



Arizona Citizens Defense League

Protecting Your Freedom

Volume 2012, Issue 3

AzCDL's Membership Newsletter

August 2012

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John Wentling—Vice President
Fred Dahnke—Secretary / Treasurer
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- Court Cases
- Online Application
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Contacting AzCDL



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Inside this issue:

New laws for 2012	1 & 2
July 4th Rifle Match	2
Annual Meeting Invitation	3
AzCDL election results	3
AzCDL Gun Raffle	3
Volunteering for AzCDL	4
Support Proposition 114	4



New Laws Effective August 2nd



The 2012 Legislative session started on January 9th and ended on May 3rd. This session, we had a Legislature with Republican majorities in both chambers and an elected Republican Governor who signed Constitutional Carry into law in 2010 when she was an appointee running for office.

On the surface, it looked positive for the passage of pro-rights legislation. Unfortunately what we encountered was a concerted effort, by some in the majority party, to prevent any significant pro-rights firearms legislation from reaching the Governor, and a veto of the one bill that broke through the legislative roadblocks that would have made it safer for law-abiding citizens entering state and local government offices.

However, when the session ended, we still experienced a net gain in the restoration and protection of your Right to Bear Arms in Arizona. The following is a summary of the new laws that became effective on August 2, 2012.

Good News for Hunters

The majority of the firearms related bills passed this session dealt with hunting.

The Game and Fish Omnibus Act (HB 2639) made several changes to the game and fish statutes. Among these are:

- Clearer definitions of *domicile*, *nonresident* and *resident* for obtaining hunting permits, licenses, etc.
- Expansion of the fraud provisions regarding licensing.
- Requiring money from goods sold at Game and Fish ranges to go into the firearms safety and ranges fund and not into the general fund. Money from the range fund can be used for two new purposes; shooting sports programs and items sold at the ranges.
- Exempts Game and Fish from the restriction on agency competition with private enterprise. This provision does not apply to the sale of firearms.
- Allows the Game and Fish Commission to solicit and accept grants, gifts and donations of money or other property for any purpose that is consistent with game and fish laws.

HB 2457 added Section 17-305 to the Arizona Revised Statutes (ARS). Under this new law the possession of "legal weapons, devices, ammunition or magazine, which are not authorized to take wildlife, is not prohibited while hunting if the weapon or device is not used to take wildlife." In other words, you are not prohibited from carrying a firearm (i.e., for self-defense) other than one you are hunting with.

ARS 17-230 was changed by HB 2640 to prohibit the Game and Fish Commission from limiting magazine capacity on any authorized firearm regulated by the Commission.

ARS 13-251 (HB 2728) now prohibits the Game and Fish Commission from adopting or enforcing any rule that "prohibits the lawful possession of a silencer or muffler." The current penalty for possession of a sound suppressor has also been removed from ARS 13-309.

(Continued on page 2)



New Legislation Enacted for 2012



(Continued from page 1)

Loophole Plugged

AzCDL-requested legislation, SB 1241, closed loopholes in ARS 12-945 and 13-315 that allowed local jurisdictions to destroy forfeited firearms.

This legislation was a follow-up to a 2010 law that required forfeited firearms to be sold to authorized dealers and not be scrapped. Unfortunately, there was a provision in the law that allowed local jurisdictions to determine the disposition of forfeited firearms they acquired. Sadly, this resulted in the loss of revenue to many police departments, short of cash because of ideology based decisions to destroy these firearms.

Under the new law, after 60 days unclaimed firearms that can be legally owned must be sold to a business authorized to receive and dispose of firearms under state and federal law, for sale to the public.

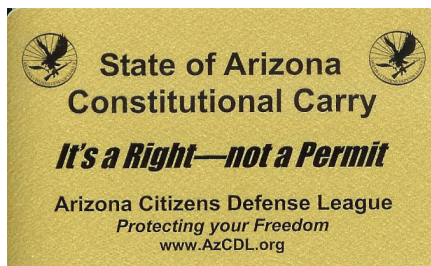
Law enforcement agencies also have the option to trade forfeited firearms to federally licensed dealers for guns, ammo or other law enforcement equipment.

Prohibited Possessors

The definition of a felony, which makes a person a prohibited firearms possessor, has been expanded by SB 1151 to include crimes defined as felonies committed in other states. However, an excep-

tion was added for felony "weapons possession" if it would not be defined as a felony in Arizona.

The exception is important because in some jurisdictions, like New York City, possessing an "unlicensed" firearm is a felony.



Firearms Trafficking

If you buy a firearm as a gift for someone else, you now fall under the overly broad definition of "trafficking" in ARS 13-3101.A.9, added this year by SB 1149.

Trafficking now means "to sell, transfer, distribute, dispense or otherwise dispose of a weapon or explosive to another person, or to buy, receive, possess or obtain control of a weapon or explosive, with the intent to sell, transfer, distribute or otherwise dispose of the weapon or explosive to another person."

However, in the weapons misconduct statutes (ARS 13-3012) the *crime* of "trafficking" is more narrowly defined. It is now a class 3 felony to traffic "in weapons or explosives for financial gain

in order to assist, promote or further the interests of a criminal street gang, a criminal enterprise or a racketeering enterprise."

Remember in November

Despite a supposedly pro-rights majority in the Legislature and a pro-rights Governor, we encountered stiff opposition to significant efforts to restore your right to bear arms at the Capitol this year.

The general election is in November. If principled individuals are elected that respect your rights, we can expect greater gains next year.

We urge you to get involved, study the candidates and not vote for someone simply for their party affiliation.

AzCDL has a tool to help candidates "see the light" - our Political Action Committee (PAC).

AzCDL's PAC is a force-multiplier for your individual campaign donation. No matter the size of your donation, when combined with hundreds or thousands of others, it will make a difference!

AzCDL's PAC is limited to supporting or opposing candidates for statewide office. Arizona laws prohibit the use of PAC monies for Federal offices or any local (county, city, town, etc.) elections.

All donations are welcome!
<http://azcdlpac.blogspot.com/>

(Or call 928-685-4219)



2012 Independence Day Rifle Match



On July 4, 2012, the seventh annual AzCDL Independence Day Action Rifle Match was hosted by the Rio Salado Sportsman's Club in Mesa.

As a benefit match, net proceeds were donated to AzCDL. Seventy-one shooters participated.

Match Sponsors

We extend our thanks to the following Contributing Sponsors for this year's

http://www.azcdl.org/html/rifle_match.html



match:

AJI Sporting Goods; Cavalry Manufacturing; Dillon Precision; East Valley Class 3; Hahn Precision; Hogan Guns; Independence Training; Samson Manufacturing; Shooter's World; Stag Arms.

Special thanks to Russell Phagan and Richard Bhella for setting up and running the match!

Join us at AzCDL's 2012 Annual Meeting in Phoenix!

Mark your calendars!

You are invited to AzCDL's annual meeting of members on:

Saturday, October 6, 2012

This year's annual meeting will be held at the **Sheraton Crescent, 2620 West Dunlap Road, Phoenix.**

Join us in celebrating AzCDL's legislative victories. We are expecting a huge turnout. Bring family and friends.

As with all our annual meetings, the tasteful open carrying of firearms is appreciated!

There is no charge for attending the meeting which runs from Noon to 5 PM.

Registration and seating starts at 11 AM. An Italian buffet luncheon will be served at 1 PM.

All luncheon attendees will be eligible for our many door prize drawings

The basic fee for the luncheon is \$30 per person and includes an AzCDL membership (or renewal of an existing membership). To put it another way, join or renew your AzCDL membership and attend the annual meeting for FREE.

Upgrade the level of your membership and receive additional free luncheon tickets.

If you purchase a Family membership for \$80, in addition to two Sustaining

Annual memberships, you may request 3 complimentary luncheon tickets.

If you join or renew as a Sustaining Annual member for \$50, you may request 2 luncheon tickets.

If you join or renew as a Basic Annual member for \$30, you may request 1 complimentary luncheon ticket.

Additional luncheon tickets may be purchased for \$30 and include a FREE Basic Annual membership.

Upgrade to a Life membership and the luncheon is free for you and your guests. More information can be found at our annual meeting web page:

http://www.azcdl.org/html/annual_meeting.html



AzCDL 2012 Election Results



To promote continuity in leadership, the terms of office for AzCDL's directors are staggered. This year, the position held by Dave Kopp, AzCDL's President, expired and he sought reelection. No other nominations were submitted.

Per AzCDL's bylaws, a balloting process is not required when any individual runs unopposed. As a result, Dave has been

reelected to a 3 year term. The terms of the current AzCDL directors expire in the following years:

- 2013—John Wentling & Charles Heller
- 2014—Fred Dahnke & Duke Schechter
- 2015—Dave Kopp

Per AzCDL's bylaws, the Board of Directors elects the Officers following the an-

nual election of directors. On July 3, 2012, the following officers were elected:

- Dave Kopp—Chairman of the Board
- Dave Kopp—President
- John Wentling—Vice President
- Fred Dahnke—Secretary / Treasurer



Silent Plinker Raffle



Get 'em before they're gone!

AzCDL is raffling off THREE sound suppressed pistol packages.

Each package includes a Ruger 22/45 .22 caliber pistol with threaded barrel, plus a Gemtech sound suppressor. AzCDL will also pay the \$200 Federal Transfer Tax, required for suppressor ownership, for qualified winners.

Tickets are \$10 each. Each raffle ticket represents 3 chances to win!

The winning tickets will be drawn on October 6th at AzCDL's Annual Meeting in Phoenix.

The winners do not have to be present to win. However, winners must comply with all federal, state, and local laws, and must pick up the firearm and suppressor from a federally licensed firearm dealer.



Additionally, if a winner does not qualify under federal, state, or local laws for possession of the sound suppressor, only the firearm will be transferred and the winner waives all rights to the sound suppressor and associated transfer fees.

In some jurisdictions, possession of a firearm with a threaded barrel is illegal. In those cases, we cannot transfer the Ruger 22/45, no substitution will be made, and the winner waives all rights to the firearm.

Tickets can be purchased at upcoming guns shows and other events where you find AzCDL volunteers.

Volunteering for AzCDL

Join the Team!

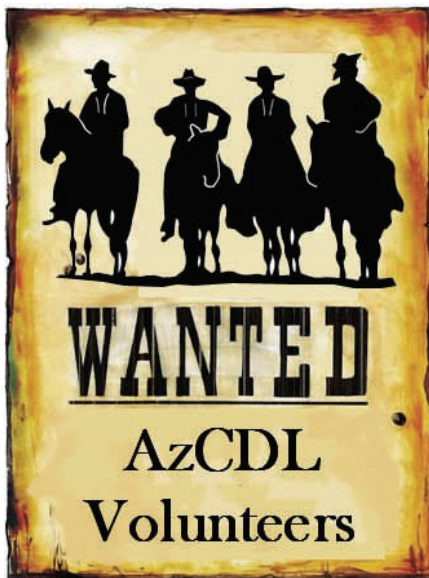
As it says in our brochures, AzCDL is an “all volunteer” grassroots organization.

Unlike anti-rights organizations, AzCDL actually *has* a membership and it is growing rapidly.

- Seven years ago, in June 2005, we started with a handful of members.
- By May of 2012, six thousand activists had joined AzCDL.
- We anticipate *seven thousand* members by the time the 2013 legislative session starts.

The more members we have, the more credibility we have at the legislature. The greater our credibility, the greater our success.

AzCDL’s phenomenal growth is not by accident. Almost everyone reading this joined AzCDL because they encountered an AzCDL volunteer at a gun show. As a result, you have seen your membership “investment” returned several fold in terms of restored rights.



The larger we grow, the more visible we become. AzCDL volunteers are working gun shows and other events from Page to Yuma and Willcox to Laughlin. However, we don’t have nearly enough volunteers to effectively staff every venue. To do that, we need *YOUR* help.

You can’t assume the “other guy” will do the work for you.

Want to get more good laws passed? Then help AzCDL grow by volunteering a few hours of your time at a gun show in your area.

What’s in it for you?

- You play a larger role in restoring and protecting your right to bear arms in Arizona.
- The fellowship of being with like minded volunteers who want to *make a difference*.
- And...we’ll get you into the event for free, so you can have even more fun while your are there.

Interested?

Check out our Volunteer page for information about volunteering <http://www.azcdl.org/html/volunteer.html>

Scroll down the page and you’ll see upcoming events where volunteers are needed and the person to contact.

See you at the next gun show!

Crime Victim Protection—Proposition 114

In 2011, an AzCDL-requested proposed Constitutional Amendment that would protect crime victims from law suits by those who harmed them, passed out of the Legislature and was sent to the Secretary of State where it will be placed on the 2012 ballot.

Currently, Article 2, Section 31 of the Arizona State Constitution prohibits any law from limiting the amount of damages that can be recovered for causing death or injury of someone.

And, Article 18, Section 6, of the Arizona Constitution mandates that the right of action to recover damages for injuries cannot be stopped and the amount recovered cannot be limited.



The Legislature attempted to protect crime victims from being sued via legislative means (ARS 12-716) but the courts determined portions of the law to be in violation of the Arizona Constitution. *The only remedy is a Constitutional Amendment.*

This year, Proposition 114 will appear on your ballot to amend the Arizona Constitution.

A “yes” vote on Proposition 114 will have the effect of protecting crime victims from having to pay damages to a person who was injured while that person committed or attempted to commit a felony against the victim.

A “no” vote will keep the current constitutional law related to liability for damages.

We urge everyone to vote YES on Proposition 114