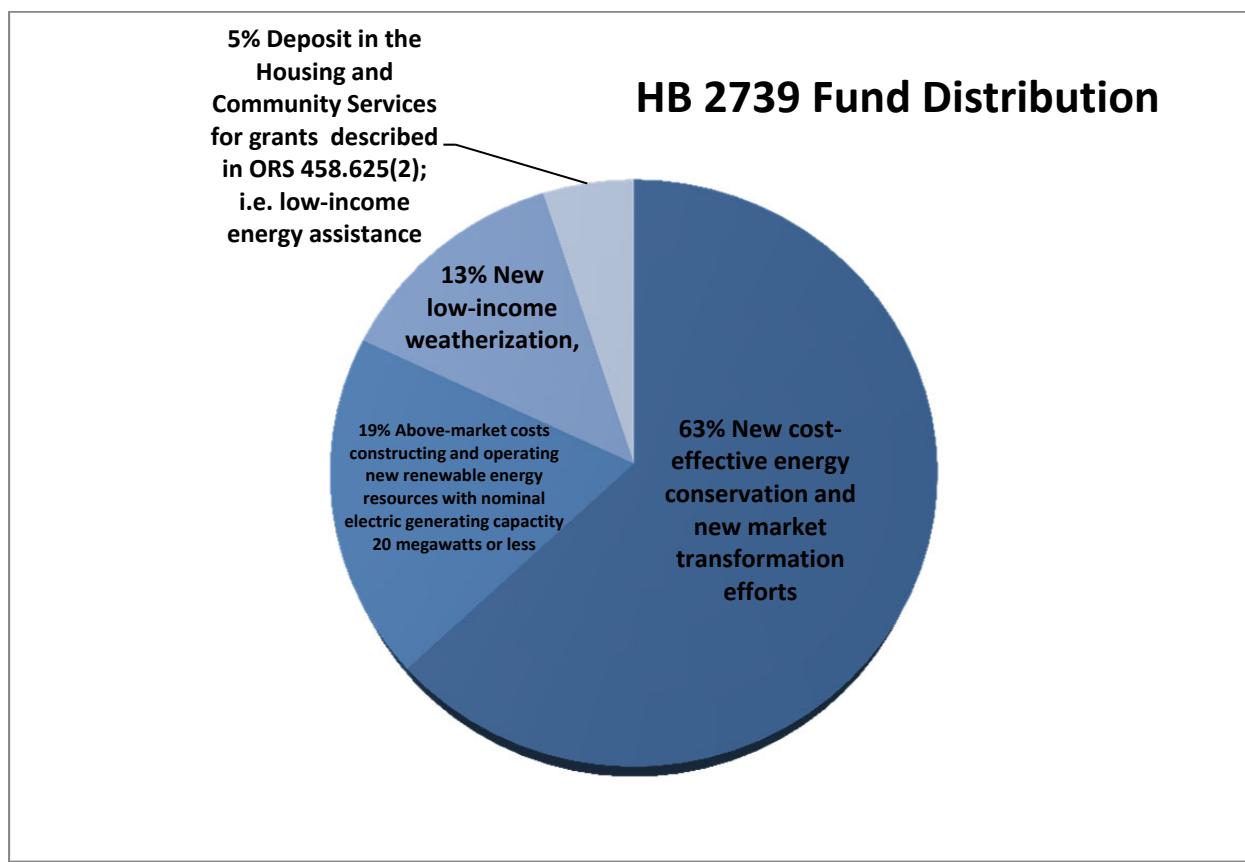


Why did the Legislative Assembly not include ORS 456.587 into ORS chapter 456?

Considering the Oregon Constitution the Legislative Assembly according to Article XI-D, State Power Development, Section 2 – legislators' are only able to "fix rates or charges" for electric energy produced by the development of water power. In other words, any power generated in any other manner besides hydro-electric power the Legislative Assembly has no right to set/fix rates or charges. Nor does the Legislative Assembly have the right under the Oregon Constitution to make laws which are not genuinely laws under Oregon Revised Statutes. Constitution gives Legislators right to make law not rules for special projects or for a person (individuals and corporations both considered a person) of this state to give a donation duped as energy assistance fund through a surcharge (3% sales tax). When a majority of the illegal revenue from these fees (surcharges/sales tax) go first to every energy program in existence before a measly 5% goes to energy assistance according to *HB 2739, Page 5, Line 16-25:*



Alternately, Legislative Assembly cannot set up a quasi-bank institution through an Incorporated Electric Provider in this state to collect fixed rates or charges according to Oregon Constitution, Article XI, Corporations and Internal Improvements, Section 1, 2, and 8.

**ORS 456.587** Electricity Public Purpose Charge Fund Public ... is established in the State Treasury, separate and distinct from General Fund.... *NOTE: 456.587 (Electricity Public Purpose Charge Fund) was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 456 or any series therein by legislative action.*

## **Oregon Constitution**

### **Article XI**

#### **CORPORATIONS AND INTERNAL IMPROVEMENTS**

Section 1. Prohibition of state banks. The Legislative Assembly shall not have the power to establish, or incorporate any bank or banking company, or monied [sic] institution whatever; nor shall any bank company, or instition [sic] exist in the State, with the privilege of making, issuing, or putting in circulation, any bill, check, certificate, prommisory [sic] note, or other paper, or the paper of any bank company, or person, to circulate as money.—

Section 2. Formation of corporations; municipal charters; intoxicating liquor regulation. Corporations may be formed under general laws, but shall not be created by the Legislative Assembly by special laws....

Section 8. State not to assume debts of counties, towns or other corporations. The State shall **never assume** the **debts** of any county, town, or other corporation whatever, unless such debts, shall have been created to repel invasion, suppress insurrection, or defend the State in war.—

## **Oregon Constitution**

### **ARTICLE XI-D**

#### **STATE POWER DEVELOPMENT**

Section 2. State's powers enumerated.

The state of Oregon is authorized and empowered:

... 7. To fix rates and charges for the use of water in the development of water power and for the sale and/or disposal of water power and/or electric energy ...