

May 21, 2004

Representative Karen Minnis
PO Box 790
Fairview, OR 97024

Dear Ms. Minnis,

I consider myself an advocate of public schools and social services. That is why I want you to kill the PERS excesses.

Enclosed is a copy of proposed wording for an ordinance for Multnomah County to insist upon the application of Oregon Laws 1999 Chapter 317 Section 9 in all PERS dealings, including the orchestrated PERS lawsuits going to the Oregon Supreme Court. The court case is like a joke in that no one opposing PERS beneficiaries has the courage to be aggressive.

This lack of aggressive protection of the law makes you partly responsible for the lack of funding for health services for my cousin. She had bi-polar disorder and should have swiftly been provided care. She died on March 7, 2004. I had been too busy trying to poke holes in the PERS slush fund from October 2003 through January 2004. I had sued the state treasurer on the Measure 29 bonding issue. The court found that my meddling was just a simple disagreement with public policy. The current crop of public sector protectors (arguably protecting the taxpayers interest and thus preserving funds to meet genuine public health safety and welfare needs) are a bunch of pansies. I was doing both your job and their job at the same time because you failed to tell the various whiners about a public employee contract to stick it in their pipe and smoke it.

They have a contract all right. But that contract does not involve transferring nearly 7 billion dollars of public money during the last 3 years to their own personal piggy bank called PERS. The statute I point to above is just one angle of attack.

The democratic process does not work in the absence of vigorous advocacy. Happy cooperation does not do a good enough job at illuminating the flaws in the reasoning of the opposing sides of any debate. Go for the jugular vein on PERS and thereby save education and health care in Oregon. Associations that represent public employees represent their personal private pecuniary interests and not the public interest. You need to send them that message in unmistakably clear language that they understand. Demand the return of all actuarially calculated underfunding monies transferred from June 23, 1999, through to the present.

The Oregon Supreme Court does not have the constitutional authority to appropriate money either through taxation or distribution of bond proceeds. This appropriation power likewise may not be delegated to the Oregon Supreme Court by the Legislature. Yet that is exactly what is happening in the judicial extension of public monies as a reward for same sex persons attempting to obtain the mere civil union characterized benefits for their preferred manner of sexual conduct. These constitutional limits apply equally to the extension of supposed contract benefits to PERS beneficiary whiners. The court cannot extend benefits without simultaneously finding that the legislature or negotiators unlawfully exceeded their authority. My reading of the Oregon Constitution clearly limits the judiciary to a declaration of a statute or rule as invalid and does not authorize them to redraft them to their liking, particularly when it involves compelled appropriations. The court's remedy for the legislature's failure to appropriate is to order the legislature to meet and not to do the legislature's job for them. You do not even have the power to abdicate this appropriation responsibility to the judiciary. Do not let the Attorney General tell you anything different.

Respectfully,

Ron Ledbury
4522 NE Cully
Portland, OR 97218