



# OREGON HUNTERS ASSOCIATION

*WILDLIFE • HABITAT • HUNTERS' RIGHTS*

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Paul Donheffner, Legislative Committee Chairman

OHA believes the opinion of Legislative Counsel (3/19/2019) raises serious doubts about the constitutionality of SB723B. **We firmly believe the current bill violates our First Amendment rights to free speech and freedom of association.**

OHA has historically held very low key "coyote contests" at the chapter level in places like Lakeview, Klamath Falls, etc. These are **Members Only** contests. As explained in our earlier written testimony, **the contests run all year long.** There is no "MASS KILLING". Members bring a coyote pelt to a monthly chapter meeting and get a raffle ticket. At the end of the year, during a chapter holiday party, one raffle ticket is picked as a winner. Coyote hunting is legal year round. The joke last year is that one winner used a road kill entry.

This is an essential part of the social and cultural fabric of our association. It allows our members to express themselves with a perfectly legal activity, and promotes camaraderie and fellowship among members. As private association activity, it harms nobody. Our association exists to promote hunting and protect hunter rights. Coyotes take young fawns, elk and antelope calves, and domestic livestock. Coyotes often eat their prey while it's still alive and it is not cute or pretty. The truth is hunting coyotes protects domestic livestock and other wildlife, and is legal year round.

SB723 does not achieve a **compelling state interest.** While attempting to ban large commercial contests, it advertently bans our low key association sponsored raffle contest which use legally taken coyotes. It doesn't limit coyote hunting. We feel that we are collateral damage caused by the broad nature of this prohibition.

This bill puts a chilling effect on the free speech and free association of groups such as ours who have traditionally held legal coyote raffle contests amongst our members.

Based on the Legislative Counsel opinion, we believe OHA's case will check all the necessary boxes for the courts to find that this proposed statute is in violation of the Constitution and our First Amendment rights. Why should we have to go to the courts to defend our basic rights? This seem so unnecessary over a simple raffle contest.

OHA remains firmly opposed to this bill, and hopes the Legislature will protect our First Amendment Rights. We respectfully request a simple amendment to narrowly exempt the kind of contest we hold: by a non-profit association built on hunting, where it is for

**members only.** Ours is essentially a simple members only raffle contest rather than some big commercial contest, which is what prompted this bill. We are the victims of unintended consequences.

And honestly, what's the difference between a coyote contest and a fishing derby, or a big buck contest? There really isn't any, so this is a very slippery slope. What's next?

We believe this bill must be narrowed to exempt our longstanding traditions, and protect our Freedom of Association and Speech. Many other kinds of activity that people find objectionable are protected by the First Amendment. Just because you don't like some activity doesn't give the state a compelling interest in banning it to appease one group over another. (See attached Willamette Week article). The issue here is much bigger than a coyote contest.

Please support the B-12 amendment to exempt our simple, members only, chapter raffle contests.