

Submitter: Eric M.
On Behalf Of:
Committee: House Committee On Judiciary
Measure, Appointment or Topic: HB3075

OPPOSED to Your Bill Infringing on Oregon and United States Citizens

This is unconstitutional on both the State and Federal Level.

ALL of the Senators and Representatives in the State of Oregon including the Governor take an oath to uphold both Constitutions of the State of Oregon and the United States. Given this Stop pursuing the unconstitutional laws, specifically regarding the The 2nd amendment and the Article 1 Section 27 of the Oregon Constitution. Please spend our tax dollars and your energy on other issues pertaining to the State.

Below are the Legal rulings which explain my position.

First on the State Level Section 27. Right to bear arms; military subordinate to civil power. The people shall have the right to bear arms for the defence of themselves, and the State, but the Military shall be kept in strict subordination to the civil power. Second onto on the Federal Level: 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.

The legal support from the Supreme Court's Rulings in the Heller and Bruen Cases: The Heller Case in which the U.S. Supreme Court on June 26, 2008, held (5-4) that the Second Amendment guarantees an individual right to possess firearms independent of service in a state militia and to use firearms for traditionally lawful purposes, including self-defense within the home.

The Supreme Court's ruling on the Bruen case which changed the test that lower courts had long used for evaluating challenges to firearm restrictions. Judges shall no longer consider whether the law serves public interests like enhancing public safety. The Bruen Decision states: After striking down the two-step test (formerly used by Courts of Appeals addressing Second Amendment issues), Bruen identified the new test courts must use on Second

Amendment cases. The Court held: "When the Second Amendment's plain text covers an individual's conduct [here the right to bear arms], the Constitution presumptively protects that conduct. The government must then justify its regulation by demonstrating that it is consistent with the Nation's historical tradition of firearm regulation. Only then may a court conclude that the individual's conduct falls outside the Second Amendment.

I will reiterate: ALL of the Senators and Representatives in the State of Oregon including the Governor take an oath to uphold both Constitutions of the State of Oregon and the United States. Given this Stop pursuing the unconstitutional laws, specifically regarding the The 2nd amendment and the Article 1 Section 27 of the

Oregon Constitution. Please spend our tax dollars and your energy on other issues pertaining to the State.