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March 24, 2021

To: House Committee on Judiciary; others

**Re: I OPPOSE [HB 3115]...*The Homeless are a "Public Health" threat to themselves and others.***

**[HB 3115]** will facilitate and enable the Homeless population to fester on public property.

**[HB 3115]** will allow Homeless encampments to be established anywhere on public property especially, in public parks located in neighborhoods.

**[HB 3115]** will promote, enable and facilitate homeless encampments to be used as "base camps" for the criminal element to prey upon helpless and innocent people in their homes.

**[HB 3115]** will reduce property values and equity. Homes in neighborhoods with public parks full of Homeless encampments will become worthless.

**[HB 3115]** uses **[ORS 131.705]** which concerns itself with "Public Buildings, lands and et cetera." A very dangerous misuse of this statute will transform even rural areas into Portland slums.

**[HB 3115]** also uses **[ORS 203.077]** and **[ORS 203.079]**. These two(2) statutes transform Homeless persons into "endangered and protected species" requiring specialized and tailored treatment under the law.

**The "Text of (-1) Amendment; [Page 1 at (3-18)]" exert** states, "Delete lines 18 through 21 and insert: "(4)(a) **A person experiencing homelessness may bring suit for injunctive or declaratory relief to challenge the objective reasonableness of a state law or a city or county law described in subsection (2)** of this section. "(b) The action must be brought in the circuit court of: "(A) The county that enacted the law; "(B) The county in which the city that enacted the law is located; or "(C) Any county in which the state law is in effect." Delete line 28. On page 2, delete lines 1 through 3 and insert: "(b) At least 90 days before the action was filed, provided written notice to the Department of Justice in the case of a state law, or the governing body in the case of a city or county law, of an intent to bring the action and the notice provided the department or governing body, as applicable, with actual notice of the basis upon which the plaintiff intends to challenge the law.".

The "**Text: [Page 1 at (25-26)]" exert** states, "(6) In any suit brought pursuant to subsection (4) of this section, the court, in its discretion, may award reasonable attorney fees to a prevailing plaintiff if the plaintiff:..."

It is time to repeal; **[ORS 131.705]**, **[ORS 203.077]** and **[ORS 203.079]**.

The "Fiscal Impact Statement" is grossly misstated.

**[HB 3115]** is going to be very costly to Oregon cities and Counties and will foment justifiable rebellion.

***Respectfully submitted,***

/s/ David S. Wall