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Measure 114 and HB3075 are a blatant violation of the Second Amendment rights of the citizenry of our beautiful state. From before the time of our statehood and prior to the creation of the Oregon Territory our citizenry and inhabitants have bore arms. From the Mountain Man Era of old and into modern day Oregonians have exercised their rights to bear arms, for the pursuit of game and more importantly, for self preservation. However that is not what the Second Amendment was written for.

“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 Second Amendment was not written for our citizens to hunt, nor solely to defend oneself and property. It was written on the principle of defending our populace from enemies foreign and domestic, to defend us from a tyrannical government. Our Founding Fathers wrote one clear, concise sentence for us ending in “shall not be infringed.” Below I will make my case for why HB3075 must not be passed.

For HB3075, or at the very least sections of it, there must be historical precedent to uphold its constitutionality. At no point in the history of our Nation's statehood has there ever been a precedent for a permit to purchase. If this were to pass this does not only violate the constitution due to lack of historical precedent, but it also imposes a burdensome tax on the population.

“The permit agent may charge a reasonable fee reflecting the actual cost of the process but shall not exceed [§65] \$150, including the cost of fingerprinting, photographing and obtaining a criminal background check.”... “The portion of the fee payable to the department for conducting the state and federal criminal background check shall be established by the department and may not exceed \$48.”

While the Federal Government may not legally impose a tax on firearm sales, though they have via the NFA, a \$200 tax stamp originally imposed to keep certain weapons out of the hands of the poor, I do recognize that at the state level there is legal precedent to do so. That said, firearm enthusiasts already pay for NICS 4473 on every purchase of a firearm, we also pay to legally concealed carry a firearm for self defence. Lastly we pay into the Pittman-Robertson Act on every purchase of firearms and ammunition, which for the record I believe is a valuable contribution towards conservation.

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“A well regulated Militia”

While many would be led to believe that the wording chosen by the Founding Fathers in the text above is in reference to the State, or Government being allowed to regulate the “Militia”, rather Supreme Court Justice Scalia said this in the Heller decision.

“(T)he conception of the militia at the time of the Second Amendment’s ratification was the body of all citizens capable of military service, who would bring the sorts of lawful weapons that they possessed at home to militia duty,”... “bear arms” was “unambiguously used to refer to the carrying of weapons outside of an organized militia.”

We the populous of the state are the “Militia”, we are not all members of the National Guard, or organized militia groups, in fact the vast majority of us are unaffiliated to either. Yet, we are protected under the second amendment. We, the segment of the population, the 49.3% of this state that voted No on measure 114, do not wish to be further regulated by politicians. Measure 114 passed with a mere 0.7% of the vote, does that not make you stop and question whether or not that is what the populace wants? Maybe I’m naive, but when barely less than half of the state votes No on a measure I stop and think. I think about why that massive portion of the citizenry voted the way they did, maybe the way I see things is wrong, maybe my convictions and ideals are out of line and not those who voted opposite me.

I will close this not by asking or begging you to shoot down this bill, but to shred the idea of it. This bill will make law abiding citizens felons, It will impose a burdensome tax on the citizenry, and holds no historical precedent. Lastly I will leave you with a quote by one of our Founding Fathers,

“Those who would give up essential Liberty, to purchase a little temporary Safety, deserve neither Liberty nor Safety” -Benjamin Franklin