

Submitter: Matthew Sztelle
On Behalf Of:
Committee: House Committee On Judiciary
Measure, Appointment or Topic: HB3075
Testimony OPPOSING HB 3075

Dear House Committee on Judiciary,

Thank you for taking the time for public comments on HB 3075. I am a tax-paying, voting Oregonian of over 16 years and OPPOSE HB 3075 in its entirety. I find that looking at the original source, black letter text, helps remove a lot of confusion which is often generated when good intentions seek to enshrine those intentions into law.

The United States of America's Constitution, 2nd Amendment black letter text reads:
"A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."
- <https://constitution.congress.gov/constitution/amendment-2/>

The Oregon State Constitution Section 27 black letter text reads:
"Section 27. Right to bear arms; military subordinate to civil power. The people shall have the right to bear arms for the defence [sic] of themselves, and the State, but the Military shall be kept in strict subordination to the civil power[.]"
- https://www.oregonlegislature.gov/bills_laws/Pages/OrConst.aspx

This Amendment and Section, respectively, were written with the intent of PROTECTING the UNIMPEDED RIGHT for people to bear arms. In every respect, through 34 pages, HB 3075 seeks to impede this right through a system of permits, fees, personal data collection, centralized data basing, regulating Challenges to this law to a specific Oregon Court, Marion County (Section 22), and the declaration of an emergency (Section 24), etc... It is concerning a Bill of this form would even come to the committee given its clear violation of both Constitutions and the, as written, self-indicting acknowledgement, that this Bill is Unconstitutional by trying to both manage which Court can hear complaints as well as declaring emergency powers to circumvent the normal checks and balances when no emergency exists.

Fundamentally, I am appalled my tax dollars are spent working on items that are addressed either by existing laws and systems, such as background checks, or are efforts to rewrite the United States of America's Constitution and the Oregon Constitution, for example permits to own firearms which also require payment. The sections discussing photographing, databases, etc... also point to a further centralization of data systems that would inherently run counter to the intent of both

the US and the Oregon Constitutions by allowing potential abuses against citizens having arms should either the databases be hacked, which is a regular occurrence, or a government actor using the data to harm political or perceived adversaries. Further, the Bill as introduced is 34 pages. It is difficult to imagine our Legislative members are reading the language for this Bill, let alone writing it during a Legislative session having over 2000 Bills introduced. Finally, it is clear the author(s) of this Bill knows there will be valid court challenges and seeks to preempt the proper Constitutional functioning of the People of Oregon to seek redress through the Judicial branch by regulating the forum for grievances in advance as well as declaring emergency powers to circumvent ordinary due process.

I thank the committee for your time and appreciate your vote OPPOSING HB 3075 in its entirety for its inherently unconstitutional intent.

Respectfully submitted.