

Submitter: Colinda Lennox  
On Behalf Of: We the people  
Committee: House Committee On Agriculture, Land Use, Natural Resources, and Water  
Measure, Appointment or Topic: HB3573

Dear Honorable Members of the Government,

I write to express my grave concerns and strong opposition to Measure HB 3573, I feel this bill is an unconstitutional overreach by the state and violates fundamental natural rights guaranteed under the U.S. Constitution.

First and foremost, it is important to recognize that water is a natural resource, and the people, not the government, are the rightful stewards of these resources. The U.S. Constitution, particularly the Fifth and Fourteenth Amendments, guarantees citizens' right to property, which includes the right to control and benefit from natural resources on their property, including water. In *Illinois Central Railroad v. Illinois* (1892), the U.S. Supreme Court reaffirmed that certain natural resources, like water, belong to the people and must be protected by the government in a trust capacity for the public good—not seized, taxed, or controlled for other purposes. The government's action to appropriate funds for data collection on water resources, without express consent from the citizens, risks infringing upon these fundamental property rights.

The proposed bill represents a direct violation of the principle of individual liberty. As established in *Meyer v. Nebraska* (1923), the Supreme Court has ruled that individuals possess the right to make private decisions regarding their lives and resources, including essential elements like water. By appropriating money for a state-run data collection and monitoring program, HB 3573 infringes upon the liberty of property owners by assuming control over their natural resources without their consent or approval.

Furthermore, this bill in my opinion, represents government overreach by funding and promoting invasive government action under the guise of resource management. The imposition of fees or tax expenditures to fund this data collection program amounts to a direct regulation of natural resources that should be beyond the state's power to commandeer. As the Court noted in *Murdock v. Pennsylvania* (1943), "no state shall convert a liberty into a privilege, license it, and attach a fee to it." By taking funds from the General Fund and potentially creating a burden on the people through this regulation of water, the state is treating the free and natural access to water as a government-controlled privilege, subject to taxation and monitoring. This conversion of a natural, inherent right into a privilege undermines the principles of justice and liberty..

HB 3573, as proposed, I feel represents not only a threat to the natural rights of Oregonians but also an unnecessary and overbearing expansion of government control over private resources. It undermines individual freedoms and property rights, all while diverting public funds to support an invasive state agenda that does not have broad consent from the people it is meant to serve.

In conclusion, I urge you to consider the unconstitutional implications of Measure HB 3573 and to reject this bill. The rights to access natural water, to control one's own property, and to be free from unnecessary government interference are foundational principles that must be upheld at all costs. This bill is not only unconstitutional in my opinion but also detrimental to the rights and liberties of the people of Oregon.