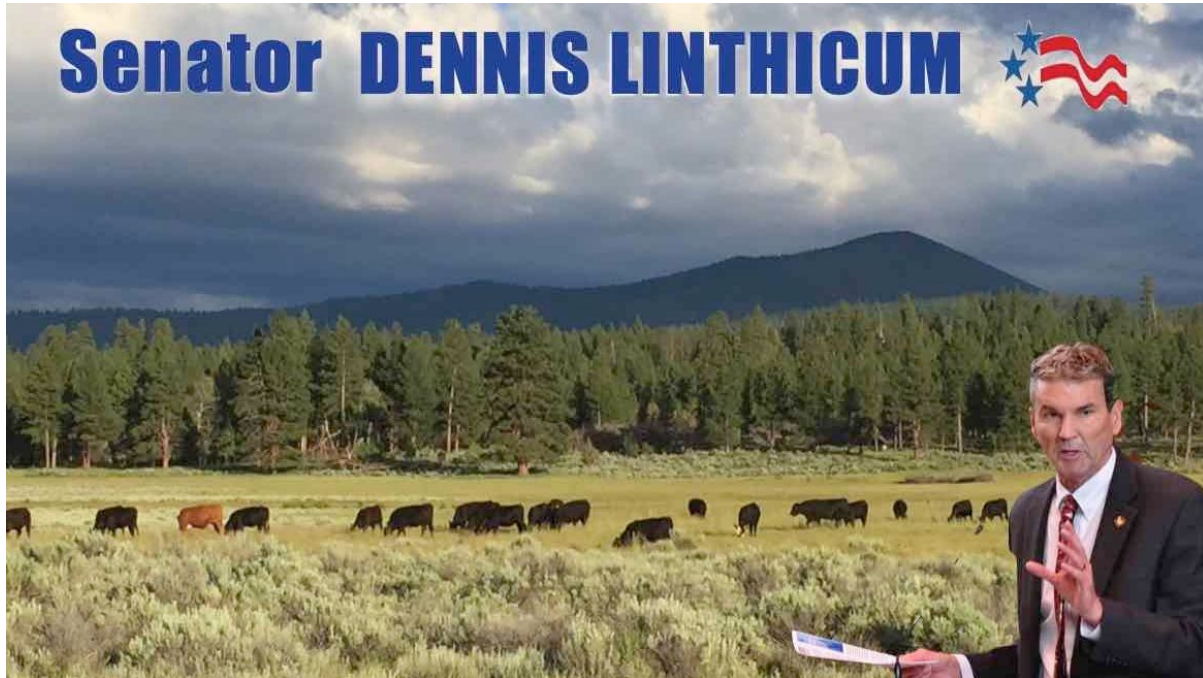


From: Dennis Dennis@ElectDennis.com
Subject: Sands of Despotism
Date: May 27, 2021 at 10:06 AM
To: <2ndvicepresidentbhrw@gmail.com> 2ndvicepresidentbhrw@gmail.com



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The COVID emergency is over and has been over for months, now. Today, the real Public Health danger in Oregon is not coming from SARS-CoV-2, it is coming from government overreach. The headaches, nausea, and cold-sweats which the public is suffering from comes from fear. The Fear of Big Brother, or Karen's, or neighborhood snitches or do-gooders who are trying to do right, but never-the-less create a very real and palpating tension and uneasiness.

People find themselves constantly worried, not about infecting anyone, they know they do not suffer from COVID-19. They know they have immunity, natural or otherwise. Yet, they are always wondering who might demand what? Can I be normal in this store? Where's my mask? Will I have to show my nanerwork? Is a mask required for my grand-daughter? Does my teen need a

paperwork, is a mask required for my grand daughter? Does my teen need a vaccine card? These questions of self-assessment and personal review are untoward and degrading, and are frankly, unconstitutional.

Yesterday, on the Senate Floor, I made a motion to bring Senate Joint Resolution 23 to the floor for a vote. My motion was necessary because SJR 23 found itself aground on the sands of political despotism fortified by Oregon's committee-centric majority party process. Yet, ensuring the protected constitutional rights and representation for the public is the legislature's most basic responsibility. Governor Kate Brown, has engineered executive overreach and become a super-legislator who has chosen to neglect her responsibilities as outlined in the US and Oregon Constitutions.

Oregonians should have a say in how they are governed, period.

SJR 23 would have put the question to Oregon voters as to how they would like their elected representatives in the legislature to constrain or check the Governor's power via unelected bureaucrats. SJR 23 went down to defeat with every Republican voting YES and every Democrat voting NO. Oregonians have been denied their rights to constitutional governance, once again, by the Democrat super-majority.

As background, Oregon has detailed legal procedures for addressing communicable diseases and for testing, treating, quarantining, or isolating individuals believed to pose a threat to public health.

Oregon's existing statutes, akin to those upheld in the U.S. Supreme Court in *Jacobsen v. Massachusetts*, 197 U.S. 11 (1905), express a fundamental legislative determination that the appropriate response to serious communicable diseases was to delegate to the State Public Health Director or others the power to petition a court for an order to isolate or quarantine a person or group of persons as necessary (ORS 433.123) or use emergency administrative orders as needed (ORS 433.121).

No absurd, inconsistent, or arbitrary rule-making was ever needed. No lockdowns were necessary. No mandates for healthy people would be required;

these measures have never been tried in all of human history. Lastly, no violations of the separation of powers and other provisions of the Oregon Constitutional is required to implement such safety procedures to protect the public welfare in cases of epidemics. The public's protections have been codified in our state's own Constitution.

Specifically, Article IV, § 1 of the Oregon Constitution provides:

- "The legislative power of the state, except for the initiative and referendum powers reserved to the people, is vested in a Legislative Assembly, consisting of a Senate and a House of Representatives." No legislative powers are vested in the Governor.

Article I, § 21 of the Oregon Constitution provides:

- ". . . nor shall any law be passed, the taking effect of which shall be made to depend upon any authority, except as provided in this Constitution".

Article I, § 22 provides:

- "The operation of the laws shall never be suspended, except by the Authority of the Legislative Assembly."

Article III, § 1 of the Oregon Constitution provides:

- "The powers of the Government shall be divided into three separate (sic) departments, the Legislative, the Executive, including the administrative, and the Judicial; and no person charged with official duties under one of these departments, shall exercise any of the functions of another, except as in this Constitution expressly provided."

Now is the time for the legislature, citizens in Oregon, and citizens across these fifty United States, to focus on educating ourselves and the next generation to understand and appreciate our founding documents. Our history, traditions and constitutional form of governance gives great weight and unprecedented value to the people in order to check the power of the powerful.

As Thomas Jefferson warned,

“Confidence is everywhere the parent of despotism. Free government is founded in jealousy, and not in confidence. It is jealousy and not confidence which prescribes limited constitutions, to bind down those whom we are obliged to trust with power...

"In questions of power, then, let no more be heard of confidence in man, but bind him down from mischief by the chains of the Constitution.”

– Thomas Jefferson, Draft Kentucky Resolutions [1798]



from the office of
SENATOR DENNIS LINTHICUM
PRESS RELEASE

FOR IMMEDIATE RELEASE
May 26, 2021
Contact: Dru Draper
dru.draper@oregonlegislature.gov

Senate Democrats Vote to Continue Governor’s Unchecked Power

SJR 23 would allow the legislature to be a check on unelected bureaucrats

SALEM, Ore. – Today Senator Dennis Linthicum and his Republican colleagues attempted to force a vote on [SJR 23](#), legislation to hold the Governor and her political appointees accountable for rules that govern Oregonians.

Contrary to CDC guidelines, Oregon OSHA maintains a permanent mask rule for places of business. Despite Washington and California moving on from the pandemic without vaccine passports, Oregon’s Oregon Health Authority’s vaccine passport scheme threatens the safety of workers and violates all notions of medical privacy.

If approved by voters, SJR 23 would check the Governor’s overreaches by granting Oregonians’ elected representatives the power to repeal rules made by unelected bureaucrats.

“This last year of tyrannical rule by the Governor and her agency appointees exposed the glaring needs for checks and balances,” Senator Dennis Linthicum (R-Klamath Falls), chief sponsor of the legislation, said. “We should have done this a long time ago, and without these protections, future executive branch overreaches are inevitable. Democrats are hiding behind the Governor’s edicts to escape responsibility for tough decisions. It’s pure cowardice for the Democrats to block common-sense measures to defend Oregonians from the Governor’s overreaches. The Legislature needs to reclaim its place as a co-equal branch of government to defend Oregonians’ freedoms.”

SJR 23 would prevent the executive branch from threatening Oregonian's freedom without any recourse. The voters of Pennsylvania just recently approved two ballot measures aimed at curtailing the Governor's powers.

Join with me to Defend Life, Liberty and Property!

Contribute Today!

If we don't stand for rural Oregon Values and common-sense... No one will!

Regards,

Dennis Linthicum
Oregon State Senate - District 28

Email: sen.DennisLinthicum@oregonlegislature.gov

Website: <http://www.oregonlegislature.gov/linthicum>

"If we suffer tamely
a lawless attack upon our liberty,
we encourage it, and
involve others in our doom."

– Samuel Adams, Speech [1771]





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