

Oregon Senate Judiciary Committee

Chair: Senator Floyd Prozanski
Senator Cliff Bentz
Senator Sara Gelser
Senator James Manning, Jr.

Vice-Chair: Senator Kim Thatcher
Senator Shemia Fagan
Senator Dennis Linthicum

Cc: Senator Bill Hansell, District 29

RE: Review Comments – SB 978 and Amendment No. 1
April 2, 2019

Dear Senate Committee on Judiciary Chair, Vice-Chair and Members, and Senator Bill Hansell:

I submitted review comments (28 items) on SB978 with Amendment No. 1 on April 2, 2019. The following is a revision of my comment No. 1.

1. MINIMUM AGE FOR FIREARM SALES - SECTION 1. (1) – *I am okay with SECTION 1. Firearm sellers, individuals and businesses, gun shows, and gunsmiths should be allowed to establish a minimum age requirement, 18, 19, 20, or 21. And persons not meeting the minimum age require should be free to shop/purchase from other firearm sellers, individuals and businesses, gun shows, and gunsmiths that do not have such age limitation.*

Allen Rieke
Union County Resident

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RE: Review Comments – SB 978 and Amendment No. 1
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Dear Senate Committee on Judiciary Chair, Vice-Chair and Members, and Senator Bill Hansell:

I have read and reread SB 978 with Amendment No. 1 (44 pages!!, posted only 5 days before the public hearing?). First, what is the idea of introducing a proposed one-paragraph bill and then attaching a 44-page amendment? Does not seem to be a righteous democratic process.

My basic beliefs First, I am a supporter of the Second Amendment of the Constitution of the United States of America, and the Oregon Constitution Article I, Section 27, “the right to bear arms, without infringement of the right”. The State should not be allowed to take away our right to own any kind of handgun or rifle, semi-automatic or not, or any size of magazines. I also believe along with firearm ownership comes the importance of gun safety, including proper gun handling skills and good gun storage practices, etc.

The following are my review comment of SB 978 with Amendment No. 1:

1. MINIMUM AGE FOR FIREARM SALES - SECTION 1. (1) – *I am okay with this Section 1. Firearm sellers, individuals and businesses, gun shows, and gunsmiths should be allowed to establish a minimum age, 18, 19, 20, or 21. And minors should be free to shop/purchase from other firearm sellers, individuals and businesses, gun shows, and gunsmiths that do not have such age limitation.*

2. SECTIONS 2, 3, and 4 – *I have no comments on these Sections.*

3. SECTION 5, 5(a) and 5(b) – *Why do these two subsections need to include “firearm cleaning and maintenance “. This type of activity and materials could be stored and used outside of a gun room, in a work room or garage. When the gun cleaning and maintenance is completed the firearms would simply return to the gun room or other locked storage.*

4. SECTION 6. (1)(a) – *I request the following subsections be added:*

“(D) In a person's locked residence when not inhabited or accessible by minors under age 18, i.e. no children are in the home, or unauthorized persons.

(E) In a person's locked vehicle when not inhabited or accessible by minors under age 18, i.e. no children are in the vehicle, or unauthorized persons.”

Reasoning: A firearm owner should be allowed to lock a gun in his/her vehicle, RV (motorhome or trailer), or home, if the vehicle, RV or home is not open to minor children or unauthorized adults.

Example: A firearm owner should be able to stop at a business, public building, adjacent grounds,

parking lot, an other's residence and temporarily leave his/her firearm in a locked unoccupied vehicle, or RV. Also, if there are no minors under age 18 or unauthorized persons in the firearm owner's house, the homeowner or renter should be allowed to have a firearm in the LOCKED house.

5. SECTION 6. (2)(a) – *Is it meant “Class C misdemeanor violation”*

6. SECTION 6. (2)(b) Each firearm owned or possessed in violation of subsection (1) of this section constitutes a separate violation. - *This subsection is totally unreasonable !!. A violation should be per incident, not per each firearm.*

7. SECTION 6. (4) – *The following should be added to this subsection: “(f) By a person who defeated the tamper-resistant secured storage of the firearm.”*

8. SECTION 7. (1)(b) – *Revise to read “tamper-resistant lock and interior hinges”. Note: There are gun cases available that have exterior hinges that can be easily taken apart.*

What is the definition of “tamper-resistant”? The requirement needs to be reasonable and practical.

9. SECTION 7. (2)(a) - *Is it meant “Class C misdemeanor violation”?*

10. SECTION 8. (1)(a) and (1)(b) – *I believe Section 8 contains reasonable loss or stolen reporting requirements.*

11. SECTION 8. (2)(a) - *Is it meant “Class B misdemeanor violation”?*

12. SECTION 9. – *I have no comments on this Section at this time.*

13. SECTION 10. - *Revise to read “tamper-resistant lock and interior hinges”. Note: There are gun cases available that have exterior hinges that can be easily taken apart.*

14. SECTION 11. – *No comment.*

15. SECTION 12. (1)(a) and (1)(b) – *I approve Section 12. Guns should not be stored or left in locations where minors under age 18 can access them without adult supervision.*

16. SECTION 12. (2)(a) - *Is it meant “Class C misdemeanor violation”?*

17. SECTION 12. (3)(c) - *Revise to read “trigger lock, cable gun lock, or safe storage device.”*

18. SECTION 12. (3)(d) – *Add “including locked gun room, cabinet, closet, vehicle, or enclosed recreational vehicle”*

19. SECTION 13. – *The first sentence of the proposed message “The purchaser of a firearm has an obligation to store firearms in a safe manner and to prevent unsupervised access to a firearm by a minor.” seems reasonable. But the second sentence of the proposed message “If a minor obtains access to a firearm and the owner failed to store the firearm in a safe manner, the owner may be guilty of a crime. “is overly harsh and not necessary.*

20. SECTION 14, 15, 16 and 17 – *I have no comments on these Sections.*

21. SECTION 18. – No comment

22. SECTION 19. (4)(c)(B) - *Revise to read “The firearm is equipped with a trigger lock, cable gun lock or other safe storage device”*

23. SECTION 20, 21, 22 and 23 – *I have no comments on these Section.*

24. SECTION 24. *Isn't the cost of the FBI fingerprint check already included in the sheriff's concealed handgun license fee? An alternative viewpoint would suggest the State should pay the cost of concealed handgun permit application review fees, issuance of the license, fingerprint check, and records keeping.; and NOT the permittee.*

25. SECTION 25. - *I have no comments on this Section.*

26. LOCAL AUTHORITY TO REGULATE FIREARMS IN PUBLIC BUILDINGS, SECTION 26. –
This Section should include minimum requirements for public hearings, notices, and posted signing (at all entrances) for schools, colleges and universities, public buildings, courts, "adjacent grounds", and owned property.

Here is an alternative viewpoint – Creating more and more gun-free zones may increase the danger to the public. Gun-free zones give criminals free reign to wreck mayhem. It may be appropriate for entities that choose to be gun-free zones that these entities be held “strictly liable” for injury or death to public persons and employees caused by criminals with guns or other weapons in their building or on their property.

27. SECTION 26. (1) – *It would be clearer if the criteria “at least 2 million passenger boardings per calendar year” is deleted and the affected airport(s) is just named in this Section. Is it just PDX? Or does it include other airports?*

28. Section 27. (9)(b), (c) and (d) – *These three subsections should be written so they do not apply to conceal carry permittees if he/she are sitting in his/her vehicle or RV motorhome, temporarily waiting for a passenger.*

Thank you for your consideration of my comments,
Allen Rieke
Eastern Oregon, Union County Resident
Born, Raised and Lived in Oregon all my life.
Law-Abiding Retired Senior Citizen
Second Amendment Supporter
Game Hunter and Pistol-Rifle Club Member