

ARIZONA HOUSE OF REPRESENTATIVES  
Fifty-first Legislature – Second Regular Session

**COMMITTEE ON PUBLIC SAFETY, MILITARY  
AND REGULATORY AFFAIRS**

Minutes of Meeting  
Wednesday, February 19, 2014  
House Hearing Room 3 -- 9:00 a.m.

Chairman Pierce called the meeting to order at 9:14 a.m. and attendance was noted by the secretary.

**Members Present**

Mr. Borrelli  
Mr. Cardenas  
Mr. Farnsworth E

Mr. Gallego  
Mr. Livingston

Ms. Peshlakai  
Mr. Pierce J, Chairman

**Members Absent**

Mr. Mitchell, Vice-Chairman (exc)

**Committee Action**

HB2124 – DP (6-0-0-2)	HB2562 – DP (6-0-0-2)
HB2208 – DP (6-1-0-1)	HB2564 – DP (7-0-0-1)
HB2224 – <del>DP</del> FAILED (2-5-0-1)	HB2591 – DP (6-0-0-2)
HB2322 – DPA (6-1-0-1)	HB2688 – DP (7-0-0-1)
HB2475 – DP (6-1-0-1)	HB2691 – DPA (7-0-0-1)
HB2547 – DPA (6-1-0-1)	HCR2010 – DISCUSSED AND HELD

**CONSIDERATION OF BILLS**

**HB2691 – highway patrol officers; salary; appropriations – DO PASS AMENDED**

Casey Baird, Majority Research Assistant Analyst, stated that HB2691 appropriates \$2,914,700 from the General Fund in fiscal year (FY) 2015, FY2016 and FY2017 to the Department of Public Safety (DPS) for a 3 percent salary increase for highway patrol officers (Attachment 1). The Pierce two-page amendment dated 02/17/14 appropriates \$8,400,000 from the General Fund in FY15 to DPS for general salary increases for all Department employees, \$13,400,000 is appropriated from the General Fund in FY16 for a 3 percent salary increase for all salaried employees and \$18,400,000 is appropriated from the General Fund in FY17 for general salary increases for all Department employees (Attachment 2). These General Fund appropriations are

offset by monies from the Parity Compensation Fund, which is a fund that is currently used for salaries and benefits paid to law enforcement.

Representative Andy Tobin, sponsor, advised that this legislation brings the salaries of DPS officers up to market rate. He stated that law enforcement agencies are losing officers because salaries are lower than market rate. This proposal and the amendment provide the opportunity for the Legislature to send a message that this is a priority item. Arizona is in a race for new jobs. He believes it is appropriate to include the obligation to public safety and security in the budget process. He acknowledged that there are competing issues in the budget process; however, a state that is well run will continue to attract business.

Chairman Pierce agreed that this is an appropriate time to do this. He believes it is necessary to make sure public safety is where it needs to be. He is concerned about losing those important jobs and functions because salaries are not sustainable.

Mr. Gallego announced the names of those who signed up in support of HB2691 but did not speak:

Jason Winsky, Lobbyist, Combined Law Enforcement Association of Arizona

Levi Bolton, Arizona Police Association

Trey Williams, Lobbyist, Arizona Association of Counties

Jim Mann, Lobbyist, Arizona Fraternal Order of Police

Leonard Clark, representing self

John Ortolano, Lobbyist, Arizona Fraternal Order of Police

Kelsey Lundy, Lobbyist, Associated Highway Patrolmen of Arizona, in support of HB2691, revealed that DPS' salaries are 20 percent under market. She contended that the Department needs to stay competitive and that is the reason for the lump sum payments in 2015 and 2017, with a 3 percent across-the-board increase for all employees in 2016.

Jimmy Chavez, President, Associated Highway Patrolmen of Arizona, testified in favor of HB2691. He believes this is an issue that needs to be addressed. The agency is having a tough time recruiting adequate candidates. Finding qualified candidates is very difficult, especially when competing with other law enforcement agencies and retaining officers is another issue. In answer to a question, he advised that the process of merging the Capitol Police with DPS is complete. All personnel have the same classifications as DPS personnel and have received pay raises.

Rachael Gephart, representing self, advised that her husband has been with DPS for about six years. She related that there is no way to fairly compensate law enforcement officers for the sacrifices that they and their families make and the Legislature does not pay them a competitive wage. She claimed that this issue needs to be addressed.

In answer to Mr. Borrelli's question about starting salaries for officers and staff, Mr. Chavez related that the entry pay for officers is \$44,725 annually. The agency has numerous classifications for staff, ranging from administrative assistants to lab technicians in the crime lab, so he is unable to provide information relating to staff salaries. He said the average salary range is 18 to 20 percent behind the market.

Mr. Livingston asked what the average pay is for all DPS personnel. Mr. Chavez answered that he does not know; the agency can provide that information.

**Mr. Gallego moved that HB2691 do pass.**

**Mr. Gallego moved that the Pierce two-page amendment dated 02/17/14 be adopted (Attachment 2). The motion carried.**

**Mr. Gallego moved that HB2691 as amended do pass. The motion carried by a roll call vote of 7-0-0-1 (Attachment 3).**

**HB2547 – major event public safety reimbursement – DO PASS AMENDED**

Casey Baird, Majority Research Assistant Analyst, reviewed the provisions of HB2547 which establish the Major Event Public Safety Reimbursement Fund for the purpose of reimbursing host communities for public safety expenses associated with major events (Attachment 4). The reimbursement is capped at \$4 million. The Pierce two-page amendment dated 02/18/14 reduces the fund reimbursement cap from \$4 million to \$2 million, adds a delayed repeal date of January 1, 2016 and establishes a study committee to review and make recommendations to the Legislature whether to continue the Reimbursement Fund (Attachment 5).

Chairman Pierce advised that the amendment is a compromise that reduces the cap and establishes a study committee to evaluate the real impact of these events.

Representative David Gowan, sponsor, stated that the purpose of HB2547 is to ensure that the public is safe when attending major events. He asked Members to support this legislation.

Jerry Weiers, Mayor, City of Glendale, testified in support of HB2547. He said that when major events come to the state, the city that hosts the event has a duty to make certain that public safety is first and foremost. Major events are important to the state because of the economic impact. This legislation provides a tool to the host city to ensure that visitors are safe when they attend the events and that they have a great experience while visiting so they will want to return to Arizona.

Brent Stoddard, Intergovernmental Programs Director, City of Glendale, answered questions on revenue collections from the 2008 Super Bowl. He provided information from a study on the 2008 Super Bowl that was commissioned by the City of Glendale: the financial impact for the City was \$1,239,900 in tax revenues and the impact of the revenue collections from the event to the state was \$11,274,400. Mr. Farnsworth said he would like to see a copy of that study.

Mr. Stoddard advised a significantly higher level of security for this event is being required by the Department of Homeland Security, Federal Bureau of Investigation and Central Intelligence Agency; however, those agencies will not fund any of the increased costs for the additional requirements. Mayor Weiers stated that those agencies made it very clear that they will help support the City in security issues but the City is responsible for the event.

Mr. Stoddard explained the reimbursement process: before the event, the City has to provide a comprehensive plan of the public safety needs to the Joint Legislative Budget Committee (JLBC) and the Department of Administration. After the event, the City must submit certified financial statements of the actual costs of the event incurred to JLBC.

Names of those who signed up in support of HB2547 but did not speak:

Ryan Peters, League of Arizona Cities and Towns  
James Hamilton, Lobbyist, Phoenix International Raceway  
Tom Farley, Lobbyist, Phoenix International Raceway  
Amanda Reeve, Lobbyist, representing self  
Jim Mann, Lobbyist, Arizona Fraternal Order of Police  
James Candland, representing self  
Warde Nichols, City of Glendale  
Tim Hill, representing self  
Michael Colletto, Professional Fire Fighters of Arizona

Names of those who signed up as neutral on HB2547 but did not speak:

Leonard Clark, representing self

**Mr. Gallego moved that HB2547 do pass.**

**Mr. Gallego moved that the Pierce two-page amendment dated 02/18/14 be adopted (Attachment 5). The motion carried.**

**Mr. Gallego moved that HB2547 as amended do pass. The motion carried by a roll call vote of 6-1-0-1 (Attachment 6).**

**HB2591 – joint powers public safety committee – DO PASS**

Marshall Young, Majority Research Intern, stated that HB2591 establishes a governing board for the purposes of sharing criminal justice information between law enforcement agencies (Attachment 7).

Representative John Kavanagh, sponsor, advised that the Arizona Department of Public Safety (DPS) is charged with facilitating the exchange of information between police agencies. Recently, the exchange of information has become a sensitive topic, based on activities involving the events that took place with the National Security Agency (NSA), so DPS would like to have formalized policies to ensure that this process is done with supervision and coordination. HB2591 allows DPS to form this committee and set up rules to govern the exchange of information to ensure security.

In response to Mr. Farnsworth, Representative Kavanagh replied that there currently is no statutory law that allows law enforcement entities to form an organization to set rules and procedures.

Mary Marshall, Lobbyist, Maricopa County Attorney's Office, in support of HB2591, stated that the purpose is to establish a legal entity to facilitate the exchange of information. The various

police agencies have been exchanging information for years without a formal body; however, in order to pursue federal funding, a formal organization is needed.

In reply to Mr. Borrelli's query, Chairman Pierce answered that there is no fiscal note attached to this.

Names of those who signed up in support of HB2591 but did not speak:

Andrew LeFevre, Lobbyist, Arizona Criminal Justice Commission

Rebecca Baker, Lobbyist, Maricopa County

John Thomas, Lobbyist, Arizona Association of Chiefs of Police

Miryam Gutier-Elm, Lobbyist, Maricopa County

Names of those who signed up as neutral on HB2591 but did not speak:

Leonard Clark, representing self

**Mr. Gallego moved that HB2591 do pass. The motion carried by a roll call vote of 6-0-0-2 (Attachment 8).**

#### **HB2224 – sale of fireworks; counties – DO-PASS FAILED**

Courtney McKinstry, Majority Research Analyst, stated that HB2224 allows a county to regulate the sale of permissible consumer fireworks in certain areas and modifies conditions in which a county may regulate the sale and use of fireworks (Attachment 9).

Representative Karen Fann, sponsor, advised that northern Arizona faces serious dangers from fires. In a Stage 1 fire restriction, smoking outside of a vehicle is not allowed in the fire areas and the woods, and neither are camp fires. She related that this legislation is narrowly drafted. It stipulates that when a federal agency implements a Stage 1 fire restriction in a county, the county may prohibit the sale and use of fireworks in unincorporated county areas.

Chairman Pierce said that they can already prohibit the *use* of fireworks; the concern is with the *sale*.

In reply to Mr. Farnsworth's question about how this will help if municipalities are able to still sell fireworks, Representative Fann answered that when there is a high fire danger, the sale of fireworks should be prohibited.

Todd Madeksza, Director of Legislative Affairs, County Supervisors Association, in support of HB2224, distributed a packet containing a fact sheet, a resolution and various newspaper articles on fires started by fireworks (Attachment 10). He deferred his time to Tom Thurman, Supervisor, Yavapai County, and Robert Rowley, Emergency Director, Coconino County.

Tom Thurman, Supervisor, Yavapai County, testified in support of HB2224. He advised that the County has the right to ban fireworks and other things that create sparks in the forest as well as on private property in a Stage 1 fire restriction. In Stage 2, the U.S. Forest Service has closed the forest to everyone except homeowners. Fires in the forest are a huge concern. This proposal is a tool that can be used by counties and is discretionary.

Robert Rowley, Emergency Director, Coconino County, in favor of HB2224, stated that northern Arizona is currently in its 14<sup>th</sup> driest winter in recorded history with no signs of rain in the forecast. Coconino County is concerned about conditions in the upcoming summer. Although the County can ban the use of fireworks, it is unable to do anything about their sale. This legislation will allow counties to control the sale of fireworks only in a Stage 1 or greater fire restriction. He maintained that this legislation is a commonsense solution and contended that every tool should be used to prevent forest fires; being able to restrict the sale of fireworks is one tool that counties should have. He asked Members for their support.

Mr. Farnsworth commented that he does not believe this bill to restrict the sale of fireworks does anything to stop fires. Mr. Rowley said this is an attempt to try to reduce the odds of a fire.

Mike Williams, representing TNT Fireworks, spoke in opposition to HB2224. He declared that there are all kinds of fireworks in Arizona and claimed that wildfires are not started by fireworks that are legal in the state. In addition, he pointed out that possessing fireworks in forests is already a felony and to possess fireworks on state land carries a \$1,000 fine. His client, TNT Fireworks, does not sell fireworks in northern Arizona. Cities require that packaging indicate where use of the product is permissible and industry complies with that requirement. This legislation will put a lot of people out of business in urban counties. He stated that TNT employs 80 full-time and 400 part-time employees in Arizona, and pays approximately \$1 million in sales tax annually. He said he wants to work with the sponsor to give relief to these people.

Those who signed up in support of HB2224 but did not speak:

Joanne Keene, Government Relations Director, Coconino County

Todd Madeksza, Director of Legislative Affairs, County Supervisors Association

Jen Sweeney Marson, Lobbyist, Arizona Association of Counties

Matt Ryan, representing self

Don Howard, representing self

Trey Williams, Lobbyist, Arizona Association of Counties

Chip Davis, representing self

Those who signed up in opposition to HB2224 but did not speak:

Tom Dorn, Lobbyist, B. J. Alan Company; Phantom Fireworks

Leonard Clark, representing self

**Mr. Gallego moved that HB2224 do pass. The motion failed by a roll call vote of 2-5-0-1 (Attachment 11).**

### **HB2562 – probation; peace officers; rights; investigations – DO PASS**

Courtney McKinstry, Majority Research Analyst, said that HB2562 reorganizes and makes changes to the sections of statute governing a law enforcement officer's rights and probation officer's rights as they relate to disciplinary action (Attachment 12).

Chairman Pierce, sponsor, advised that HB2562 provides for consistency and uniformity in the statute. He related that there has been much input during the past year by stakeholders and noted that this is still a work in progress.

Those who signed up in support of HB2562 but did not speak:  
John Ortolano, Lobbyist, Arizona Fraternal Order of Police  
Thomas Parker, Lobbyist, Arizona Fraternal Order of Police  
Jim Mann, Lobbyist, Arizona Fraternal Order of Police  
John Thomas, Lobbyist, Arizona Association of Chiefs of Police  
Don Isaacson, representing, Arizona Fraternal Order of Police  
Norman Moore, representing, Arizona Fraternal Order of Police  
Luis Ebratt, Combined Law Enforcement Association of Arizona  
Levi Bolton, Arizona Police Association, Phoenix Law Enforcement Association

Those who signed up as neutral on HB2562 but did not speak:  
Jerry Landau, Arizona Judicial Council  
Katy Proctor, Legislative Liaison, Arizona Department of Public Safety  
Will Barnow, Lobbyist, Arizona Department of Corrections  
Leonard Clark, representing self  
Jennifer Bowser-Richards, Lobbyist, Arizona Department of Juvenile Corrections

**Mr. Gallego moved that HB2562 do pass. The motion carried by a roll call vote of 6-0-0-2 (Attachment 13).**

**HB2564 – peace officer standards; training board – DO PASS**

Marshall Young, Majority Research Intern, stated that HB2564 increases the population threshold for the appointment of city police chiefs to the Arizona Peace Officer Standards and Training Board (Attachment 14).

Lyle Mann, Lobbyist, Arizona Peace Officer Standards and Training Board (AZPOST), testified in support of HB2564. He related that when the Board was created in 1968, a population of 60,000 was a large city; in 2014, it is not a large city. The issues and concerns of a large city are very different from a small city and that is the reason for the bifurcation of the different sizes, both for the counties and the cities. This will bring the size of the bifurcation up to the same size as the counties.

Those who signed up in support of HB2564 but did not speak:  
Jen Sweeney Marson, Lobbyist, Arizona Association of Counties  
Trey Williams, Lobbyist, Arizona Association of Counties

Those who signed up as neutral on HB2564 but did not speak:  
Leonard Clark, representing self

**Mr. Gallego moved that HB2564 do pass. The motion carried by a roll call vote of 7-0-0-1 (Attachment 15).**

**HB2322 – national instant criminal background checks – DO PASS AMENDED**

Casey Baird, Majority Research Assistant Analyst, explained that HB2322 requires the Department of Public Safety (DPS) to submit specific court case information relating to certain

offenses and mentally incompetent persons to the National Instant Criminal Background Check System (Attachment 16). The Pierce three-page amendment dated 02/18/14 contains the following provisions (Attachment 17):

- requires the court to submit the case information for every case or dismiss the case involving a covered offense
- removes the definition of *covered offense*
- directs the court to submit case information and the verdict date for a person found guilty except insane; if the court issues a condition of relief that prohibits the person from possessing a firearm, the court is required to submit the case information at determination of relief
- contains an effective date of January 1, 2015 for provisions relating to the restoration of a firearm to a mentally incompetent person
- defines *prohibited possessors*, *court-ordered guardians*, *security guard applicants*, *mental health confidentiality records*, and *court options*
- contains an effective date of July 1, 2015 for provisions added by the amendment relating to conditions of release that prohibit a person from carrying a firearm

Chairman Pierce, sponsor, advised that there is still work to be done on this bill. The amendment addresses the major concerns. One concern was the extensive nature in which *prohibited possessor* was defined and that language was removed. Work will continue on the inclusion of mental health records. He informed Members that if agreement cannot be reached, the bill will not move forward.

Rebecca Baker, representing Maricopa County Attorney's Office, in favor of HB2322, advised that County Attorney Bill Montgomery is very supportive of the goals of the bill but has concerns. County Attorney Montgomery hopes that the Committee will pass this legislation so further discussion can take place in order to get complete consensus by all stakeholders. She noted that County Attorney Montgomery will not support the bill without complete consensus.

Dave Kopp, Manager, Arizona Citizens Defense League, in opposition to HB2322, advised that he will continue to work with the sponsor and the stakeholders. He said there are many concerns about the rights of the mentally ill and he spoke of the need to include mental health professionals in stakeholder discussions. He believes this should just deal with reporting. In answer to a question, he related that the criminal justice system will lose money from federal grants if the bill fails.

John Wentling, Vice President, Arizona Citizens Defense League, against HB2322, said he has issues with the disabilities language, including mental health. He echoed Mr. Kopp's comments and pointed out that federal money is involved.

John A. Blackburn, Executive Director, Arizona Criminal Justice Commission (ACJC), testified in support of HB2322. He advised that ACJC has received \$1.5 million in federal grants over the last three years. The federal monies help Arizona in records improvement which is statutorily mandated. In addition to losing federal funds, there are also penalties for noncompliance. He clarified that the amendment removes provisions of the bill with the

exception of notifying law enforcement that the person cannot have a weapon as a condition of release. It will also notify the officers on the street that an adjudicated mentally incapacitated person may not have a weapon.

Jerry Landau, Government Affairs Director, Arizona Supreme Court, testified in support of HB2322. He advised that all the information that would be included in this bill is already in the courts' case management system or case files. The information is being consolidated into a repository and sent to the Department of Public Safety. Under federal law, local law enforcement does not know who is reportable so it is important to get that information to law enforcement. Mental health is a finding by the court either by a judge, a jury verdict or a finding of incompetency in a criminal case, and all information that will be put into the repository will be the result of a finding by the court.

Those who signed up in support of HB2322 but did not speak:

Kathleen Mayer, Lobbyist, Pima County Attorney's Office  
Jason Winsky, Lobbyist, Combined Law Enforcement Association of Arizona  
Andrew LeFevre, Lobbyist, Arizona Criminal Justice Commission  
Jen Sweeney Marson, Lobbyist, Arizona Association of Counties  
Art Harding, Lobbyist, Arizona Attorney General's Office  
Kathleen Mayer, Lobbyist, Pima County Attorney's Office  
Trey Williams, Lobbyist, Arizona Association of Counties  
Luis Ebratt, Combined Law Enforcement Association of Arizona  
Levi Bolton, Arizona Police Association; Phoenix Law Enforcement Association  
John Thomas, Lobbyist, Arizona Association of Chiefs of Police  
Kimberly MacEachern, Lobbyist, Arizona Prosecuting Attorneys' Advisory Council  
Lyle Mann, Lobbyist, Arizona Peace Officer Standards and Training Board

Names of those who signed up in opposition to HB2322 but did not speak:

John Baunoch, representing self  
Barbra Heller, representing self  
Kathryn Kobor, representing self  
Deborah Kimmick, representing self

Names of those who signed up as neutral on HB2322 but did not speak:

Katy Proctor, Legislative Liaison, Arizona Department of Public Safety  
Rebecca Baker, Lobbyist, Maricopa County  
Leonard Clark, representing self  
Daniel Reid, National Rifle Association  
Todd Rathner, Arizona State Rifle and Pistol Association

**Mr. Gallego moved that HB2322 do pass.**

**Mr. Gallego moved that the Pierce three-page amendment dated 02/18/14 be adopted (Attachment 17). The motion carried.**

**Mr. Gallego moved that HB2322 as amended do pass. The motion carried by a roll call vote of 6-1-0-1 (Attachment 18).**

### **HB2124 – constables; appointment; training – DO PASS**

Marshall Young, Majority Research Intern, stated that HB2124 changes who appoints four of the nine members of the Constable Ethics Standards and Training Board (Attachment 19).

Representative Jeff Dial, sponsor, stated that this is a simple bill that changes the appointment procedure.

Those who signed up in support of HB2124 but did not speak:

Vince Roberts, representing self

Jen Sweeney Marson, Lobbyist, Arizona Association of Counties

Brandon Schmoll, representing self

Phil Hazlett, representing self

James Driscoll, representing self

Lennie McCloskey, representing self

Trey Williams, Lobbyist, Arizona Association of Counties

Ron Myers, representing self

**Mr. Gallego moved that HB2124 do pass. The motion carried by a roll call vote of 6-0-0-2 (Attachment 20).**

### **HB2475 – tax credits; veterans – DO PASS**

Courtney McKinstry, Majority Research Analyst, explained that HB2475 establishes a tax credit for individuals and corporations who hire unemployed veterans with exceptions and provides a state contract participation goal for veteran-owned businesses (Attachment 21).

Chairman Pierce stated that a similar bill was sent to the Senate last year; however, it did not get a hearing in the Senate Rules Committee.

Mr. Cardenas, sponsor, related that the unemployment rate for veterans between the ages of 19 and 25 years of age is over 30 percent and this bill gives businesses a \$1,200 tax credit incentive to hire veterans.

Daniel Briscoe, representing self, in favor of HB2475, advised that he is a veteran who now owns an industrial construction company. This is a jobs bill and gives veterans hiring preference. He said this legislation will strengthen the community.

Leonard Clark, representing self, testified in favor of HB2475. He said he believes that it is important that tax credits be given to veteran-owned businesses.

Those who signed up in support of HB2475 but did not speak:

Nathan Layton, representing self

Melody Judd, representing self

Brian Tobin, representing self

Jeremy Browning, ASARCO, Inc.

Those who signed up as neutral on HB2475 but did not speak:  
Sean Laux, Lobbyist, Arizona Department of Revenue  
Carly Fleege, Lobbyist, Arizona Department of Administration  
Barbara Corella, Lobbyist, Arizona Department of Administration

**Mr. Gallego moved that HB2475 do pass. The motion carried by a roll call vote of 6-1-0-1(Attachment 22).**

### **HB2208 – Navajo veterans' housing project; appropriation – DO PASS**

Courtney McKinstry, Majority Research Analyst, said that HB2208 appropriates \$929,500 from the General Fund in fiscal year (FY) 2015 for the Navajo Nation Veterans Housing Project (Attachment 23). The bill exempts the appropriation from lapsing. The Borrelli eight-line amendment dated 02/07/14 appropriates the money from the Housing Trust Fund, rather than the General Fund, and states that any monies not used by June 30, 2020 will revert back to the Housing Trust Fund (Attachment 24).

Chairman Pierce noted that this bill has to go to the Appropriations Committee.

In response to Mr. Livingston, Ms. McKinstry advised that on June 30, 2014, the year-end balance of the Housing Trust Fund will be approximately \$10,771,200 from monies received from the sale of unclaimed properties and investments.

Mr. Borrelli, sponsor, stated that this proposal came to him from the Arizona Navajo Veterans Association. The Association, along with the Navajo Nation, wants to build 75 homes on the reservation for low-income Native American veterans. The Association will contribute \$4 million and is asking the state to contribute \$930,000 for the completion of this project.

Daniel Romm, Legislative Liaison, Arizona Department of Housing, neutral on HB2208, voiced concern with the Borrelli amendment that takes \$900,000 from the Housing Trust Fund. He related that money is dedicated to other ongoing programs and projects. Due to cuts to the Fund, several different types of homeownership programs have been eliminated and there is no money for this project.

Representative Albert Hale, representing self, urged Members to support HB2208 which renders assistance to veterans of Indian Nations who happen to be citizens of Arizona. He reminded Members that Native American veterans have served this country, yet when they come back after serving, they cannot access the same services as other veterans who do not live on the reservations.

Mr. Borrelli noted that Native American veterans can get direct loans from the U.S. Department of Veterans Affairs and asked why they cannot do that on the reservations. Representative Hale replied that they have to be employed; however, there is little economic development on the reservations. He noted that the unemployment rate is 65 percent on reservations. Mr. Borrelli asked whether it is because they do not own land on the reservations. Representative Hale stated that title to Indian land is held in Trust by the federal government.

Ms. Peshlakai commented that this is about fairness, justice and humanity.

Mr. Borrelli stated that he will not offer his amendment at this time; he will look for other means of financing.

Chairman Pierce said that he will allow a vote on HB2208 with the commitment that this only moves forward if the sponsor finds a funding source other than the General Fund.

Those who signed up in support of HB2208 but did not speak:

Terry Hill, representing self

Joyce Hill, representing self

Catheryne Parry, representing self

Chris Kozakiewicz, representing self

Melody Judd, representing self

Brian Tobin, representing self

Norris Nordvold, representing self

Rebekah Friend, Arizona State AFL-CIO

Mike Bielecki, representing self

Leonard Clark, representing self

Theresa Ulmer, Lobbyist, Cocopah Indian Tribe

Those who signed up in opposition to HB2208 but did not speak:

Joan Serviss, Executive Director, Arizona Coalition to End Homelessness

**Mr. Gallego moved that HB2208 do pass. The motion carried by a roll call vote of 6-1-0-1(Attachment 25).**

### **HB2688 – fireworks; permissible uses; fines – DO PASS**

Courtney McKinstry, Majority Research Analyst, stated that HB2688 institutes requirements for certain parties relating to the sale and purchase of fireworks and establishes penalties for failing to comply with the prescribed requirements (Attachment 26).

Mike Williams, representing TNT Fireworks, testified in support of HB2688. The bill clarifies two issues: aerial fireworks are not legal in Arizona and fireworks can be sold to a wholesaler. Fireworks that are not legal in Arizona cannot be sold to someone who has an out-of-state driver license.

Those who signed up in support of HB2688 but did not speak:

Tom Dorn, Lobbyist, B. J. Alan Company; Phantom Fireworks

**Mr. Gallego moved that HB2688 do pass. The motion carried by a roll call vote of 7-0-0-1 (Attachment 27).**

**HCR2010 – state militia; age requirement – DISCUSSED AND HELD**

Marshall Young, Majority Research Intern, explained that HB2433 amends the Arizona Constitution by removing the age limit of 45 years old for service in the Arizona State Militia (Attachment 28).

Names of those who signed up in support of HCR2010 but did not speak:

Dave Kopp, Manager, Arizona Citizens Defense League

John Wentling, Vice President, Arizona Citizens Defense League

Names of those who signed up in opposition to HCR2010 but did not speak:

Leonard Clark, representing self

Chairman Pierce announced that due to lack of a quorum, the Committee is adjourned.

Without objection, the meeting adjourned at 12:38 p.m.

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Joanne Bell, Committee Secretary  
March 11, 2014

(Original minutes, attachments and audio on file in the Chief Clerk's Office; video archives available at <http://www.Arizonaleg.gov>)