

Submitter:	James Welsh
On Behalf Of:	Oregonians
Committee:	Senate Committee On Rules
Measure, Appointment or Topic:	SB243

Oppose SB 243

Murdock v Penn, 319 US 105:(1943) "No state shall convert a liberty into a privilege, license it and attach a fee to it."

A state may not impose a charge for the enjoyment of a right granted by the federal constitution... The power to impose a license tax on the exercise of these freedoms is indeed as potent as the power of censorship which this Court has repeatedly struck down... a person cannot be compelled 'to purchase, through a license fee or a license tax, the privilege freely granted by the constitution.'

Shuttlesworth v. Birmingham, 373 US 262:(1962) "If the state converts a liberty into a privilege, the citizen can engage in the right with impunity."

Miranda v. Arizona, 384 US 436: "Where rights secured by the constitution are involved, there can be no rule making or legislation which would abrogate them."

Norton v Shelby County, 118 US 425: "An unconstitutional act is not law; it confers no rights; it imposes no duties; affords no protection; it creates no office; it is in legal contemplation, as inoperative as though it had never passed."

Marbury v. Madison, 5 US 137: "The Constitution of these U.S. is the supreme law of the land. Any law that is repugnant to the constitution is null and void of law."

Jim Welsh
King City