

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature – First Regular Session

COMMITTEE ON MILITARY AFFAIRS AND PUBLIC SAFETY

Report of Regular Meeting
Thursday, January 29, 2015
House Hearing Room 5 -- 9:00 a.m.

Convened 9:05 a.m.

Recessed

Reconvened

Adjourned 9:25 a.m.

Members Present

Mr. Andrade
Mr. Campbell
Mr. Cardenas
Mr. Farnsworth E
Mr. Kern
Ms. Mach
Mr. Pratt
Mr. Finchem, Vice-Chairman
Mr. Borrelli, Chairman

Members Absent

Request to Speak

Report – Attachment 1

Presentations

Name

NONE

Organization

Attachments (Handouts)

Committee Action

Bill

Action

Vote

**Attachments (Summaries,
Amendments, Roll Call)**

HB2107	DP	9-0-0-0	2, 3
HB2272	DPA	9-0-0-0	4, 5, 6
HB2300	DPA	9-0-0-0	7, 8, 9
HB2396	DP	9-0-0-0	10, 11
HB2399	DP	9-0-0-0	12, 13



Jen Burns, Chairman Assistant

Monday, February 2, 2015

(Original attachments on file in the Office of the Chief Clerk; video archives available at <http://www.azleg.gov>)

Information Registered on the Request to Speak System

House Military Affairs and Public Safety (1/29/2015)

HB2107, law enforcement merit system; continuation

Support:

Thomas Parker, FRATERNAL ORDER OF POLICE (AZ STATE LODGE); Don Isaacson, FRATERNAL ORDER OF POLICE (AZ STATE LODGE); Cheyenne Walsh, FRATERNAL ORDER OF POLICE (AZ STATE LODGE); Lyle Mann, AZ PEACE OFFICER STANDARDS/TRAINING BOARD (AZ POST); James Mann, Arizona Fraternal Order Of Police; Levi Bolton, AZ Police Association; Mike Williams, PHOENIX LAW ENFORCEMENT ASSN; luis ebratt, Combined Law Enforcement Associations Of Arizona

All Comments:

Lyle Mann, AZ PEACE OFFICER STANDARDS/TRAINING BOARD (AZ POST): The Law Enforcement Merit Council has served the Board and its employees quite well for many years and the Board asks for your support for its continuation.; James Mann, Arizona Fraternal Order Of Police: The Arizona Fraternal Order of Police supports LEMSC's continuation.

HB2272, law enforcement officers; firearm purchase

Testified in support:

Don Isaacson, FRATERNAL ORDER OF POLICE (AZ STATE LODGE)

Support:

Thomas Parker, FRATERNAL ORDER OF POLICE (AZ STATE LODGE); Cheyenne Walsh, FRATERNAL ORDER OF POLICE (AZ STATE LODGE); Rick Dalton, representing self; James Mann, Arizona Fraternal Order Of Police; Raymond Ciani, AZ CONFERENCE OF POLICE & SHERIFFS; Levi Bolton, AZ Police Association; luis ebratt, Combined Law Enforcement Associations Of Arizona; Mike Williams, PHOENIX LAW ENFORCEMENT ASSN

All Comments:

Rick Dalton, Self: As a retired police officer, I support the bill.; luis ebratt, Combined Law Enforcement Associations Of Arizona: I would ask that consideration be given to our sworn probation & surveillance officers who also serve the state. (CORP & ASRS pension systems)

HB2399, G&F; hunter harassment

Support:

Jorge Canaca, Arizona Game And Fish Department; Kurt Davis, Arizona Game And Fish Commission; Ken Dinquel, representing self

All Comments:

Jorge Canaca, Arizona Game And Fish Department: The Arizona Game and Fish Commission supports HB2399.; Kurt Davis, Arizona Game And Fish Commission: The Arizona Game and Fish Commission supports HB2399,

HB2396, wildlife; guides; firearms

Support:

Dave Kopp, Manager, AZ CITIZENS DEFENSE LEAGUE INC; John Brakeman, Spur PC Captain (Voice of the People), representing self; Jorge Canaca, Arizona Game And Fish Department; Kurt Davis, Arizona Game And Fish Commission; Ken Dinquel, representing self

All Comments:

Jorge Canaca, Arizona Game And Fish Department: The Arizona Game and Fish Commission supports HB2396.; Kurt Davis, Arizona Game And Fish Commission: The Arizona Game and Fish Commission supports HB2396.

HB2300, firearms; prosecutors; law enforcement officers

Support:

Levi Bolton, AZ Police Association; Rebecca Baker, Maricopa County Attorney's Office; Mike Williams, PHOENIX LAW ENFORCEMENT ASSN; James Mann, Arizona Fraternal Order Of Police; luis ebratt, Combined Law Enforcement Associations Of Arizona



HOUSE OF REPRESENTATIVES

HB 2107

law enforcement merit system; continuation

Sponsors: Representatives Borrelli, Cardenas, Coleman, et al.

X Committee on Military Affairs and Public Safety

Caucus and COW

House Engrossed

OVERVIEW

HB 2107 continues the Law Enforcement Merit System Council (LEMSC) for eight years.

HISTORY

LEMSC reviews classification and compensation plans; employee selection, promotion, disciplinary, and dismissal procedures; performance appraisal systems; and standards and qualifications for covered Department of Public Safety and Arizona Peace Officers Standards and Training Board (AZPOST) employees. LEMSC also conducts appeal hearings for disciplinary actions taken against AZPOST-certified peace officers employed at various state agencies. LEMSC consists of five members nominated by the Governor and confirmed by the Senate to serve three year terms. No more than three of these members may belong to the same political party.

Arizona Revised Statutes (A.R.S.) § 41-3015.11 terminates LEMSC on July 1, 2015. On October 28, 2014, the House of Representatives Public Safety, Military and Regulatory Affairs and the Senate Public Safety Committees of Reference (COR) met to review the sunset factors for LEMSC prescribed by A.R.S. § 41-2954 and to receive public testimony. The COR recommended that LEMSC be continued for eight years.

PROVISIONS

1. Continues LEMSC for eight years, retroactive to July 1, 2015.
2. Repeals LEMSC on July 1, 2023.
3. Contains a purpose statement.

Attachment 2

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - First Regular Session

ROLL CALL VOTE

COMMITTEE ON MILITARY AFFAIRS AND PUBLIC SAFETY BILL NO. HB 2107

DATE January 29, 2015 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Andrade		✓			
Mr. Campbell		✓			
Mr. Cardenas		✓			
Mr. Farnsworth E		✓			
Mr. Kern		✓			
Ms. Mach		✓			
Mr. Pratt		✓			
Mr. Finchem, Vice-Chairman		✓			
Mr. Borrelli, Chairman		✓			
		9	0	0	0

APPROVED:


 SONNY BORRELLI, Chairman
 MARK FINCHEM, Vice-Chairman



 COMMITTEE SECRETARY

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HB 2272

law enforcement officers; firearm purchase

Sponsors: Representatives Borrelli, Cardenas, Kern, et al.

X Committee on Military Affairs and Public Safety

Caucus and COW

House Engrossed

OVERVIEW

HB 2272 permits a Public Safety Personnel Retirement System (PSPRS) member to purchase a rifle issued by an employer at below fair market value.

HISTORY

PSPRS is a statewide retirement program for public safety personnel who are regularly assigned hazardous duty, such as certified peace officers and firefighters. PSPRS is funded through cost-sharing contributions from members and employers, and contributions vary from employer group to employer group. PSPRS member pension benefits are calculated based on when the member began employment, the member's years of credited service, and the member's salary. Members with 20 years of credited service who began employment prior to January 1, 2012 receive a pension of 50% of the member's highest consecutive three-year salary. Members with 25 years of credited service who began employment after January 1, 2012 receive a pension of 62.5% of the member's highest consecutive five-year salary. Pension amounts are adjusted for credited service in excess of or below 20 or 25 years.

In addition to regular pension benefits and subject to employer approval, a PSPRS member may also purchase the handgun or shotgun issued to the member by his or her employer at less than fair market value (Arizona Revised Statutes § 38-845).

PROVISIONS

1. Allows a law enforcement officer who is a member of PSPRS to purchase a rifle issued to the member by his or her employer at less than fair market value, subject to employer approval.
2. Defines *law enforcement officer* as a member of PSPRS.

Attachment 4

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2272

(Reference to printed bill)

- 1 Page 1, line 8, after "THE" insert "LAW ENFORCEMENT"
2 Line 9, strike "HANDGUN, RIFLE OR SHOTGUN" insert "FIREARMS"
3 Line 10, strike "LESS THAN FAIR MARKET VALUE" insert "A PRICE DETERMINED BY THE
4 ADMINISTRATOR OF THE AGENCY EMPLOYING THE LAW ENFORCEMENT OFFICER"
5 Line 11, strike the comma insert "":
6 1. "FIREARMS" MEANS ANY HANDGUNS, PISTOLS, REVOLVERS, RIFLES, SHOTGUNS
7 OR OTHER WEAPONS THAT ARE DESIGNED TO, WILL OR MAY BE READILY CONVERTED TO
8 EXPEL A PROJECTILE BY THE ACTION OF EXPANDING GASES.
9 2."
10 Amend title to conform

SONNY BORRELLI

2272-p1-borrelli
1/27/15
1:52 PM
H:laa

Attachment 5

Adopted # of Verbals _____
Failed _____ Withdrawn _____
Not Offered _____ Analysts Initials _____

**ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - First Regular Session**

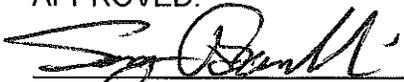
ROLL CALL VOTE

COMMITTEE ON MILITARY AFFAIRS AND PUBLIC SAFETY BILL NO. HB 2272

DATE January 29, 2015 MOTION: DPA

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Andrade		✓			
Mr. Campbell		✓			
Mr. Cardenas		✓			
Mr. Farnsworth E		✓			
Mr. Kern		✓			
Ms. Mach		✓			
Mr. Pratt		✓			
Mr. Finchem, Vice-Chairman		✓			
Mr. Borrelli, Chairman		✓			
		9	0	0	0

APPROVED:



 SONNY BORRELLI, Chairman
 MARK FINCHEM, Vice-Chairman



 COMMITTEE SECRETARY

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HB 2300

firearms; prosecutors; law enforcement officers
Sponsor: Representative Farnsworth E

X Committee on Military Affairs and Public Safety
Caucus and COW
House Engrossed

OVERVIEW

HB 2300 authorizes a former or active prosecutor to carry a concealed firearm in any jurisdiction.

HISTORY

The United States Law Enforcement Officer Safety Act (LEOSA) enables a qualified law enforcement officer or qualified retired law enforcement officer who possesses proper identification to carry a concealed firearm in any jurisdiction. A *qualified law enforcement officer*, as defined by LEOSA, is employed by or retired from a public law enforcement agency and is or was formerly authorized by law to engage in or supervise the prevention, detection, investigation, prosecution, or incarceration of a person in violation of the law. A qualified retired law enforcement officer must carry photographic identification issued by his or her former employer agency that indicates the officer's compliance with state standards for qualification in firearms training within the past year in order to carry a concealed firearm in any jurisdiction. LEOSA does not authorize a qualified law enforcement officer to carry a concealed firearm on private or public property in which the possession of firearms is restricted.

PROVISIONS

1. States that a former municipal, county, or state prosecutor is a *qualified retired law enforcement officer* as defined by LEOSA and is authorized to carry a concealed firearm in any jurisdiction.
2. Authorizes a prosecutorial agency to issue a photo identification card that indicates a former prosecutor's compliance with state firearm standards and training within the past year.
3. Clarifies that a prosecutorial agency is not required to revoke a photographic identification card issued to a former prosecutor based on any incident that may occur after termination of employment.
4. Expands the definition of *peace officer* to include a municipal, county, or state prosecutor who has received a certificate from the Arizona Peace Officers Standards and Training Board, authorizing an active prosecutor to carry a concealed firearm in any jurisdiction.
5. Makes a technical change.

Attachment 7

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2300

(Reference to printed bill)

- 1 Page 6, line 39, after "WHO" strike remainder of line; strike line 40, insert
- 2 "ANNUALLY PASS A PISTOL QUALIFYING EXAMINATION APPROVED BY THE ARIZONA PEACE
- 3 OFFICER STANDARDS AND TRAINING BOARD FOR OBTAINING AND MAINTAINING PEACE
- 4 OFFICER CERTIFICATION REQUIREMENTS AND THAT IS CONDUCTED BY AN ARIZONA PEACE
- 5 OFFICER STANDARDS AND TRAINING BOARD INSTRUCTOR OR A NATIONAL RIFLE
- 6 ASSOCIATION CERTIFIED FIREARMS INSTRUCTOR."
- 7 Amend title to conform

EDWIN W. FARNSWORTH

2300-p1-farnsworth
1/28/15
8:13 AM
H:laa

Attachment 8

Adopted # of Verbals _____
Failed _____ Withdrawn _____
Not Offered _____ Analysts Initials _____

**ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - First Regular Session**

ROLL CALL VOTE

COMMITTEE ON MILITARY AFFAIRS AND PUBLIC SAFETY BILL NO. HB 2300

DATE January 29, 2015 MOTION: DPA

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Andrade		✓			
Mr. Campbell		✓			
Mr. Cardenas		✓			
Mr. Farnsworth E		✓			
Mr. Kern		✓			
Ms. Mach		✓			
Mr. Pratt		✓			
Mr. Finchem, Vice-Chairman		✓			
Mr. Borrelli, Chairman		✓			
		9	0	0	0

APPROVED:

Sonny Borrelli
SONNY BORRELLI, Chairman
MARK FINCHEM, Vice-Chairman

Jeff Burns
COMMITTEE SECRETARY

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HB 2396

wildlife; guides; firearms

Sponsors: Representatives Pratt, Cardenas, Carter, et al.

X Committee on Military Affairs and Public Safety

Caucus and COW

House Engrossed

OVERVIEW

HB 2396 removes language that limits wildlife guides from carrying firearms other than a revolver or pistol.

HISTORY

The Arizona Game and Fish Department allows individuals who are 18 years of age or older to obtain a hunting, fishing, or combination guide license. Arizona Revised Statutes (A.R.S.) § 17-101 defines a *guide* as an individual authorized to assist another in the taking of wildlife for compensation. In order to obtain a guide license, a person must initially obtain the appropriate hunting or fishing license, complete an application, pay the \$300 guide license fee, and pass the applicable guide license exam by at least 80%.

A.R.S. § 17-323 restricts a guide from carrying any firearm other than a revolver or pistol.

PROVISIONS

1. Eliminates language prohibiting wildlife guides from carrying firearms other than a revolver or pistol.
2. Makes technical changes.

Attachment 10

**ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - First Regular Session**

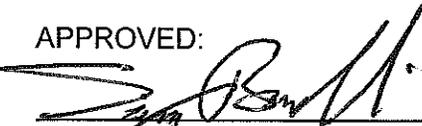
ROLL CALL VOTE

COMMITTEE ON MILITARY AFFAIRS AND PUBLIC SAFETY BILL NO. HB 2396

DATE January 29, 2015 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Andrade		✓			
Mr. Campbell		✓			
Mr. Cardenas		✓			
Mr. Farnsworth E		✓			
Mr. Kern		✓			
Ms. Mach		✓			
Mr. Pratt		✓			
Mr. Finchem, Vice-Chairman		✓			
Mr. Borrelli, Chairman		✓			
		9	0	0	0

APPROVED:



 SONNY BORRELLI, Chairman
 MARK FINCHEM, Vice-Chairman



 COMMITTEE SECRETARY

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HB 2399

G&F; hunter harassment
Sponsor: Representative Pratt

X Committee on Military Affairs and Public Safety

Caucus and COW

House Engrossed

OVERVIEW

HB 2399 permits the Game and Fish Commission (Commission) to revoke any hunting, trapping, or fishing license if the licensee has intentionally interfered with, prevented, or disrupted the lawful taking of wildlife.

HISTORY

Arizona Revised Statutes (A.R.S.) § 17-340 authorizes the Commission to revoke any person's hunting, trapping, or fishing license for the following violations:

- unlawful taking, selling, offering for sale, bartering, or possession of wildlife;
- careless use of firearms resulting in injury or death;
- destroying, injuring, or molesting livestock;
- damaging or destroying growing crops or personal property;
- littering hunting or fishing areas;
- allowing another person to use their big game tag;
- taking or driving wildlife from closed areas (A.R.S. § 17-303);
- trespassing on private lands for the taking of wildlife where it is prohibited (A.R.S. § 17-304);
- obtaining a license or other permit for the taking of wildlife using fraudulent information (A.R.S. § 17-341); or
- violating hunting or fishing guide license regulations (A.R.S. § 17-362).

A.R.S. § 17-316 prescribes a Class 2 misdemeanor for intentionally interfering with, preventing, or disrupting the lawful taking of wildlife via the following actions:

- harassing, driving, or disturbing wildlife;
- blocking or attempting to block, obstruct, or impede a person lawfully taking wildlife;
- erecting a barrier without a landowner's consent to deny access to and from hunting areas;
- making or attempting to make unauthorized physical contact with a person taking wildlife; or
- engaging or attempting to engage in theft, vandalism, or destruction of real or personal property.

PROVISIONS

1. Allows the Commission to revoke a person's hunting, trapping, or fishing license if that person has intentionally interfered with, prevented, or disrupted the lawful taking of wildlife.
2. Makes technical changes.

Attachment 12

**ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - First Regular Session**

ROLL CALL VOTE

COMMITTEE ON MILITARY AFFAIRS AND PUBLIC SAFETY BILL NO. HB 2399

DATE January 29, 2015 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Andrade		✓			
Mr. Campbell		✓			
Mr. Cardenas		✓			
Mr. Farnsworth E		✓			
Mr. Kern		✓			
Ms. Mach		✓			
Mr. Pratt		✓			
Mr. Finchem, Vice-Chairman		✓			
Mr. Borrelli, Chairman		✓			
		9	0	0	0

APPROVED:



 SONNY BORRELLI, Chairman
 MARK FINCHEM, Vice-Chairman



 COMMITTEE SECRETARY

ATTACHMENT _____