

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature – Second Regular Session
COMMITTEE ON JUDICIARY

MINUTES RECEIVED
CHIEF CLERK'S OFFICE

2-17-16

Report of Regular Meeting
Wednesday, February 17, 2016
House Hearing Room 3 -- 9:30 a.m.

Convened 9:39 a.m.
Recessed
Reconvened
Adjourned 12:15 p.m.

Members Present

Mr. Friese
Mr. Hale
Mr. Kern
Mr. Mesnard
Mr. Borrelli, Vice-Chairman
Mr. Farnsworth, Chairman

Members Absent

Agenda

Original Agenda – Attachment 1

Request to Speak

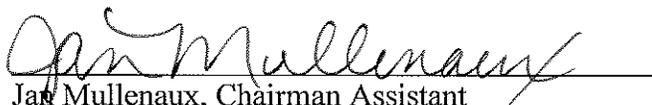
Report – Attachment 2

Presentations

<u>Name</u>	<u>Organization</u>	<u>Attachments (Handouts)</u>
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Committee Action

<u>Bill</u>	<u>Action</u>	<u>Vote</u>	<u>Attachments (Summaries, Amendments, Attendance)</u>
HB2618	DP	5-0-0-1	3, 4
HB2032	DP	5-0-0-1	5, 6
HB2384	DP	5-0-0-1	7, 8
HB2594	DP	5-0-0-1	9, 10
HB2385	DP	6-0-0-0	11, 12
HB2300	DPA	4-2-0-0	13, 14, 15
HB2524	DP	4-2-0-0	16, 17
HB2338	DP	3-2-0-1	18, 19, 20
	COMMITTEE ATTENDANCE		21


Jan Mullenau, Chairman Assistant
February 17, 2016

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

COMMITTEE ON JUDICIARY
Wednesday, February 17, 2016

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

REGULAR MEETING AGENDA

COMMITTEE ON JUDICIARY

DATE Wednesday, February 17, 2016

ROOM HHR 3

TIME 9:30 A.M. NOTE TIME
CHANGE
9:00 A.M.

Members:

Mr. Friese
Mr. Hale

Mr. Kern
Mr. Mesnard

Mr. Borrelli, Vice-Chairman
Mr. Farnsworth E, Chairman

Bills	Short Title	Strike Everything Title
HB2338	<u>dp</u> educational institutions; firearms; rights-of-way (Townsend, Thorpe, Burges, et al) <u>3-20-1</u> JUD, RULES	
HB2384	<u>dp</u> probation performance; annual reporting (Farnsworth E) <u>5-0-0-1</u> JUD, RULES	
HB2385	<u>dp</u> incorporation; urbanized areas (Farnsworth E) <u>6-0-0-0</u> JUD, RULES	
HB2524	<u>dp</u> uniform firearms transfer compact (Thorpe, Montenegro: Borrelli, et al) <u>4-2-0-0</u> JUD, RULES	
HB2594	<u>dp</u> tobacco master settlement; sales data (Mitchell: Kern, Livingston, et al) <u>5-0-0-1</u> JUD, RULES	
HB2618	<u>dp</u> medical marijuana dispensaries; location change (Leach) <u>5-0-0-1</u> JUD, RULES	

Bills

Short Title

Strike Everything Title

ADDENDUM #1 - 02/15/16

HB2032	<u>dp</u>	speed limits; local authority (Borrelli, Cobb, Espinoza, et al)
	<u>5-0-0-1</u>	JUD, RULES
HB2300	<u>dpa</u>	firearms; prohibited governmental activities (Kern, Mitchell, Montenegro, et al)
	<u>4-2-0-0</u>	JUD, RULES

ORDER OF BILLS TO BE SET BY THE CHAIRMAN

jm
2/15/16

People with disabilities may request reasonable accommodations such as interpreters, alternative formats, or assistance with physical accessibility. If you require accommodations, please contact the Chief Clerk's Office at (602) 926-3032, TDD (602) 926-3241.

Information Registered on the Request to Speak System

House Judiciary (2/17/2016)

HB2338, educational institutions; firearms; rights-of-way

Testified in support:

John Wentling, Vice President, Arizona Citizens Defense League; Dave Kopp, Manager, AZ CITIZENS DEFENSE LEAGUE INC

Testified as opposed:

Karen Peters, representing self; Isaac Miller, representing self; Mikw Bielecki, Special Assistant to Governor Hull, representing self; Madeline Bynes, representing self; Manuel Felix, representing self; Vianney Careaga, representing self; Spencer Bateman, representing self; Ryan Boyd, representing self

Support:

Thomas Woodrow, representing self; Drake Mitchell, representing self; Shaun Dixon, representing self; Daniel Jackson, representing self; Mark Mullins, representing self; Frederick Dahnke, representing self; Michael Malo, representing self; William Moe, representing self; A. J. Urso, representing self; Kenneth W. Gareau, representing self; Barbara Gareau, representing self; David Childress, representing self; Michael Gibbs, representing self; Todd Vosper, representing self; Philip Hubacek, representing self; Jerry Kendrick, representing self; Alan Steiner, representing self; George Bauernschmidt, representing self; Sandra Thoms, representing self; James Mele, representing self; James Brinkman, representing self; Willie Stubbs, representing self; Peggy Grant, representing self; Samuel Grant, representing self; Isaac Hung, representing self; Tom Thomas, representing self; Bob Morken, representing self; Jared W Brown, representing self; Peter Gromada, representing self; Shawn T Waldmann, representing self; Michael Mahoney, representing self; Cheryl Caldararo, representing self; Joe Dawson, representing self; Danny Ray, representing self; Purdy Hart, representing self; Kelley Brown, representing self; David Richardson, representing self; Martin Kroll, representing self; Jim Dutton, representing self; JoAnn Dutton, representing self; Richard Musser, representing self; James Warniers, representing self; Donald Calabro, representing self; Heidi Dillman, representing self; Scott Lolmaugh, representing self; Warren Michelsen, representing self; Alan and Marsha Anderson, representing self; todd hills, representing self; Maurice Horner, representing self; Gerald Aronica, representing self; Sharon Briner, representing self; Gary Hummel, representing self; Robert Gumfory, representing self; Lon Robinson, representing self; Russ Hinis, representing self; Charles Stury, representing self; Tony Greci, representing self; John Semon, representing self; dan treanor, representing self; Clyde Ingalsbe, representing self; Daniel Salerno, representing self; Sean Baguley, representing self; Alan Bond, representing self; Dominick Leo, representing self; David Ginsburg, representing self; Robert Carbonneau, representing self; James Hand, representing self; Darrell Collins, representing self; Robert Anderson, representing self; Mike MacDonald, representing self; james delton, representing self; Leo Budd, representing self; Roger Hobbs, representing self; Merle Cunningham, representing self; Lawrence Wangler, representing self; Brandon LaBorde, representing self; Michael Garnica, representing self; Kenneth Imthurn, representing self; JUDITH MARSHALL, representing self; GEORGE MARSHALL, representing self; Richard Segui, representing self; David Cardon, representing self; Roland Sleater, representing self; MICHAEL WEBB, representing self; David Bour-Beau, representing self; Tim Lank, representing self; robert tomich, representing self; michael wilkins, representing self; Jonathan Zuess, representing self; John Fischer, representing self; Michael Alexander, representing self; Michael

Kriegel, representing self; Richard McMains, representing self; James Collins, representing self; Carlton Baxter, representing self; Norman Nipperus, representing self; Michael Mowrey, representing self; C D Tavares, representing self; Richard Hofelich, representing self; William Katen, representing self; Suzanne Ammons, representing self; Philip Cirelli, representing self; Mary Donnay, representing self; Richard L. Anderson, representing self; Kevin Brake, representing self; Jack Wilborn, representing self; Bryan Lee Briggs, representing self; Perry Conrad, representing self; Walter Graham, representing self; Shelley Altenstadter, representing self; James Jones, representing self; David West, representing self; Bobbie Piety, representing self; Juan Aquino, representing self; Tom Holding, representing self; ROBERT DEWITZ, representing self; clifford aikens, representing self; Raymond Perry, representing self; Merrill Onigkeit, representing self; David Pool, representing self; Robert Jennings, representing self; Scott Shelor, representing self; Michael Berryman, representing self; Larry Timmerman, representing self; Steve Sorgnit, representing self; Harold Shull, representing self; Edward Bluma, representing self; Randal Scott, representing self; Christina Mele, representing self; Konrad Szelock, representing self; David Lansky, representing self; Cosme Borunda, representing self; Jeff Hickman, representing self; Don Page, representing self; David Steven, representing self; Ronald Kopf, representing self; Dirk Patton, representing self; Mark Lunario, representing self; Scott Heggem, representing self; Joel Alcott, representing self; Mark Logan, representing self; Chris Michels, representing self; Thomas Wood, representing self; Corey Spofford, representing self; James Hodge, representing self; John Baunoch, representing self; Aaron Conner, representing self; Dennis Hall, representing self; George Moriarty, representing self; Steven Pettigrew, representing self; David Price, representing self; John Foote, representing self; kurt keltner, representing self; Jonathan Massey, representing self; Andrew Cyr, representing self; Rick King, representing self; Craig Corbin, representing self; William Jonas, representing self; Donald Scott, representing self; R Mark Russell, MD, representing self; Jason Corbett, representing self; Richard Davis, representing self; Roy Potter, representing self; J.R. Morris, representing self; Michael Halbur, representing self; Peter Alford, representing self; Matthew Petersen, representing self; Michael Schmitz, representing self; Michael Wixom, representing self; Josh Hoffman, representing self; Stan Donovan, representing self; John Parker, representing self; Ellen Shea, representing self; Tim Jones, representing self; Lon Wolff, representing self; Robert Haller, representing self; J.P. Thom-Gronachan, representing self; Peter Steinmetz, representing self; David Williams, representing self; Vince Anselmo, representing self; Thomas McKelvey, representing self; Edward Surowiec, representing self; Henri Carpentier, representing self; Dan Goebel, representing self; Terry Ristig, representing self; Sallie L Baldwin, representing self; W.C. Rooney, representing self; Steven Baranowski, representing self; Deborah Kimmick, representing self; Todd Rathner, Arizona State Rifle And Pistol Association; Jason Hayes, representing self; Daniel Reid, National Rifle Association; Carl Bruning, representing self

Oppose:

Paul Pratt, representing self; Mary Pradelt, representing self; Lawrence Waggoner, representing self; Susan Waites, representing self; Ellen Punyon, representing self; Peggy Wenrick, representing self; marilyn duerbeck, representing self; Ann Machek, representing self; Suzanne McCormick-Fulton, representing self; Catia Barker, representing self; Kody Kelleher, AZ BOARD OF REGENTS; Katy Yanez, NORTHERN ARIZONA UNIVERSITY; Sabrina Vazquez, UNIVERSITY OF ARIZONA; Kathryn Nail, GREATER PHOENIX CHAMBER OF COMMERCE; Abigail Polito Hawkins, AZ STATE UNIVERSITY; Stephanie Seigla, representing self; Jessica Rainbow, Arizona Community College Coordinating Council; Pam Simon, representing self; Susan Bergesen, representing self

All Comments:

Drake Mitchell, Self: It only makes sense to NO allow UN-elected people decide who is breaking a law. The college leadership does not have the power or authority to infringe my rights or the right of way.; John Wentling, Arizona Citizens Defense League: Simply put, this bill protects our 2A right to carry and defend ourselves on public streets and sidewalks and such places a person has a right to be.; A. J. Urso, Self: I am against anything restricting the legal

transfer of private property.; Kenneth W. Gareau, Self: No one should be denied the right to self defense, or be charged with a violation of law, because they use a public right of way , where they may legally be, and be able to exercise their inalienable right to self defense. Pass this bill.; Barbara Gareau, Self: No one should be denied the right to self defense, or be charged with a violation of law, because they use a public right of way , where they may legally be, and be able to exercise their inalienable right to self defense. Pass this bill.; Michael Gibbs, Self: Most school campuses do not have public thoroughfares running through them but some, like ASU in Tempe, do. Those public streets and sidewalks belong to the public and the state's laws apply--not whatever policy school administrators dream up.; Todd Vosper, Self: Please support this bill; we wouldn't stand for any other constitutionally-protected right, in this case already subject to state regulation, being arbitrarily infringed by administrative order.; Jerry Kendrick, Self: Please support this bill. Without it, innocent citizens just driving by a school while lawfully transporting a firearm could be arrested.; Alan Steiner, Self: Very important that this become law; James Mele, Self: This bill is to protect law abiding citizens from legal action for being armed while passing a educational institution on their way to a different destination; James Brinkman, Self: I am in favor of this bill. Please pass it.; Willie Stubbs, Self: Anyone knowing a parent's routine involves returning home from dropping their kids off at school also knows that under current law they are unarmed and are prime targets. Please pass this bill to keep the parents and children protected at all times.; Peggy Grant, Self: Please pass this bill out of committee.; Samuel Grant, Self: Please pass this bill out of committee.; Tom Thomas, Self: please support bill; Jim Dutton, Self: Please support this bill. It is another example of good, solid, constitutional legislation and deserves your support.; JoAnn Dutton, Self: Please support this bill.; Richard Musser, Self: Much needed; James Warniers, Self: I recommend approval of this bill; Scott Lolmaugh, Self: I am in favor of this bill.; Alan and Marsha Anderson, Self: Bill should be passed out of committee for full House consideration and passage; todd hills, Self: a good guy with a gun is the only thing that stops a bad guy with a gun. there are more armed good guys around day to day than cops. don't hamper their ability or willingness to protect YOU. let them carry their guns.; Gary Hummel, Self: Please support passage of this bill.; Robert Gumfory, Self: Please pass this without amendments . Thank you; Tony Greci, Self: Please support HB 2338; Clyde Ingalsbe, Self: I am in favor of this bill.; Daniel Salerno, Self: The people support this bill. Pass it. Also, this is a step in the right direction but what we really need is state law to apply everywhere even in school buildings, classrooms, and all public commons regardless of policy and/or opinion of owners.; Alan Bond, Self: Please support this bill. A citizen lawfully carrying a firearm must not be restricted by an arbitrary decision of a local official. A mixed patchwork of regulations serves no one well.; Dominick Leo, Self: thank you; Robert Carbonneau, Self: Self defense is a basic human right and the tools to ensure that self defense should be available to all law abiding citizens. We need to end the "gun free death zones".; James Hand, Self: I am in favor of this bill without amendments.; Robert Anderson, Self: I fully support this bill. Please pass this bill out of committee.; Mike MacDonald, Self: Please favor of both HB 2524 and HB 2338. I am in favor of both! Thank you.; James delton, Self: This bill ensures public rights of way are not stripped of second amendment rights.; Leo Budd, Self: The Right of Way is a critical issue. Please pass this bill without hostile amendments.; Roger Hobbs, Self: This Bill needs to pass and is needed very much; Merle Cunningham, Self: Passage of this bill is a necessity to insure the rights we have are not limited by some liberal college administrator. Public colleges and universities are just that, PUBLIC. As A taxpayer we support them. Let's get this passed to support all of o; Brandon LaBorde, Self: I am in favor of this legislation promoting constitutional freedom.; Michael Garnica, Self: Please pass without any hostile amendments.; JUDITH MARSHALL, Self: I strongly support both HB2338 and HB2524.; GEORGE MARSHALL, Self: I very strongly support HB2338.; MICHAEL WEBB, Self: Please support; much obliged for your representation. thxnregards mw; Tim Lank, Self: Please refuse any hostile amendments; robert tomich, Self: I support this bill so please pass.; Michael Alexander, Self: This bill is critical in adding the much needed clarification to existing legislation protecting our right of self-defense.; Richard McMains, Self: Commonsense tends to get lost in the ever-present "We have got to do something!" which, as history demonstrates, doing something is exactly the worn thing. This bill supports commonsense.; Carlton Baxter, Self: It is impractical to know when your rights are

restricted on right-of-ways. It makes criminals out of unsuspecting citizens.; Norman Nipperus, Self: I am in favor of this bill; C D Tavares, Self: I was dismayed to learn I could be arrested for driving down University in Mesa with my licensed firearm because it is technically on the grounds of ASU. This must not be allowed to stand. Highways are public property. Thank you.; William Katen, Self: It is very important that visitors using public right of ways at educational areas are not committing a crime by keeping their weapons in their vehicles as they pickup or visit schools.; Paul Pratt, Self: Gun free zones are invitations for killing zones, criminals love them. We citizens are armed to protect, with our lives if necessary, our fellow citizens and children. Why run us off and criminalize us?; Perry Conrad, Self: Just to let you know I am in favor of this bill and a registered voter and I do follow your votes.; Walter Graham, Self: Please support the 2nd Amendment and this important bill.; Shelley Altenstadter, Self: Very important to pass this bill without amendments; David West, Self: I support this bill.; Bobbie Piety, Self: Very important that people have the right to protect themselves.; Robert Jennings, Self: Educational institutions should not be aloud to encumber State laws on public rights-of-ways. I am in favor of this bill; Mary Pradelt, Self: Where is the public good in this bill? Did the shooting at NAU teach us nothing about the danger inherent in having guns on university property?; Steve Sorgnit, Self: I am in favor of this bill; Harold Shull, Self: This is another bill that is necessary to keep people from back East who are surrounded by armed men from cancelling our ability to protect ourselves by our own means, which is all we have.; Randal Scott, Self: Support this bill; David Steven, Self: David Steven, Special Agent (Ret).; Ronald Kopf, Self: "(T)o disarm the people . . . (is) the best and most effectual way to enslave them . . ." George Mason, Virginia Ratification Convention, June 14, 1788.; Scott Heggem, Self: Please pass this bill. It is important that we are able to traverse public rights of way without worrying about being stopped for having a concealed weapon.; Joel Alcott, Self: I am the Tenth Amendment Center State Director. I support this bill.; Mark Logan, Self: Support HB2338; Chris Michels, Self: Many or most of our higher educational institutions are embedded in the local community. People travel through them all the time. Having a rule saying you can't be armed while traveling on a public right of way doesn't make sense.; Lawrence Waggoner, Self: The Arizona Board of Regents voted to oppose House Bill 2072. Despite widespread opposition from College administrators, faculty, students, and campus law enforcement officials the gun lobby-backed legislators have re-introduced this bill.; Susan Waites, Self: Sponsor must want to see more tragic incidents like theshooting at NAU a few months back. Please find another outlet for your firearm fetishism.; James Hodge, Self: I am in favor of this bill and request that you vote in favor of it also. Thank you.; John Baunoch, Self: ...shall not be infringed.....; Aaron Conner, Self: I am strongly in favor of HB2338; Ellen Punyon, Self: As an educator, I implore you.....let those responsible for students' safety be the ones determining how to keep them safe!; Dennis Hall, Self: Please allow this bill to pass on to the House Committees.; Peggy Wenrick, Self: do not increase the threats to public safety with this bill...we do not want any more NAU-type shooting...let people settle arguments with civil discourse or with fists - not guns; David Price, Self: please pass HB2338; John Foote, Self: This one should be obvious. Our Legislators need to act to expand Arizonan's rights to self-defense, not further restricting those rights. Do the right thing. Arizonans will be better off by your supporting this bill.; kurt keltner, Self: please pass hb 2338. thank you; Rick King, Self: Please pass this bill. Thank you.; Craig Corbin, Self: PLease pass this! My full support!; William Jonas, Self: I urge you to support HB2338 thank you; Donald Scott, Self: Hi, I am in favor of this bill, please support it? Thank you!; Jason Corbett, Self: Please support this important bill without any hostile ammendments.; Michael Halbur, Self: I strongly support; Matthew Petersen, Self: Do not accept any hostile amendments; Stan Donovan, Self: No one, including educational institutions, should have any say over what legal defensive tools a citizen can carry while using a public right of way.; Lon Wolff, Self: I support HB2338 because it prevents educational bureaucrats from further eroding my right and ability to possess a firearm for the protection of myself and others.; Catia Barker, Self: My daughter attends ASU and I'm already afraid she'll be shot. We don't need more guns around this moody, unpredictable population.; Peter Steinmetz, Self: Public rights-of-way should remain open to all peaceful citizens, including those who wish to exercise their constitutionally protected right to defend themselves.; Vince Anselmo, Self: It is not acceptable when innocent and unarmed Americans are slaughtered like sheep in "gun free zones" and especially in public

institutions. Every law abiding American has the right to self defense any time and at any place.....period!; Thomas McKelvey, Self: It is vitally important that AZ support the 2nd amendment by prohibiting the governing board of educational institutions from adopting or enforcing any policy or rule that prohibits possession or carry of a "concealed weapon" on a public right of way; Henri Carpentier, Self: I am in favor of this bill. No educational institution should prohibit the possession or carrying a concealed weapon on a public right of way.; Sallie L Baldwin, Self: This bill should be passed.; Isaac Miller, Self: My outreach to the ASU Student Body as the Tempe Student Body President has indicated that a majority of the Tempe student body opposes most (if not all) firearm possession of students on campus. On their behalf, I speak out against this bill.; Deborah Kimmick, Self: This is a bill that makes sense.; Stephanie Seigla, Self: We do not need guns on/next to education campuses, we need increased mental health services and support.; Mikw Bielecki, Self: Mike Bielecki requests opportunity to comment on Ahab 2338 for the Maricopa Community Colleges Faculty Association.; Pam Simon, Self: Having firearms in cars, parking lots, etc on a college campus is a recipe for tragedy. What possible sane reason could you have for voting yes on this bill?; Jason Hayes, Self: Please support this bill as it protects Arizonan's rights to self defense while they are driving by an educational institution on a public street.; Madeline Bynes, Self: U of A Student; Manuel Felix, Self: UA student; Ryan Boyd, Self: Speaking for myself, I oppose HB2338 due in to the safety concerns as well as the research done in my campus. In a survey on similar issue in HB2072, 222 of 372 responses were opposed to that bill on grounds of not having guns on the campus.; Susan Bergesen, Self: dangerous and unnecessary to have firearms in vehicles near/on campus. Car break ins, students' drinking and poor impulse control, NAU shooting, etc. So far no firearms on campus has worked. Let trained security provide safety.

HB2385, incorporation; urbanized areas

Testified in support:

Tisha Castillo, representing self; Bryan Martyn, BRYAN MARTYN; Daniel Thorup, representing self

Testified as opposed:

Dale Wiebusch, Legislative Associate, LEAGUE OF ARIZONA CITIES & TOWNS; Paul Jepson, City Of Maricopa

Support:

Candice Steelman, representing self; Richard Steelman, representing self; Tony Velez, representing self; Bambi Sandquist, representing self; William Moss, representing self; Beth Corvelo, representing self; Justin Corvelo, representing self; April Womack, representing self; Todd Hubbard, representing self; Tuula Hubbard, representing self; Barbara Vanore, representing self; Dennis Russell, representing self; Sandra Russell, representing self; Carlyn Eaton, representing self; Stephanie Fawcett, representing self; Annie Speedy, representing self; Donald Warr, representing self; Gerry Kurowski, representing self; Erica Gutierrez McEntire, representing self; Ryan Organ, representing self; Michael Hernandez, representing self; Laura Jex, representing self; Karina Angeles, representing self; Dan Geisler, representing self; Merna Salak, representing self; Melissa McVicar, representing self; Desiree Villalpando, representing self; Jenn Anglin, representing self; Shawna Fuller, representing self; Alden Weight, representing self; Kervin Perez, representing self; Julia Jacobs, representing self; Carolyn Paggi, representing self; Howard Devine, representing self; Michele Bell, representing self; Felicia Simpson, representing self; Wayne Partin, representing self; Daniel Schwegler, representing self; Michelle Shumway, representing self; Sherrie Rodriguez, representing self; Allen Miller, representing self; Robert Miller, representing self; Jessica Jones, representing self; Brandon Shipley, representing self; Kris Oberlin, representing self; David Busch, representing self; Michael Van Os, representing self; Frank Arriola, representing self; Laurie Engel, representing self; Teresa Stewart, representing self; Cheryl Karlicek, representing self; Diane Del Arroyo, representing self; Michael Southerly, representing self;

Elizabeth Thurston, representing self; Brisa Perez, representing self; Kevin Westervelt, representing self; John Hernandez, representing self; Judith Digustino, representing self; Monique Ramirez, representing self; Sergio Olmedo, representing self; Sharron Milne, representing self; Jeffrey Brown, representing self; Whitney Hemsath, representing self; Linda Pinkerton, representing self; Ashley Horne, representing self; Joann Lapi, representing self; Nikole Weaver, representing self; Kristin Heffern, representing self; Sherrie Soria, representing self; Tina Hill, representing self; Suzann Fildes, representing self; Michelle Kaechelein, representing self; Lisa Pauole, representing self; Danielle Henderson, representing self; Shawn Staggs, representing self; Shaina Nelson, representing self; Austin Williamson, representing self; DeWayne Castillo, representing self; Daniel Bradshaw, representing self; Edwin Geist, representing self; Elsa Baker, representing self; Robert Moore, representing self; Nick Myers, representing self; Melody Fitzgerald, representing self; Char Wester, representing self; Ruth Bott, representing self; Karen Christian, representing self; william humphries, representing self

Oppose:

Anna McCray, APACHE JUNCTION, CITY OF

All Comments:

Tisha Castillo, Self: Arizona law should NEVER block an American Citizen's Right to Vote on the type of government that governs him. Vote YES HB2385.; Candice Steelman, Self: It's ridiculous that the residents of San Tan Valley are denied the right to vote. San Tan Valley's "representatives" are not representing us.; Richard Steelman, Self: unincorporated areas are being held hostage by local communities. Please give us the right to vote for incorporation or not?; Tony Velez, Self: please pass this bill, the future of san tan heights depends on deciding how this city can do what is right for the citizens who are tired of being abused by other towns whose main objective is to keep the abuse continuing , time to stop the madness; Bambi Sandquist, Self: I've been waiting for over a decade to be able to vote on whether or not to incorporate. Please support this bill so that I can FINALLY have the right to vote on the type of government that governs me!; Beth Corvelo, Self: Please give us our right to vote!; Dan Geisler, Self: both my wife, Fran, and I totally support HB2385; Merna Salak, Self: Please support HB2385. I reside in San Tan Valley since 2006 and feel that as a homeowner in San Tan Valley I should have a say in what happens in my community.; Melissa McVicar, Self: I support HB2385; Alden Weight, Self: San Tan Valley needs and deserves the right to vote on its own future rather than remaining at the mercy of other municipalities and special interests. Every day, month, and year of neglecting the issue just makes the problem worse. LET US VOTE!; Jeffrey Brown, Self: Self Determination to me is a very American concept! Those living among huge populations that dwarf surrounding municipalities should have the right to vote on an issue that impacts them greatest of all.; Bryan Martyn, BRYAN MARTYN: As the former County Supervisor for the San Tan Valley area, this proposal represents the fulfillment of the democratic process and also addresses the countless concerns of the nearly 100,000 Arizonans who call San Tan Valley "Home".; Char Wester, Self: I am a San Tan Valley resident. I believe that we should have the ability to actually vote on something as significant as incorporation as it impacts us directly. Thank you.; Daniel Thorup, Self: This is a good law and creates good policy in Arizona. As a member of an urbanized area, it is my perception that smaller municipalities willing to take my share of the taxes I pay through the shared revenue, but will not allow me to do the same.

HB2524, uniform firearms transfer compact

Testified in support:

Nicholas Dranias, representing self

Testified as opposed:

Kathleen Noble, representing self; Geneva Haber, representing self

Support:

Thomas Woodrow, representing self; Drake Mitchell, representing self; Shaun Dixon, representing self; Daniel Jackson, representing self; John Wentling, Vice President, Arizona Citizens Defense League; Mark Mullins, representing self; Scott Ottersen, LD17 PC, representing self; Frederick Dahnke, representing self; Michael Malo, representing self; Dumoan Lee, representing self; Kenneth W. Gareau, representing self; William Moe, representing self; A. J. Urso, representing self; Barbara Gareau, representing self; Michael Gibbs, representing self; David Childress, representing self; Todd Vosper, representing self; Jerry Kendrick, representing self; Philip Hubacek, representing self; Alan Steiner, representing self; George Bauernschmidt, representing self; James Mele, representing self; Sandra Thoms, representing self; Paul Knutson, representing self; James Brinkman, representing self; Willie Stubbs, representing self; Peggy Grant, representing self; Samuel Grant, representing self; Isaac Hung, representing self; Tom Thomas, representing self; Bob Morken, representing self; Jared W Brown, representing self; Peter Gromada, representing self; Shawn T Waldmann, representing self; Michael Mahoney, representing self; Cheryl Caldararo, representing self; Joe Dawson, representing self; Purdy Hart, representing self; Danny Ray, representing self; Kelley Brown, representing self; David Richardson, representing self; Martin Kroll, representing self; Jim Dutton, representing self; JoAnn Dutton, representing self; Richard Musser, representing self; James Warniers, representing self; Donald Calabro, representing self; Heidi Dillman, representing self; Scott Lolmaugh, representing self; Warren Michelsen, representing self; Alan and Marsha Anderson, representing self; todd hills, representing self; Maurice Horner, representing self; John Hammond, representing self; Sharon Briner, representing self; Gerald Aronica, representing self; Gary Hummel, representing self; Robert Gumfory, representing self; Lon Robinson, representing self; Russ Hinis, representing self; Charles Stury, representing self; Tony Greci, representing self; John Semon, representing self; Daniel Salerno, representing self; dan treanor, representing self; Clyde Ingalsbe, representing self; Sean Baguley, representing self; Alan Bond, representing self; Dominick Leo, representing self; Robert Carbonneau, representing self; David Ginsburg, representing self; James Hand, representing self; Robert Anderson, representing self; Darrell Collins, representing self; Mike MacDonald, representing self; james delton, representing self; Leo Budd, representing self; Roger Hobbs, representing self; Merle Cunningham, representing self; David Riley, representing self; Lawrence Wangler, representing self; Brandon LaBorde, representing self; Michael Garnica, representing self; Kenneth Imthurn, representing self; JUDITH MARSHALL, representing self; GEORGE MARSHALL, representing self; Richard Segui, representing self; David Cardon, representing self; Roland Sleater, representing self; MICHAEL WEBB, representing self; Tim Lank, representing self; David Bour-Beau, representing self; robert tomich, representing self; michael wilkins, representing self; Jonathan Zuess, representing self; John Fischer, representing self; Michael Alexander, representing self; Michael Kriegel, representing self; Richard McMains, representing self; James Collins, representing self; Carlton Baxter, representing self; Norman Nipperus, representing self; Michael Mowrey, representing self; C D Tavares, representing self; Richard Hofelich, representing self; William Katen, representing self; Suzanne Ammons, representing self; Philip Cirelli, representing self; Mary Donnay, representing self; Richard L. Anderson, representing self; Kevin Brake, representing self; Jack Wilborn, representing self; Bryan Lee Briggs, representing self; Perry Conrad, representing self; Walter Graham, representing self; Shelley Altenstadter, representing self; James Jones, representing self; David West, representing self; Bobbie Piety, representing self; Juan Aquino, representing self; Tom Holding, representing self; ROBERT DEWITZ, representing self; clifford aikens, representing self; Dave Kopp, Manager, AZ CITIZENS DEFENSE LEAGUE INC; Raymond Perry, representing self; Merril Onigkeit, representing self; David Pool, representing self; Scott Shelor, representing self; Robert Jennings, representing self; Michael Berryman, representing self; Larry Timmerman, representing self; Steve Sorgnit, representing self; Harold Shull, representing self; Edward Bluma, representing self; Randal Scott, representing self;

Christina Mele, representing self; Konrad Szelock, representing self; David Lansky, representing self; Cosme Borunda, representing self; Jeff Hickman, representing self; Don Page, representing self; David Steven, representing self; Ronald Kopf, representing self; Dirk Patton, representing self; Mark Lunario, representing self; Scott Heggem, representing self; Joel Alcott, representing self; Chris Michels, representing self; Mark Logan, representing self; Thomas Wood, representing self; Corey Spofford, representing self; James Hodge, representing self; John Baunoch, representing self; Aaron Conner, representing self; Dennis Hall, representing self; George Moriarty, representing self; Steven Pettigrew, representing self; David Price, representing self; John Foote, representing self; kurt keltner, representing self; Jonathan Massey, representing self; Andrew Cyr, representing self; Rick King, representing self; Douglas Sankey, representing self; Craig Corbin, representing self; William Jonas, representing self; Donald Scott, representing self; R Mark Russell, MD, representing self; Jason Corbett, representing self; Richard Davis, representing self; Roy Potter, representing self; J.R. Morris, representing self; Michael Halbur, representing self; Peter Alford, representing self; Lyle Tuttle, representing self; Matthew Petersen, representing self; Michael Schmitz, representing self; Michael Wixom, representing self; Stan Donovan, representing self; John Parker, representing self; Ellen Shea, representing self; Tim Jones, representing self; Lon Wolff, representing self; Robert Haller, representing self; J.P. Thom-Gronachan, representing self; Peter Steinmetz, representing self; David Williams, representing self; Thomas McKelvey, representing self; Edward Surowiec, representing self; Henri Carpentier, representing self; Dan Goebel, representing self; Terry Ristig, representing self; Sallie L Baldwin, representing self; W.C. Rooney, representing self; Steven Baranowski, representing self; Deborah Kimmick, representing self; Todd Rathner, Arizona State Rifle And Pistol Association; Jason Hayes, representing self; Daniel Reid, National Rifle Association; Gary Christensen, AZ State Rifle & Pistol Assoc, AZ STATE RIFLE & PISTOL ASSN; Carl Bruning, representing self

Oppose:

Karen Peters, representing self; Paul Pratt, representing self; Mary Pradelt, representing self; Susan Waites, representing self; Lawrence Waggoner, representing self; Ellen Punyon, representing self; Peggy Wenrick, representing self; marilyn duerbeck, representing self; Ann Macheck, representing self; Eric Emmert, East Valley Chambers Of Commerce Alliance ; Susan Bergesen, representing self

All Comments:

Thomas Woodrow, Self: This bill must pass. There are 27 interstate compacts that Az is a party to, this one protects an enumerated right. Please send this bill on and to the Senate and to the Governor, without amendments.; John Wentling, Arizona Citizens Defense League: This bill protects our rights under Article 2, please vote YES!; Dumoan Lee, Self: This needs to pass so that we are protected from outsiders trying to deteriorate our 2nd amendment rights.; Kenneth W. Gareau, Self: This bill will protect our individual liberty from outside interference. I strongly urge you to pass it!; A. J. Urso, Self: I am against restricting the legal transfer of private property.; Barbara Gareau, Self: This bill will protect our individual liberty from outside interference. I strongly urge you to pass it!; Michael Gibbs, Self: In the wake of continued infringements of the right to keep and bear arms at both the state and federal levels, it's imperative that Arizona compact with other states to protect our rights under the 2nd amendment and AZ article 2, section 26.; Todd Vosper, Self: Please protect private party transfers between non-prohibited persons. No property, or the transfer thereof, should be so encumbered.; Jerry Kendrick, Self: Please support this bill to prevent government interference in the transfer of firearms between friends and family. Thank you; James Mele, Self: This bill will guarantee our second amendment right to bear arms with no infringement; James Brinkman, Self: I am in favor of this bill. Please pass it.; Willie Stubbs, Self: Every year I travel to Nevada for firearms training and having uniform firearms laws should Nevada sign up with this compact would make my travels worry free. This bill backs up Article 4 Sec 2 of the U.S. Constitution.; Peggy Grant, Self: Please pass this out of committee.; Samuel Grant, Self: Please pass this bill out of committee.; Tom Thomas, Self: please support; Jared

W Brown, Self: I always stand with a bill that protects the 2nd Amendment; David Richardson, Self: Please pass this bill forward this year. We saw it was held up at committee last year giving us great concern. This is very important to protect 2nd Amendment rights.; Jim Dutton, Self: Please support this bill. It is good, solid, constitutional legislation and should be passed unanimously.; JoAnn Dutton, Self: Please support this bill. It should be passed unanimously.; Richard Musser, Self: One more thing to protect OUR 2nd amendment; James Warniers, Self: I recommend approval of this bill; Scott Lolmaugh, Self: I am in favor of this bill.; Alan and Marsha Anderson, Self: Please pass bill out of committee for full House consideration and passage; todd hills, Self: its pretty simple. " shall not be infringed" no other right is as viciously or continually attacked like the 2Nd amendment. pass this bill NOW. we are free people and the 2nd keeps it that way.; Gary Hummel, Self: Please support the passage of this bill.; Robert Gumfory, Self: Please pass this bill without amendments; Lon Robinson, Self: Passage of this bill is critical to put up a wall in front of an increasingly over reaching federal government and I urge yea votes.; Charles Stury, Self: This bill is very important to AZ residents by limiting the Feds from restricting our freedoms in AZ.; Tony Greci, Self: Please support HB2524; Daniel Salerno, Self: This is a no brainer, look at all the support of the people on this bill. As elected representatives of the people you should pass this bill without chicanery . thank you; Clyde Ingalsbe, Self: I am in favor of this bill.; Alan Bond, Self: I support this bill so that private, lawful sales of firearms between individuals remains protected and legal. I encourage you to resist outside influences and vote to keep freedom.; Robert Carbonneau, Self: This bill is an important part of the protection offered by our Constitution.; James Hand, Self: I am in favor of this bill without amendments.; Robert Anderson, Self: This bill is very important to protect the rights of the citizens of Arizona from very well funded outside special interests. Please pass this bill out of committee.; Mike MacDonald, Self: Please favor of both HB 2524 and HB 2338. I am in favor of both! Thank you.; James delton, Self: This bill will provide some limits on the feds and help ensure states rights are honored.; Leo Budd, Self: Protects private property rights. Please pass without hostile amendments.; Roger Hobbs, Self: This Bill needs to pass; Merle Cunningham, Self: We need to insure that OUR state laws, rules and regulations fit OUR life style as citizens of Arizona. We cannot allow liberal outsiders, like Bloomberg, Obama and Clintons, to dictate what we do and how we live. Please support this bill for all.; Brandon LaBorde, Self: I am in favor of this legislation promoting freedom; Michael Garnica, Self: Please pass without any hostile amendments.; JUDITH MARSHALL, Self: I strongly support HB2524 and HB2338.; GEORGE MARSHALL, Self: I very strongly support HB2524.; MICHAEL WEBB, Self: Please support; much obliged for your representation. thxnregards mw; Tim Lank, Self: Please refuse any hostile amendments; robert tomich, Self: I SUPPORT THIS BILL SO PEALSE PASS.; Michael Alexander, Self: This bill is critical to preserving state sovereignty... we are Arizona, one of the United STATES of America... and we should remind the federal government of that every chance we get.; Richard McMains, Self: If we are going to pass laws they should be laws which make understanding more uniform as does this bill.; Carlton Baxter, Self: This bill is important to keep unwanted restrictions to firearms transfers.; Norman Nipperus, Self: I am in favor of this bill; Kathleen Noble, Self: HB2524 would violate our right as AZ Citizens to pass initiatives and referenda, ceding our authority to make our own laws and protect our citizens!; C D Tavares, Self: Our family moved to Arizona specifically because we preferred its liberty-minded laws to those of big-government states. This particular bill is crucial to us. It was held up last year in committee. Please ensure this doesn't happen again. Thank you.; William Katen, Self: It is important that we continue the progress to keep AZ. one of the most free states in the Country. It is also important to keep outside pressure from coming to our State to move their agenda forward.; Paul Pratt, Self: There are enough laws as is, it will only restrict law biding citizen, turn us into criminals, and, the criminals will always have guns. This is about power and money. If you cannot trust us, then marshall law is required, enter the "Hunger Games"; Perry Conrad, Self: Just to let you know I am in favor of this bill and a registered voter and I do follow your votes.; Shelley Altenstadter, Self: Very important to pass this bill without amendments; David West, Self: PLEASE vote to move HB 2524 forward and for approval. This bill is very important in the fight to protect our 2nd amendment rights.; Bobbie Piety, Self: This is very important!; Robert Jennings, Self: I am strongly in favor of this bill. Please vote to pass HB2524 forward without hostile amendments.; Mary Pradelt, Self: It is more than

ironic that this legislature would introduce a bill that gives away our state sovereignty while at the same time introducing bill after bill to protect our state sovereignty from federal law.; Steve Sorgnit, Self: I am in favor of this bill; Harold Shull, Self: This bill is needed to keep people from back East, who are surrounded by armed men, from cancelling our ability to protect ourselves by our own means, which is all we have.; Randal Scott, Self: I support this bill; David Lansky, Self: Please protect our second amendment rights from out of state do-gooders who have a political agenda and no true interest in Arizona.; Cosme Borunda, Self: Pass this bill to protect our rights; Ronald Kopf, Self: "Arms in the hands of citizens (may) be used at individual discretion . . . in private and self defense . . ."

John Adams, A Defense of the Constitutions of the Government of the United States of America, 3:475 (1788); Scott Heggem, Self: Please pass this bill. It is important that we states band together to protect our rights. Uniformity of gun laws between member states would simplify travel immensely.; Joel Alcott, Self: I am the Tenth Amendment Center State Director. I support this bill.; Mark Logan, Self: Support HB2524; Susan Waites, Self: Violates state sovereignty and would strip voters ability to propose new regulations via initiative. Wish our R legislators would not try to legitimize their gun fetishes, kinks, and lusts thru poorly thought out bills.; Lawrence Waggoner, Self: This bill shamefully disenfranchises voters, relinquishes state sovereignty to regulate firearms and subjects the state to legal challenges.; James Hodge, Self: I am in favor of this bill and request that you also vote in favor also. Thank you.; John Baunoch, Self: ...shall not be infringed.....; Aaron Conner, Self: I am strongly in favor of this bill; Ellen Punyon, Self: Relinquishes state sovereignty to regulate firearms Disenfranchises voters by prohibiting the use of ballot initiatives to repeal existing firearm regulations or propose new regulations Subjects the state to legal challenges that will consume tax d; Dennis Hall, Self: Please allow this bill to pass on to the House Committees; Peggy Wenrick, Self: As an Arizonan, I want to determine my state's laws about firearms. I do not want to be made to adhere to other states laws.; David Price, Self: Please support HB2524; John Foote, Self: It is time for our Legislators to show Arizonans that they are not going to leave our state vulnerable to outside bad actors who would seek to impose their own agendas upon our Citizens. Protect our Rights, and keep Arizona free.;

kurt keltner, Self: please pass hb 2524. thank you; Rick King, Self: Please pass this bill. Thank you; Douglas Sankey, Self: With Respect, I urge you to advance HB2524. The proposed Bill provides a reasonable Arizona position that is consistent with Federal law and shows AZ support for 2nd Amend. rights. I'm a long time Arizona resident & US Army Veteran Officer. Thank you; Craig Corbin, Self: PLease pass this! I totally support!; William Jonas, Self: i encourage A yes vote on this bill Thanks.;

Donald Scott, Self: Hi, I am in favor of this bill, please support it? Thank you!; Jason Corbett, Self: Please support this incredibly important bill without hostile ammendments.;

Michael Halbur, Self: I strongly support; Matthew Petersen, Self: Do not accept any hostile amendments; Stan Donovan, Self: I am in support of this compact. Arizona should not exceed federal law regarding private property transfers.;

Lon Wolff, Self: I support HB2524, The Uniform Firearms Compact, This law will go a long way towards preventing further infringement of our Second Amendment rights.;

Peter Steinmetz, Self: This is an important bill to protect our enumerated rights.;

David Williams, Self: Additional laws above an beyond the federal laws are not needed and will only cost tax payers money. Private party transfer fees only hurt law abiding citizens and don't stop criminals.;

Thomas McKelvey, Self: It is vitally important that states such as AZ support the 2nd amendment by helping to ensure that no laws exceed federal law on private firearm transfers.;

Henri Carpentier, Self: I am in favor of this bill. We should not permit member states from exceeding federal law on private party firearm transfers between non-prohibited individuals.;

Sallie L Baldwin, Self: This bill should be passed.;

Jason Hayes, Self: Please support this bill as it protects the rights of law-abiding Arizonans to transfer private property to members of their family without government interference.;

Eric Emmert, East Valley Chambers Of Commerce Alliance : The requirements for amending and exiting a compact in the bill are a concerning.;

Nicholas Dranias, Self: I am the chief architect of the model legislation. The legislation would prevent regulation of firearms transfers in addition to federal law. It is fully constitutional.;

Gary Christensen, AZ STATE RIFLE & PISTOL ASSN: ASRPA strongly supports this bill, and urges Judicial committee Do Pass recommendation.;

Susan Bergesen, Self: restricts Arizona right to passage of our own firearms governance, ties us to other state's whims and potential poor planning. Denies Az. state sovereignty.

HB2594, tobacco master settlement; sales data

Testified in support:

Courtney McKinstry, AZ ATTORNEY GENERAL'S OFFICE; David Garbarino, representing self

Testified as opposed:

Brian Hummell, American Cancer Society Cancer Action Network

Support:

Don Isaacson, RAI SERVICES COMPANY; Shaun Rieve, Arizona Attorney General's Office; Attorney General Mark Brnovich, representing self

Oppose:

Nicole Olmstead, American Heart Association

All Comments:

Brian Hummell, American Cancer Society Cancer Action Network: Automatically closing all records should be done carefully and with a trusted partner. The tobacco industry is not. In 2006 a Federal court ruled tobacco companies guilty of racketeering. Tobacco executives lied to Congress. History of youth marketin; Nicole Olmstead, American Heart Association: We are concerned about not disclosing information with organizations that have a proven track record of not being trustworthy. Tobacco companies have a history or not being truthful or doing things in the interest of the health of the public.; David Garbarino, Self: Representing the Arizona Attorney General's Office.

HB2618, medical marijuana dispensaries; location change

Support:

Brad Lundahl, SCOTTSDALE, CITY OF

Neutral:

Colby Bower, Arizona Department Of Health Services; Leonard Clark Clark, representing self

HB2032, speed limits; local authority

Support:

Barry Aarons, ARIZONA ASSOCIATION OF COUNTY SCHOOL SUPERINTENDENTS; Dale Wiebusch, Legislative Associate, LEAGUE OF ARIZONA CITIES & TOWNS

HB2300, firearms; prohibited governmental activities

Testified in support:

Michael Gibbs, representing self

Support:

Dave Kopp, Manager, AZ CITIZENS DEFENSE LEAGUE INC; David Childress, representing self; William Moe, representing self; Donald Scott, representing self; Philip Hubacek, representing self; Michael Berryman, representing self; Edward Bluma, representing self; George Bauernschmidt, representing self; Isaac Hung, representing self; Shirley Lamonna, representing self; R Mark Russell, MD, representing self; Jason Corbett, representing self; Richard Davis, representing self; Roy Potter, representing self; George Moriarty, representing self; Michael Halbur, representing self; Kelley Brown, representing self; Joe Dawson, representing self; Shawn T Waldmann, representing self; Richard McMains, representing self; Lyle Tuttle, representing self; Buffalo Rick Galeener, representing self; Bob Morken, representing self; David Richardson, representing self; Tony Greci, representing self; Dennis Hall, representing self; Michael Mowrey, representing self; Steve Sorgnit, representing self; Lon Robinson, representing self; John Semon, representing self; David West, representing self; John Fischer, representing self; Matthew Petersen, representing self; Bryan Lee Briggs, representing self; Michael Schmitz, representing self; martha hayes, representing self; David Cardon, representing self; Leo Budd, representing self; Gerald Aronica, representing self; Stan Donovan, representing self; Sean Baguley, representing self; Alan Bond, representing self; Darrell Collins, representing self; Clyde Ingalsbe, representing self; John Parker, representing self; Shaun Dixon, representing self; Ellen Shea, representing self; Donald Cline, representing self; Tom Holding, representing self; Tim Jones, representing self; james delton, representing self; Suzanne Ammons, representing self; Norman Nipperus, representing self; Janelle Solomon, representing self; James Collins, representing self; Martin Kroll, representing self; Harold Shull, representing self; Robert Jennings, representing self; Christine Maceri Genge, representing self; David Pool, representing self; Dennis Genge, representing self; Richard Hofelich, representing self; GEORGE MARSHALL, representing self; JUDITH MARSHALL, representing self; Corey Spofford, representing self; Robert Haller, representing self; J.P. Thom-Gronachan, representing self; Philip Cirelli, representing self; Tim Lank, representing self; Vince Anselmo, representing self; Onita Davis, representing self; Thomas McKelvey, representing self; kurt keltner, representing self; Edward Surowiec, representing self; J.R. Morris, representing self; Dan Goebel, representing self; Terry Ristig, representing self; Joel Alcott, representing self; Brent Backus, TENTH AMENDMENT CENTER; Elisha Dorfsmith, representing self; Michael Kriegel, representing self; Juan Aquino, representing self; Jim Dutton, representing self; JoAnn Dutton, representing self; Tom Platt, representing self; Danny Ray, representing self; Mark Lunario, representing self; Tom Thomas, representing self; Kay Reardon, representing self; David Riley, representing self; Jere Fredenburgh, representing self; Jonathan Zuess, representing self; Joyce Hill, representing self; Robert Gumfory, representing self; Steven Baranowski, representing self; W.C. Rooney, representing self; Tracy Langston, Mrs., representing self; Jared W Brown, representing self; Konrad Szelock, representing self; Scott Ottersen, LD17 PC, representing self; Willie Stubbs, representing self; Alan and Marsha Anderson, representing self; Jason Hayes, representing self; Matt Papke, representing self; Carl Bruning, representing self

Oppose:

Susan Waites, representing self; Lawrence Waggoner, representing self; marilyn duerbeck, representing self; Ann Machek, representing self; Catia Barker, representing self; Ellen Punyon, representing self; Kathryn Nail, GREATER PHOENIX CHAMBER OF COMMERCE; Geneva Haber, representing self; Dale Wiebusch, Legislative Associate, LEAGUE OF ARIZONA CITIES & TOWNS; Garrick Taylor, Arizona Chamber Of Commerce And Industry; Stephanie Seigla, representing self; Alison Zelms, Deputy City Manager, PRESCOTT, CITY OF; John Wayne Gonzales, Legislative Liaison, City Of Phoenix; kathleen mayer, Pima County Attorney's Office; Susan Bergesen, representing self

All Comments:

Donald Scott, Self: Hi, I am in favor of this bill, please support it? Thank you!; Michael Gibbs, Self: No fewer than 4 U.S. Supreme Court decisions have upheld the legal doctrine of anti-commandeering--the federal govt cannot

compel states to enforce fed law. This bill prevents the state & political subdivisions from expending resources on fed laws.; Philip Hubacek, Self: I urge passage of this bill to prevent activist federal government rulemaking from weakening the second amendment rights of Arizona residents.; Jason Corbett, Self: Please support this important bill without any hostile ammendments.; Susan Waites, Self: Another cockamamie bill which would put state law enforcement officers into untenable position of having to choose which law to break in the discharge of their duties. Clearly sponsor cares more for his own gun lust than than for law officers.; Michael Halbur, Self: I strongly support; Lawrence Waggoner, Self: This is a ridiculous bill, it is frivolous and a waste of time.; Tony Greci, Self: I am in favor of HB 2300.; Steve Sorgnit, Self: I support this bill.; David West, Self: I strongly support this bill. Please support its approval.; Matthew Petersen, Self: Do not accept any hostile amendments; Michael Schmitz, Self: This bill is more important than ever with passing of Justice Scalia.; Stan Donovan, Self: I am in favor of this bill that would ban enforcement of any future federal firearms acts, laws, orders, regulations, or rules. Please represent me by voting in favor of this bill.; Alan Bond, Self: Please protect Arizona citizens from Federal overreach. Arizona is unique in it's support of citizens' rights to own and carry arms. It's one of the reasons I moved here. I urge you to pass this bill and keep our rights intact.; Clyde Ingalsbe, Self: I am in favor of this bill passing as-is.; Harold Shull, Self: This self-preservation of Arizona law demands passage more and more every day with current 'freestyle lawmaking' on the other side of the Potomac River.; Robert Jennings, Self: I am in favor of this Bill; GEORGE MARSHALL, Self: I very strongly support HB2300 as well as HB2338 and HB2524.; JUDITH MARSHALL, Self: I very strongly favor the passage of HB2300 as well as HB2338 and 2524.; Ellen Punyon, Self: Let's not waste taxpayer money on bills that are unconstitutional! We are part of the UNITED States and until we pull out, we must follow it's laws. Enough already!; Tim Lank, Self: Please refuse any adverse amendments; Vince Anselmo, Self: It is essential that no questionable or un-Constitutional Federal mandate regulating firearms be enforced by any AZ law enforcement agency. This bill protects 2nd Amendment Rights for AZ citizens threatened by unlawful federal overreach.; Thomas McKelvey, Self: It is vitally important that AZ support the 2nd amendment by banning the enforcement of any future federal firearms acts, laws, orders, regulations, or rules; kurt keltner, Self: please support and pass hb 2300; Joel Alcott, Self: I am the state Director for the Tenth Amendment Center. I STRONGLY SUPPORT this bill. It passes the test for Prop 122, as well as both the Arizona and U.S. constitutions; Brent Backus, TENTH AMENDMENT CENTER: TAC supports the Bill. Recommend that committee support. Prop 122 was passed by the voters to ensure that we keep the Federal Government within the Constitutional box. Thank you.; Jim Dutton, Self: Great bill for Arizona! Please support.; JoAnn Dutton, Self: We need legislation like this.; Tom Thomas, Self: please vote yes or support bill; Jere Fredenburgh, Self: state's rights. thank you.; Robert Gumfory, Self: Please pass this bolster of our 2nd Amendment rights without amendments . Thank you; Jared W Brown, Self: If you do not have metal detectors and body scanners your not in a gun free zone anyone who says others wise is selling gun controls false narrative; Willie Stubbs, Self: The federal government should have no expectation that state funds or personnel should ever be used to promote legislation that it enacts.; Alan and Marsha Anderson, Self: I strongly urge you to pass this bill out of committee to the full house for consideration and passage to the senate at the earliest possible opportunity.; Jason Hayes, Self: Please support this bill without amendment.; John Wayne Gonzales, City Of Phoenix: This bill would affect the Phoenix Police Department by significantly limiting participation in several of the federal/state/local crimes task forces that combine law enforcement resources to fight high level organized crime.; kathleen mayer, Pima County Attorney's Office: We believe this prohibits us from working w/ the Feds on our task forces to investigate gun smuggling.; Matt Papke, Self: Prop 122 pretty much mandates that this bill pass.; Susan Bergesen, Self: A frivolous law that will result only in Arizona taxpayers spending our dollars in a court case rather than on education, health care, roads, transportation, and critical public services.



HOUSE OF REPRESENTATIVES

HB 2618

medical marijuana dispensaries; location change
Prime Sponsor: Representative Leach, LD 11

X Committee on Judiciary
Caucus and COW
House Engrossed

OVERVIEW

HB 2618 permits a nonprofit medical marijuana dispensary (dispensary) to change locations if the new location is within the same community health analysis area (CHAA).

PROVISIONS

1. Allows a dispensary to change its location or cultivation site provided the new location is in the same CHAA at the time that the original registration certificate was issued.
2. Stipulates that the new dispensary is subject to the other requirements required for a new dispensary.
3. Contains a Prop 105 clause.
4. Makes technical and conforming changes.

CURRENT LAW

A.R.S. § 36-2804 outlines registration and certification requirements for new dispensaries. To register for a dispensary, a person must apply with the Arizona Department of Health Services (DHS).

A.R.S. § 36-2804(C) states that DHS may not issue more than one dispensary registration certificate for every 10 pharmacies that:

- Have registered under A.R.S. § 32-1929;
- Have obtained a pharmacy permit from the Arizona State Board of Pharmacy; and
- Operate within the state.

DHS may issue excess dispensary registration certificates if necessary to ensure that DHS issues at least one dispensary registration certificate in each county where an application has been approved.

ADDITIONAL INFORMATION

In 2010, Arizona voters passed Proposition 203, an initiative measure regarding the legalization of medical marijuana. Proposition 203 created several statutes that outline requirements for medical marijuana (A.R.S. Title 36, Chapter 28.1). A.R.S. § 36-2803 required DHS to adopt rules for implementation.

The Arizona Medical Marijuana Rules (AMMR) provide specific rules and requirements in regards to medical marijuana. R9-17-306 of the AMMR states that a dispensary may change its location:

- Within the first three years after DHS issues the dispensary's registration certificate, to another location in the CHAA where the dispensary is located;

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- After the first three years after issuance of the registration certificate, to another location in the state.

A dispensary may change the location of its cultivation site to another location in the state.

A dispensary or its cultivation site is prohibited from cultivating, manufacturing, distributing, or selling medical marijuana at a new location until the dispensary submits an application for a change in location.

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

ROLL CALL VOTE

COMMITTEE ON JUDICIARY BILL NO. HB 2618

DATE February 17, 2016 MOTION: dp

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Friese		✓			
Mr. Hale		✓			
Mr. Kern		✓			
Mr. Mesnard					1
Mr. Borrelli, Vice-Chairman		✓			
Mr. Farnsworth E, Chairman		✓			
		5	0	0	1

APPROVED:



EDDIE FARNSWORTH, Chairman
 SONNY BORRELLI, Vice-Chairman


 COMMITTEE SECRETARY

ATTACHMENT 4



HOUSE OF REPRESENTATIVES

HB 2032

speed limits; local authority

Prime Sponsor: Representative Borrelli, LD 5

X Committee on Judiciary

Caucus and COW

House Engrossed

OVERVIEW

HB 2032 allows a local authority to modify the speed limit in an area adjacent to or surrounding school grounds or public parks.

PROVISIONS

1. Permits a local authority to increase or decrease the maximum speed limit on streets adjacent to or surrounding school grounds or public parks.

CURRENT LAW

A.R.S. Title 28, Chapter 3, Article 6 governs speed restrictions on roads. A.R.S. § 28-703 allows a local authority, on the basis of an engineering and traffic investigation, to determine and declare a reasonable and safe maximum speed limit that is different than the limit that would otherwise be imposed under Article 6. Currently, a local authority may increase or decrease the speed limit on streets adjacent to school grounds. A.R.S. 28-701(B)(1) generally establishes a speed limit of 15 miles per hour approaching a school crossing and 25 miles per hour in a business or residential district. Maximum speeds are reduced to the speed that is reasonable and prudent under the conditions with regard to actual and potential hazards. The statute also prohibits a person from driving at a speed less than reasonable or prudent under existing conditions.

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

ROLL CALL VOTE

COMMITTEE ON _____ JUDICIARY _____ BILL NO. HB 2032

DATE February 17, 2016 MOTION: dp

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Friese		✓			
Mr. Hale		✓			
Mr. Kern		✓			
Mr. Mesnard					1
Mr. Borrelli, Vice-Chairman		✓			
Mr. Farnsworth E, Chairman		✓			
		5	0	0	1

APPROVED:

 EDDIE FARNSWORTH, Chairman
 SONNY BORRELLI, Vice-Chairman


 COMMITTEE SECRETARY

ATTACHMENT 6



HOUSE OF REPRESENTATIVES

HB 2384

probation performance; annual reporting
Prime Sponsor: Representative Farnsworth E, LD 12

X Committee on Judiciary
Caucus and COW
House Engrossed

OVERVIEW

HB 2384 requires online posting of probation reports.

PROVISIONS

1. Requires probation reports currently provided by Maricopa County and the Arizona Supreme Court to be posted on their respective websites.
2. Changes the date when counties must annually report on probation performance from October 1st to December 1st.

CURRENT LAW

A.R.S. § 12-269 outlines requirements for probation programs in counties with populations of 2,000,000 or more persons. Counties must maintain appropriate ratios of officers to probationers consistent with evidence based practices in differentiated case management. Counties must report their performance to the Chief Justice, Speaker of the House of Representatives and President of the Senate by October 1st of every year. The annual report must include:

- The rate of successful completion of probation;
- The rate of new felony convictions; and
- The rate of commitment to the Department of Corrections or the Department of Juvenile Corrections.

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

ROLL CALL VOTE

COMMITTEE ON JUDICIARY BILL NO. HB 2384

DATE February 17, 2016 MOTION: dp

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Friese		✓			
Mr. Hale		✓			
Mr. Kern		✓			
Mr. Mesnard					1
Mr. Borrelli, Vice-Chairman		✓			
Mr. Farnsworth E, Chairman		✓			
		5	0	0	1

APPROVED:



EDDIE FARNSWORTH, Chairman
SONNY BORRELLI, Vice-Chairman



COMMITTEE SECRETARY

ATTACHMENT 8



HOUSE OF REPRESENTATIVES

HB 2594

tobacco master settlement; sales data
Prime Sponsor: Representative Mitchell, LD 13

X Committee on Judiciary
Caucus and COW
House Engrossed

OVERVIEW

HB 2594 requires tobacco sales data provided to the Attorney General (AG) or Department of Revenue (DOR) to remain confidential.

PROVISIONS

1. Makes all tobacco sales data that is provided to the AG or DOR for purposes of the master settlement agreement (MSA) confidential.
2. Makes a technical change.

CURRENT LAW

A.R.S. § 44-7101 outlines definitions, requirements, and specific provisions relating to the MSA. A.R.S. § 44-7111 details the enforcement of the MSA and contains specific requirements for Non-Participating Manufacturers. Section 5 requires each distributor to submit to DOR specific information, including:

- A list by *brand family* of the total number of cigarettes;
- Invoices and documentation of sale of all nonparticipating manufacturer cigarettes;
- Any other information relied upon in reporting.

DOR is required to disclose all information received under A.R.S § 44-7111 to the AG.

Brand family means all styles of cigarettes sold under the same trade mark and differentiated from one another by means of additional modifiers or descriptors.

ADDITIONAL INFORMATION

On November 23, 1998, Arizona entered into the MSA with various tobacco companies due to serious health and financial concerns that arose as a result of cigarette smoking (A.R.S. § 44-7101). The MSA requires manufacturers participating in the agreement (Participating Manufacturers, or PMs) to:

- Pay monies to the state (tied in part to the volume of sales);
- Fund a national foundation devoted to the interests of public health; and
- Make changes to advertising and marketing practices and corporate culture, with the intention of reducing underage smoking.

In exchange for participating in this agreement, the state exempts PMs from past, present, and future legal claims.

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

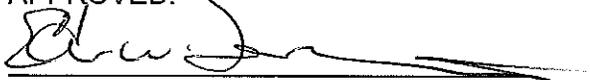
ROLL CALL VOTE

COMMITTEE ON JUDICIARY BILL NO. HB 2594

DATE February 17, 2016 MOTION: dp

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Friese	✓	✓			
Mr. Hale		✓			
Mr. Kern		✓			
Mr. Mesnard					1
Mr. Borrelli, Vice-Chairman		✓			
Mr. Farnsworth E, Chairman		✓			
		5	0	0	1

APPROVED:


 EDDIE FARNSWORTH, Chairman
 SONNY BORRELLI, Vice-Chairman


 COMMITTEE SECRETARY

ATTACHMENT 10



HOUSE OF REPRESENTATIVES

HB 2385

incorporation; urbanized areas

Prime Sponsor: Representative Farnsworth E, LD 12

X Committee on Judiciary

Caucus and COW

House Engrossed

OVERVIEW

HB 2385 provides an alternative process for the incorporation of urbanized areas that meet specific criteria.

PROVISIONS

1. Requires the board of supervisors (BOS) to proceed with the incorporation of an urbanized area without a resolution that approves the proposed incorporation, if the area has a population that is:
 - a. 15,000 persons or more, and
 - b. Greater than the city or town that opposes the incorporation.
2. Makes technical and conforming changes.

CURRENT LAW

A.R.S. 9-101 provides the general process for incorporating a community into a city or town. Generally, a community may file a petition for incorporation with the BOS when the petition meets specific signature thresholds, depending on the size or geographic characteristics of the community. If the community is able to get 2/3 of the community to sign the petition, the BOS declares the community incorporated. With 10% of the community signing the petition, the BOS will call an election on the incorporation. If a majority of the community votes in support, the BOS declares the community incorporated. The statute defines *community* and prohibits the incorporation of:

- Large areas that are uninhabited, farm or rural; proposed incorporation space must be urban in nature;
- Territory that would result in unincorporated territory being completely surrounded by incorporated territory;
- Territory that excludes interior county streets and roads, unless approved by the BOS; or
- Any territory included in an annexation ordinance adopted by a city or town after the filing of the incorporation petition.

A.R.S. 9-101.01 states that territory becomes an urbanized area when it is:

- Within six miles of an incorporated city or town with a population of 5,000 or more; or
- Within three miles of an incorporated city or town with a population of less than 5,000.

In order to consider the incorporation of an urbanized area, the BOS must receive either:

- A submitted petition that includes a resolution approving the proposed incorporation from the city or town causing the urbanized area; or

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

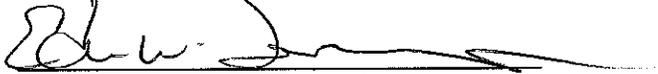
ROLL CALL VOTE

COMMITTEE ON JUDICIARY BILL NO. HB 2385

DATE February 17, 2016 MOTION: dp

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Friese		✓			
Mr. Hale		✓			
Mr. Kern		✓			
Mr. Mesnard		✓			
Mr. Borrelli, Vice-Chairman		✓			
Mr. Farnsworth E, Chairman		✓			
		6	0	0	0

APPROVED:



EDDIE FARNSWORTH, Chairman
SONNY BORRELLI, Vice-Chairman


COMMITTEE SECRETARY

ATTACHMENT 12



HOUSE OF REPRESENTATIVES

HB 2300

firearms; prohibited governmental activities
Prime Sponsor: Representative Kern, LD 20

X Committee on Judiciary

Caucus and COW

House Engrossed

OVERVIEW

HB 2300 prohibits state or local governments from enforcing or using resources to aid in the enforcement of federal laws related to personal firearms.

PROVISIONS

1. Prohibits an agency or political subdivision, or an employee of either while acting in the employee's official capacity, from:
 - a. Knowingly and willingly participating in the enforcement of any federal act, law, order, rule or regulation that is:
 - i. Issued after the effective date of this bill, and
 - ii. Related to a personal firearm, accessory or ammunition.
 - b. Using assets, state monies or monies allocated by the state to political subdivisions after the effective date of this bill to engage in activity that:
 - i. Aids a federal agency, agent, or corporation providing services to the federal government in the investigation or enforcement of any federal act, law, order, rule or regulation that is:
 - Issued after the effective date of this bill, and
 - Related to a personal firearm, accessory or ammunition.
2. Permits the action if it is required by a court order.
3. Prohibits the Treasurer from transferring monies to a political subdivision in the fiscal year after a final determination that the political subdivision adopted a rule, order, ordinance or policy that violates the prohibition.
4. Subjects any agent or employee who knowingly violates this prohibition to the following penalties:
 - a. For a first violation, a civil penalty of not more than \$3,000 (plus surcharges);
 - b. For a second or subsequent violation, a Class 1 misdemeanor (up to 6 months in jail/\$2,500 fine (plus surcharges)).
5. Contains a statement of legislative findings.

CURRENT LAW

A.R.S. § 13-3108 prohibits any political subdivision of the state from:

- Enacting any ordinance, rule or tax relating to the sale, transfer, purchase, acquisition or gift of firearms, ammunition, related components or accessories;

Fifty-second Legislature
Second Regular Session

Judiciary

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2300
(Reference to printed bill)

- 1 Page 1, lines 14 and 22, before the period insert "THAT INFRINGES THE RIGHT TO KEEP
2 AND BEAR ARMS GUARANTEED BY THE SECOND AMENDMENT OF THE UNITED STATES
3 CONSTITUTION OR THAT IMPAIRS THAT RIGHT IN VIOLATION OF ARTICLE 2, SECTION 26
4 OF THE ARIZONA CONSTITUTION"
5 Amend title to conform

ANTHONY KERN

2300KERN2
02/16/2016
10:43 AM
H: KP/rca

Attachment 14

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

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

ROLL CALL VOTE

COMMITTEE ON JUDICIARY BILL NO. HB 2300

DATE February 17, 2016 MOTION: dpa

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Friese			✓		
Mr. Hale			✓		
Mr. Kern		✓			
Mr. Mesnard		✓			
Mr. Borrelli, Vice-Chairman		✓			
Mr. Farnsworth E, Chairman		✓			
		4	2	0	0

Jan Mullenau
COMMITTEE SECRETARY

APPROVED:
Eddie Farnsworth
EDDIE FARNSWORTH, Chairman
SONNY BORRELLI, Vice-Chairman

ATTACHMENT 15



HOUSE OF REPRESENTATIVES

HB 2524

uniform firearms transfer compact

Prime Sponsor: Representative Thorpe, LD 6

X Committee on Judiciary
Caucus and COW
House Engrossed

OVERVIEW

HB 2524 enacts a Uniform Firearms Transfer Compact (Compact).

PROVISIONS

1. Enacts the Compact, which becomes effective once at least two states legislatively adopt the Compact. The Compact is comprised of five articles as follows:
 - a. Findings and Declaration of Policy
 - b. Definitions
 - c. Compact Membership and Withdrawal
 - d. Uniformity Requirement
 - e. Construction, Enforcement, Venue and Severability
2. Prohibits member states from creating, imposing or enforcing:
 - a. Any tax, fee, penalty, mandate or regulation in addition to federal law that burdens the transfer of firearms to any person; or
 - b. Any civil or criminal liability that is not imposed under federal law in connection with the transfer of firearms by any person.
3. Exempts:
 - a. The transfer of a firearm if it is an element of a criminal or civil cause of action that involves:
 - i. Violence (including attempted or threatened),
 - ii. The violation of property rights (including attempted or threatened),
 - iii. Controlled substances,
 - iv. Actual fraud,
 - v. Breach of contract, or
 - vi. Intentional or negligent misconduct that causes or threatens personal or economic injury.
 - b. Anything specified in a member state's addendum that meets specific criteria.
4. Designates un rebutted evidence that a law, regulation, policy, prosecution, administrative or enforcement action violates the Compact as a complete defense in all member states against any civil or criminal proceeding related to the transfer of a firearm. Only applicable if the proceeding arises from the authority of the law, regulation or policy.
5. Awards all legal expenses to the prevailing party in the defense.

HB 2524

6. Grants a vested right to intended third party beneficiaries (Beneficiary) of the Compact and lists persons considered Beneficiaries.
7. Automatically repeals any conflicting laws, regulations or policies that exist on the effective date of the Compact.
8. Allows a majority of member states to organize an Interstate Alternative Dispute Resolution Commission (Commission) to mediate or settle disputes, claims or causes of action that arise between or among member states and Beneficiaries. The Commission:
 - a. Is created through the passage of legislation by the member states.
 - b. May have either binding or nonbinding authority.
9. Provides that each state offers to perform and comply strictly in accordance with the Compact in becoming a member state. The offer is reliant on the mutual and reciprocal nature of other member states.
 - a. The offer to become a member state is accepted when notice is received by the member state's Governor or executive officer.
 - b. Each article of the Compact is enforced as a sovereign agreement that is legally and contractually binding on each member state.
10. Allows member states the option to withdraw from the Compact or propose amendments to the Compact during the following times:
 - a. Every 10th year after the enacting legislation;
 - b. When a special session is called specifically to amend or withdraw from the Compact. Written notice of the special session must be given to each member state at least 30 days before the session convenes;
 - c. On written, unanimous consent of all member states.
11. Makes an amendment to the Compact effective only if it is adopted legislatively by a 2/3rds majority of member states within three years of the first enactment. Non-adopting member states are then deemed to be withdrawn from the Compact, unless the amendment doesn't affect them.
12. Permits a member state to repeal any or all provisions of an addendum to the Compact that it created. The remainder of the Compact is not affected.
13. States that a withdrawal or amendment that is only intended to affect one member state does not affect the validity or applicability of the Compact for the remaining member states, as long as there are at least two remaining member states.
14. States that any violation of the Compact is a material breach of the Compact.
15. Grants standing to any Beneficiary to seek declaratory, injunctive or other relief to enforce the Compact if:
 - a. The Beneficiary gives reasonable notice of alleged noncompliance to both the entity responsible for noncompliance and the Attorney General (AG) within 60 days of discovering noncompliance;
 - b. The entity fails to cure the noncompliance within 30 days of receiving notice; and
 - c. The AG fails to enforce the Compact by filing an appropriate action to ensure compliance within 60 days of the expiration of the cure period.
16. States that the Compact must be liberally construed.

HB 2524

17. Severs any phrase, clause, sentence or provision that is declared invalid in a final judgment by a court of competent jurisdiction. This does not affect the validity of the remainder of the Compact.
 - a. If the Compact is declared invalid through a final judgment by a court of competent jurisdiction in a member state, the member state is deemed to have withdrawn from the Compact. The Compact remains in full force and effect for other remaining member states.
 - b. If the Compact is declared in final judgment by a court of competent jurisdiction to be wholly or substantially in violation of Article I, § 10 of the United States Constitution, it will be enforced as reciprocal legislation.
18. Defines *compact, member state, notice, federal law* and *state*.
19. Becomes effective at the earliest date permitted by law.

CURRENT LAW

A.R.S. § 13-3108 prohibits any political subdivision of the state from enacting any ordinance, rule or tax relating to the sale, transfer, purchase, acquisition or gift of firearms, ammunition, related components or accessories. The statute exempts privilege or use tax on the retail sale, lease or rental of firearms, ammunition or related components at a rate that generally applies to other items of tangible personal property (Subsection G, paragraph 1). Additionally, A.R.S. § 13-3118 prohibits any state agency or political subdivision from enacting or implementing any law, rule or ordinance relating to the possession, transfer or storage of firearms that isn't provided for in statute, with specific exemptions. The statute does not specifically address taxes, fees, assessments or encumbrances as related to firearm transfers.

Federal law (18 USC § 922(g)) prohibits the out-of-state transfer of a firearm between two unlicensed persons. In order to transfer a weapon between two persons in different states, a Federal Firearms Licensee (FFL) is required to complete the transaction and a background check must be initiated (except in specific situations). An unlicensed person may transfer a firearm to another unlicensed person within the same state; the transaction does not require an FFL and no background check is required.

Article I, § 10, clause 1 of the United States Constitution prohibits states from enacting any law that retroactively impairs a contract (commonly referred to as the "Contract Clause"). Article VI, clause 2 of the United States Constitution is commonly referred to as the "Supremacy Clause." It establishes that the United States Constitution, federal laws and treaties take precedence over state laws and state constitutions. 4 USC § 112 permits two or more states to enter into agreements or compacts for cooperative effort and mutual assistance in the prevention of crime and in the enforcement of criminal laws and policies.

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

ROLL CALL VOTE

COMMITTEE ON JUDICIARY BILL NO. HB 2524

DATE February 17, 2016 MOTION: dps

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Friese			✓		
Mr. Hale			✓		
Mr. Kern		✓			
Mr. Mesnard		✓			
Mr. Borrelli, Vice-Chairman		✓			
Mr. Farnsworth E, Chairman		✓			
		4	2	0	0

APPROVED:


 EDDIE FARNSWORTH, Chairman
 SONNY BORRELLI, Vice-Chairman


 COMMITTEE SECRETARY

ATTACHMENT 17



HOUSE OF REPRESENTATIVES

HB 2338

educational institutions; firearms; rights-of-way
Prime Sponsor: Representative Townsend, LD 16

X Committee on Judiciary

Caucus and COW

House Engrossed

OVERVIEW

HB 2338 states that the governing board of an *educational institution* may not prohibit a person from possessing or carrying a concealed weapon in a person's vehicle on a *public right-of-way*.

PROVISIONS

1. Prohibits the governing board of an *educational institution* from adopting or enforcing any policy or rule that prohibits a person from lawfully possessing or carrying a concealed weapon in a person's vehicle on a *public right-of-way*.
2. Provides that a deadly weapon, dangerous instrument or explosive that is used, possessed or displayed in violation of a rule established by an *educational institution's* governing board is no longer subject to being destroyed. Allows it to be forfeited and sold or disposed of as outlined in the forfeiture of weapons statute (A.R.S. § 13-3105).
3. Defines *public right-of-way* as any highway, street, road, thoroughfare, path, alley or other right-of-way that is publicly accessible and established by a governmental entity.
4. Makes technical and conforming changes.

CURRENT LAW

A.R.S. § 13-2911 outlines the offense of *interference or disruption of an educational institution* as follows:

- Intentionally, knowingly or recklessly interfering with or disrupting the operations of an educational institution by:
 - Threatening to cause physical injury to an employee, student or any person on the property;
 - Threatening to cause damage;
 - Class 6 felony (up to one year presumptive sentence; fine up to \$150,000 plus surcharges).
- Intentionally or knowingly entering or remaining on the educational institution's property to interfere with use of the property;
 - Class 1 misdemeanor (up to six months in jail; fine up to \$2,500 plus surcharges).
- Intentionally or knowingly refusing to obey a lawful order to leave the property.
 - Class 1 misdemeanor.

HB 2338

The statute defines *interference with or disruption of* as any act that might reasonably lead to the evacuation or closure of any property of the institution or the postponement, cancellation or suspension of any class or activity. An evacuation, closure, postponement, cancellation or suspension is not required.

All public educational institutions (unless ineligible to receive state aid) are required to develop rules for the maintenance of public order and to govern the conduct of faculty, students, staff and the public while on the property. Penalties for rule violations must be clearly outlined and provide for the removal of the person from the property. Any deadly weapon, dangerous instrument or explosive that is used, displayed or possessed in violation of a rule must be forfeited and sold, destroyed or disposed of as outlined in the forfeiture statutes. Additionally, A.R.S. § 15-341 requires the governing board of a K-12 school to prescribe and enforce policies and procedures to prohibit a person from carrying or possessing a weapon on school grounds, unless the person is a peace officer or has special authorization from the school administrator.

The statute defines an *educational institution* as any university, college, community college, high school or common school in the state.

A.R.S. § 13-3102(A)(12) makes it a Class 1 misdemeanor to possess a deadly weapon on school grounds. The following exceptions are provided:

- If the firearm is not loaded and it is carried in a vehicle controlled by an adult. If the adult leaves the car, the firearm must not be visible from the outside and the car must be locked;
- If the firearm is used in a school-approved program; or
- If the firearm is possessed by a retired law enforcement officer with a certificate of firearms proficiency (LEOSA).

The offense is a Class 6 felony if committed in the furtherance of specific crimes. *School* is defined as any public or nonpublic kindergarten, common or high school.

Federal law (18 USC §§ 922(q)(2) and 922(q)(3)) makes it unlawful for any person to knowingly possess or discharge a firearm that has moved in/otherwise affects interstate or foreign commerce in a school zone. Exceptions are provided for:

- Private property that is not part of the school grounds;
- Persons who are licensed by the state to possess a firearm;
- Firearms that are:
 - Not loaded and locked in either a container or firearms rack on the vehicle, by a person who is:
 - Using the firearm in a program approved by a school;
 - In accordance with a contract entered into between the school and the individual or individual's employer; or
 - A law enforcement officer acting in official capacity
 - Not loaded and possessed by a person traversing the premises to gain access to public or private lands for hunting, if authorized.

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

ROLL CALL VOTE

COMMITTEE ON JUDICIARY BILL NO. HB 2338

DATE February 17, 2016 MOTION: dp

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Friese			✓		
Mr. Hale			✓		
Mr. Kern		✓			
Mr. Mesnard					1
Mr. Borrelli, Vice-Chairman		✓			
Mr. Farnsworth E, Chairman		✓			
		3	2	0	

Jan Mullenau
 COMMITTEE SECRETARY

APPROVED:
Eddie Farnsworth
 EDDIE FARNSWORTH, Chairman
 SONNY BORRELLI, Vice-Chairman

ATTACHMENT 19



EDUCATE · DISCOVER · IMPACT



Feb. 17, 2016

Arizona House of Representatives
Judiciary Committee
1700 W. Washington St.
Phoenix, AZ 85007

RE: HB 2338

Dear Members of the Arizona House of Representatives Judiciary Committee,

We write to you today as the presidents of our public universities and the Arizona Board of Regents to share our very serious concerns regarding HB 2338, which would allow possession of weapons, including firearms, in public rights-of-way on our campuses.

As the individuals appointed by the Arizona Board of Regents to lead our public universities and implement related policies on behalf of the people of this state, we are strongly opposed to the expansion of weapons on our campus as defined by HB 2338. The broad definition of public rights-of-way in the proposed legislation can be construed to mean all areas of campus outside of our physical buildings.

Our campuses are not just places where adults teach and learn. Our campuses include school children under 18 and infants in day care centers. We welcome thousands of visitors to our campuses each year from around the world. We treat patients in clinics and operating rooms. We conduct world-class research, some of which is held to the highest standards of security. We host world-class sporting events in arenas with tens of thousands of excited fans and spectators. Indiscriminately allowing weapons, including firearms, to be carried on campuses in public rights-of-way increases the likelihood of interference in these activities and the disruption of our education mission.

The bill also poses problems for our law enforcement in identifying who is involved should a dangerous situation erupt on campus. Our university police chiefs – the experienced, trusted law enforcement professionals responsible for the safety and well-being of our students, faculty, staff and campus visitors – are unified in their opposition to any bill allowing weapons on campus because of the high-risk factor of harmful or deadly situations occurring with potentially more guns on campus.

We take student and campus safety very seriously. We have emergency response plans in place in cooperation with local law enforcement. Our law enforcement leaders continuously engage in training to keep their skills sharp and to review appropriate responses when situations develop.

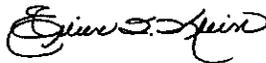
The regents have taken a unanimous position in opposition to HB 2338, but have also asked for the discussion of student and campus safety initiatives begun in 2012 to continue and for the examination of all possible policies related to guns on campus. These conversations have and will continue to occur with our constituencies who live, learn and work on our campuses every day.

Furthermore, this legislation would most certainly saddle the universities with additional costs that will cut into educational priorities and create additional burdens for Arizona's students and families already bearing the brunt of increased tuition that has resulted from state appropriation cuts to higher education. If enacted, this legislation would require the universities to install gun lockers into bays on the exterior wall of each building for the safest and most secure storage possible. The installation costs of external gun locker bays are significant, and this bill would also prompt the need for additional campus police personnel - adding more burdens to our strained budget challenges. The most recent study conducted by ABOR in 2012 suggests it would cost the university system \$13.3 million in one-time capital costs for gun lockers and \$3.1 million annually in operations. That equates to tuition and fees for 2,500 Arizona resident students.

Like you, we share a common goal of the utmost safety on our campuses and the well-being of our students, faculty, staff and visitors. Unfortunately, this proposed legislation does not further this goal.

No matter how well intentioned, as the individuals ultimately responsible for our public universities, we cannot responsibly support HB 2338.

Respectfully,



Eileen I. Klein
President
Arizona Board of Regents



Michael Crow
President
Arizona State University



Rita Cheng
President
Northern Arizona University



Ann Weaver Hart
President
University of Arizona

ARIZONA STATE LEGISLATURE
 Fifty-second Legislature - Second Regular Session

COMMITTEE ATTENDANCE RECORD

COMMITTEE ON JUDICIARY

CHAIRMAN: Edwin W. Farnsworth VICE-CHAIRMAN: Sonny Borrelli

DATE	1/20/16	1/27/16	2/3/16	2/10/16	2/17/16
CONVENED	10:06 ^{am}	10:02 ^{am}	10:10 ^{am}	9:37 ^{am}	9:39 ^{am}
RECESSED					
RECONVENED					
ADJOURNED	10:53 ^{am}	10:36 ^{am}	10:54 ^{am}	11:36 ^{am}	12:15 ^{pm}
MEMBERS					
Mr. Friese	✓	✓	✓	✓	✓
Mr. Hale	✓	✓	✓	exc	✓
Mr. Kern	✓	✓	✓	✓	✓
Mr. Mesnard	✓	✓	✓	✓	✓
Mr. Borrelli, Vice-Chairman	✓	✓	✓	✓	✓
Mr. Farnsworth E, Chairman	✓	✓	✓	✓	✓

✓ Present --- Absent exc Excused