



Written by [Joe Wolverton, II, J.D.](#) on June 4, 2015

## Oregon County Nullifies State Law Restricting Gun Rights

The federal government doesn't have a monopoly on unconstitutionally infringing on the rights of the people to keep and bear arms, and one West Coast county is prepared to defend that right against all enemies — federal and state.

On June 2, the county commission of Lane County, Oregon, voted 4-1 "that local government could not afford to investigate violations of the new law, and affirmed the 'right of the people to keep and bear arms' under the U.S. Constitution's Second Amendment," Reuters reported June 4.



The Reuters story also noted:

Commissioner Jay Bozievich, who lobbied against the background check legislation before it passed in May, told Reuters on Wednesday that the commission's vote reflected both ideological concerns and financial realities.

"We've had to make major cuts in our law enforcement and prosecution budgets. We currently don't prosecute 1,800 felonies per year," said Bozievich, a Republican. "We don't have the resources to enforce this law."

"We have real Second Amendment concerns about the bill," he added, as reported by Reuters.

With the constant danger to unrestricted gun ownership coming from all corners of government, Lane County is to be congratulated on its nullification of all those threats, whether they be from the White House or the State House.

The most effective weapon in the war against small and large tyrannical attacks on liberty is *nullification*. Nullification occurs when a state, county, city, or other local entity holds as null, void, and of no legal effect any act of any government body that exceeds the boundaries of its constitutional powers.

Nullification recognizes that states possess the right to invalidate any federal measure that exceeds the few and defined powers allowed the federal government as enumerated in the U.S. Constitution.

States (and their legal subdivisions) retain the right to act as arbiters of the constitutionality of federal acts *because they formed the union*, and as creators of the compact, they hold ultimate authority as to the limits of the power of the central government to enact laws that are applicable to the states and the citizens thereof.

Despite criticism by those who advocate for a more powerful federal government, nullification would not lead to anarchy, as it is only unconstitutional federal acts that will be subject to state invalidation.

Reuters quotes Democratic state Senator Floyd Prozanski, a proponent of background checks and a resident of Lane County, as saying that the law being challenged by the county commission "does not infringe upon the constitutional rights of law-abiding citizens."



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Perhaps Senator Prozanski needs to click over to a copy of the Constitution and he'll discover that the Second Amendment makes no exception to the "shall not be infringed" provision. In fact, it is an absolute denial to the government of the power to reduce the scope of gun ownership in any way.

Nullification is the "rightful remedy" and can not only restore the rule of law in this Republic, but can restore the independence of states and cities, freeing them from the financial chains that have them bound to the federal behemoth.

While the Second Amendment does not apply to the state governments (at least as the function of federalism was understood by the Framers), the right to keep and bear arms is an expression of the natural right of self-defense which man received from his Creator, not from his county commission.

And, as Congress continues to surrender to the president all legislative, executive, and judicial power, the need for nullification is urgent, and liberty-minded citizens are encouraged to support elected representatives at any level courageous enough to assert their authority to restrain others in larger levels of government through application of the very powerful and very constitutional principle of nullification.

By passing similar pro-Second Amendment resolutions, cities and counties around the country can help restore the natural right to keep and bear arms.



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