

On Thursday, April 18, 2019, 06:52:33 PM PDT, John Lloyd Scharf <johnlloydscharf@yahoo.com> wrote:

The Oregon Constitution prohibits statute law to the contrary of it. It is superior to statute law.

To violate it is a violation of your oath and ethics.

Under Article 1, Section 27, The people shall have the right to bear arms for the defence of themselves, and the State, but the Military shall be kept in strict subordination to civil power.

While case law shows regulation of arms possessed by the mentally ill and felons was legislated at the time; at no point were law abiding citizens meant to be denied the use of arms.

While Congress can go beyond our constitution, the Oregon Legislature cannot. The Oregon Constitution does not give the Legislature any such power. If everything the federal government can do were allowed by States, then we would STILL have a State Senator for every county. then we would STILL have a State Senator for every county as in 1857 when the Constitution held "Section No. 7A Senatorial district, when more than one county shall constitute the same, shall be composed of contiguous Counties, and no County shall be divided in creating Senatorial districts." Rural counties would have the same vote as

Multnomah County. ***Reynolds v. Sims, 377 U.S. 533 (1964)***

At this point, logically, independent counsel should be assigned to review the Oregon Constitution to determine its constitutionality. So far, that has not even been requested of the Attorney General by the Senate President.

The principle here demanding a referendum change to the Constitution is the same as Article 1, Section 15, November 1996. It previously said laws for the purposes of punishment will be for reformation rather than vindictive justice. It now states, "Laws for the punishment of crime shall be founded on these principles: protection of society, personal responsibility, accountability for one's actions and reformation."

The element prohibiting vindictive justice was removed. It had to be done or the Death Penalty could be challenged based on the fact no one is reformed and the sentence is, therefore, purely vindictive.

These laws for the punishment of crime, for possession by the otherwise law abiding citizen, do not protect society. It holds law abiding citizens responsible and accountable for the actions of felons and the mentally incompetent violating the law.

Therefore, any law regulating the use of arms by sane and law abiding citizens requires a change Article 1, Section 27 of the Bill of Rights of the Oregon Constitution, if not Article 1, Section 15.

SB 978 would create a patchwork of back alley gun control laws and eliminate Oregon's preemption statute protecting law abiding citizens.

SB 978 would make otherwise law abiding citizens felons and criminalize free movement, if you traveled anywhere near any public building that chose to prohibit firearms, even if you had a concealed handgun license.

It would allow school districts, colleges and universities to create law concerning firearms in buildings they did not own, but leased.

It would make traveling to and from or near an airport with a firearm, even with a concealed handgun license, a felony.

It would mandate that guns be locked up (already declared unconstitutional by the Supreme Court) and allow you to be charged with a crime even if they were locked up and stolen.

It would make possession of many firearms made before 1968 a felony.

It would make possession of any gun you made yourself a felony. There is no provision for adding a serial number to a firearm you made yourself.

It would eliminate or severely restrict youth firearms programs.

It would require that all firearms, using the ambiguous, arbitrary and capricious term "transferred" be equipped with cable or trigger locks. It hold citizens responsible for crimes committed with any firearm they "transferred" without such locks.

There is zero proof these "locks" do more than slow down theft or improper use unattended. Most defense shooting happens in less than three seconds at less than three yards with less than three shots.

It would ban possession of "unfinished frames or receivers," like the US CODE and ATF policy, which are so vaguely defined the term could be interpreted many different ways by reasonable persons.

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