

Opponent comments on proposed State and Local Government – H. B. No. 62

As a registered Ohio voter and a natural born citizen of the United States and a citizen of Ohio, I write to oppose proposed H.B. No. 62. This proposed legislation is fundamentally unconstitutional and an unlawful and oppressive assault on federalism under the United States Constitution. Notwithstanding the dangers this proposed legislation presents to every Ohioan as yet another slide toward unfettered firearms possession, this legislation asserts State authority that is directly in conflict with the separation of powers under the United States Constitution and is contrary to the plain language of the United States Constitution which states, in part in Article VI, "The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this [federal] Constitution". The assertion in the detailed analysis of proposed H.B. No. 62 that "Although the several states have granted supremacy to laws and treaties made under the powers granted in the Constitution of the United States, **such supremacy does not extend to various federal statutes, executive orders, administrative orders, court orders, rules, regulations, or other actions that collect data or restrict or prohibit the manufacture, ownership, and use of firearms, firearm accessories, or ammunition exclusively within the borders of Ohio**; such statutes, executive orders, administrative orders, court orders, rules, regulations, and other actions exceed the powers granted to the federal government except to the extent they are necessary and proper for governing and regulating the United States armed forces or for organizing, arming, and disciplining militia forces actively employed in the service of the United States armed forces" (emphasis added) is patently Federally Unconstitutional. There is a structural remedy for Ohio to reject a federal statute, executive order, administrative order, court order, rules, regulations or other federal actions. This structural remedy is the federal court system. To otherwise assert a power of rejection under the guise of the Tenth Amendment is itself unconstitutional because the United States Constitution provides for remedy through the courts.

Ohio cannot assert a power that it is not afforded under the United States Constitution. H. B. No. 62 must be rejected by the House and all relevant committee members who are bound to uphold their oaths of office.

Sincerely,



Michael W. Ahern

06/09/2021