



Arizona Citizens Defense League

Protecting Your Freedom

Volume 2008, Issue 2

Newsletter

April 2008

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Contacting AzCDL



info@AzCDL.org



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2008 Legislative Update



The 2008 Legislative session is past the half-way mark. AzCDL's full-time volunteer lobbyists have been busy pushing good bills, stopping bad bills and keeping a watchful eye on many others. This year, over 1500 bills were filed. AzCDL has been tracking over 60 bills that have a direct impact on your rights. Many failed to make it through the legislative process. About a dozen or so remain. Most of the AzCDL requested bills are still in play. We encourage you to go to our website's Legislation page to view the latest list. The following is an update on high priority bills.

Campus Carry Derailed

SB 1214—An AzCDL requested bill that would have allowed adults with CCW permits to carry concealed firearms on school grounds, including colleges and universities. Federal law already allows CCW permit holders to possess firearms on school property. As it progressed through Senate committees, SB 1214 was amended to allow concealed firearms on colleges and universities only. Since almost all Senate Democrats opposed SB 1214, it could only pass with near unanimous support from Senate Republicans. As SB 1214 approached a final vote by the full Senate, a number of Republicans refused to support it. An amendment was offered for additional skills testing and storage requirements in an attempt to placate the holdouts, but this wasn't enough to ensure passage of SB 1214, therefore it was wisely held from a floor vote by the Senate leadership, missing the deadline for any further progress this session.

Campus Carry is getting national attention, and is gaining momentum and support in other states. The issue is not going away in Arizona simply because it stalled in this session. It will be back, and we will be there to push it!

Restoring Constitutional Rights

AzCDL's goal is to restore the meaning of "shall not be impaired" in Article II, Section 26 of the Arizona Constitution regarding the law-abiding citizen's right to keep and bear arms. To that end, a number of AzCDL requested bills were filed that clarify or enhance where a weapon could be carried with or without a CCW permit:

HB 2389—Clarifies that it is permissible to carry a weapon, without a CCW permit, visibly or concealed, anywhere within a means of transportation, excluding public transit. Current law (ARS 13-3102.F) states that, without a concealed weapons (CCW) permit, it is permissible to carry a weapon or weapons "...in a case, holster, scabbard, pack or luggage that is carried within a means of transportation or within a storage compartment, map pocket, trunk or glove compartment of a means of transportation." Unfortunately, in 1994 an Arizona Appellate court decision (State v. Adams) determined that "within a means of transportation" meant it must be obvious under ordinary observation to someone outside the vehicle that there is a weapon inside the vehicle. This created conflicts interpreting the statute. As a result, wearing a holstered firearm within a vehicle equals concealed carry, requiring a CCW permit. But, that same holstered firearm in a trunk, map pocket or glove compartment, accessible by a vehicle's occupants, does not require a CCW permit. Also, possessing a concealed weapons permit and a carrying a weapon puts other occupants in the vehicle, who do not possess a CCW permit, at risk of arrest because of their proximity to your firearm. Yet, if that same weapon were in a trunk, map pocket or glove compartment accessible by all the vehicle's occupants, no crime is committed. HB 2389 passed in the House and is on its way to being heard by the full Senate.

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2008 Legislative Update



(Continued from page 1)

HB 2629—Clarifies when a defensive display of a firearm is justified. Under current law, a defensive display can be categorized as endangerment, threatening and intimidation, assault, or aggravated assault. HB 2629 passed in the House and is on its way to being heard by the full Senate.

HB 2630—If you are not committing, or attempting to commit, a serious or violent crime, HB 2630, an AzCDL requested bill, reclassifies carrying a concealed weapon without a permit as a petty offense. Under current law, if you have not been issued a CCW permit, it is a class 1 misdemeanor to carry a concealed weapon. Because of 1994 Appellate Court decisions, if a casual observer cannot easily see your firearm, you are carrying concealed and could be arrested. HB 2630 separates the innocent mistake by otherwise law-abiding citizens from the deliberate actions of hardcore criminals. HB 2630 passed in the House and is on its way to being heard by the full Senate.

SB 1132—A weak Restaurant Carry bill, very limited in scope. Firearms are permitted in certain restaurants provided signs are posted *permitting* firearms, and the person possessing the firearm does not consume alcohol. SB 1132 passed in the Senate and has yet to be heard in any House committees.

CCW Reform

AzCDL believes that the CCW permit process should be free of unnecessary bureaucracy. To that end, we have been the leading advocate of systemic improvements. In prior years we have been successful in reducing the training requirement for an initial permit, eliminating the training and fingerprint requirements for permit renewals, and obtaining near universal recognition of non-resident permits. This year, we are supporting the following CCW bills:

HB 2634—Clarifies that a person with an expunged felony, or who has had their rights restored, may obtain a concealed weapons permit. Because

the law has been silent in this area, DPS has refused to issue permits. HB 2634 passed in the House and is on its way to being heard by the full Senate.

SB 1070—Would make it easier for lawful gun owners who have satisfactorily completed training to obtain a permit, or renew an expired one. It also removes the statutory barrier requiring instructors to create a training organization, and expands the pool of available instructors to automatically include certain NRA certified instructors. HB 1070 passed in the Senate and is on its way to being heard by the full House.

SB 1106—Provides for an optional lifetime CCW permit. SB 1106 passed in the Senate and is on its way to being heard by the full House.

Hunting & Fishing

There were a number of bills introduced this year to protect hunting and fishing that AzCDL supports.

HCR 2037—Added a right to hunt and fish to the Arizona Constitution. Unfortunately, the wording of HCR 2037 led to its defeat in the House.

HB 2068—Creates the Youth and Women's Shooting Sports Fund and allows the Arizona Game and Fish Commission to sell goods and services. HB 2068 passed in the House and is on its way to being heard by the full Senate.

HB 2251—A game and fish omnibus bill that was signed by the Governor on April 15, 2008.

Protecting Your Freedom

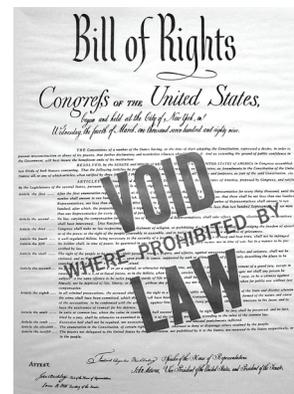
The following are totalitarian themed bills that we were successful in stopping early on. Without YOUR involvement in the upcoming Fall elections, there is a strong chance that the Arizona House will have an anti-rights majority in 2009. If that comes to pass, bills like the ones described below would have a greater chance of becoming the law in Arizona. Protect your freedom and VOTE!

HB 2358—Increased the penalty for possession of a firearm on school grounds to a Class 5 Felony.

HB 2429—Established a new 75 foot perimeter around polling places where weapons are prohibited. Current law prohibits weapons only inside polling places.

HB 2430 & HB 2431—These companion bills would have made you a criminal and lifetime prohibited possessor, along with being subject to personal liability, if a minor gained access to one of your firearms and caused injury or death. Bills identical to HB 2430 and 2431 have been introduced in every recent session.

HB 2833—A back-door attempt to ban ammunition sales in Arizona. HB 2833 targeted as yet undefined "assault weapon" ammunition, which is Orwellian double-speak for almost every caliber of ammunition now popular. If passed, it would have effectively halted all ammunition sales in Arizona. HB 2833 required all ammunition manufacturers to encode a unique serial number on the base of every bullet and on the inside of every cartridge. The bullet serial number and cartridge casing serial number would have to be identical. Ammunition sales would require recordation (i.e., registration) of the purchaser's name, driver's license, date of birth, etc. DPS would be required to maintain a database of ammunition coding and buyers. Anyone possessing ammunition without serial numbers would be required to dispose of it. A tax of ½ cent would have been added to every round of ammunition sold. Manufactures and vendors would be steeply fined for not complying.





AzCDL's First Annual Election



The terms for all five AzCDL Directors expire this year. Per the bylaws, voting will be conducted by written ballot mailed to all active members.

While all current directors will be seeking reelection, the nomination process is open to all members in good standing. You may nominate yourself or someone else. All nominees will appear on the ballot.

If you are interested in running for a position on the AzCDL Board of Directors, you may nominate yourself or be nominated by someone else. If you are going to nominate someone else for a position, you must provide a personal

verification from the nominee, including the nominee's signature and membership number, indicating that they want to be on the ballot. Candidate biographies and/or statements are welcomed.

Send all nomination requests to:

**AzCDL Membership
P.O. Box 86256
Tucson, AZ 85754-6256**

You may also email nomination requests to: treasurer@AzCDL.org. A readable scanned image of the nominee's personal verification document attached to an email may be considered acceptable if, in the sole judgment of

AzCDL's Board of directors, it can be verified as authentic.

All nomination requests must be received by AzCDL by May 19, 2008. Any nomination received after May 19, 2008 will not be placed on the ballot.

If you include a candidate biography and/or a statement of why they/you should be elected, it must be limited to a single 8.5" x 11" page using standard margins and line spacing, and a font size equivalent to Arial 10. Any legitimate candidate statement timely received will be made available to members during the balloting process.



2008 Annual Meeting—Mark your calendars!



In response to your requests, we are not going to hold our 2008 annual meeting in the middle of Arizona's hot summer.

This year, your Annual Meeting will be on October 18, 2008 at the same place we held it last year, The Crowne Plaza Hotel in Phoenix. Mark your calendars!

Our Annual Meeting Committee is ironing out the details. Stay tuned.....





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The Arizona Citizens Defense League

AzCDL was founded by a group of local activists who recognized that a sustained, coordinated, statewide effort was critical to protecting and expanding the rights of law-abiding gun owners. AzCDL has been instrumental in the successful passage of the first major improvements to Arizona's CCW (concealed carry) laws since they were instituted in 1994, and has been at the forefront of the fight to restore justice to our self-defense laws.

AzCDL is a non-profit, all volunteer, non-partisan grassroots organization dedicated to the principles contained in Article II, Section 2 of the Arizona Constitution that:

"All political power is inherent in the people, and the governments derive their just powers from the consent of the governed, and are established to protect and maintain individual rights."

AzCDL believes that the rights of self-defense and bearing arms are the

foundation for all other rights. Our freedom of speech, our freedom from unreasonable searches, our right against self-incrimination, our right to bear arms, all of our fundamental rights only exist because we stand firmly resolved to preserve them. The AzCDL exists to strengthen that resolve.

AzCDL believes that the emphasis of gun laws should be on criminal misuse and that law-abiding citizens should be able to own and carry firearms unaffected by unnecessary laws or regulations. Towards that end, we are pursuing the following legislative improvements:

- ✓ "Constitutional Carry" – The right of law-abiding citizens to carry a firearm openly or concealed.
- ✓ Continued strengthening and preservation of the right of presumed innocence in self-defense situations.
- ✓ Stronger State Preemption –

Firearms laws should be consistent throughout the State.

- ✓ Fewer restrictions on the lawful carrying of firearms on Public property (buildings, parks, etc.).
- ✓ Explicit 3rd Party Storage Requirements when entering a posted "No Guns" facility.
- ✓ Liability responsibility for property owners who ban firearms.
- ✓ Improvements to CCW laws.
- ✓ "Restaurant Carry" – The ability of law-abiding citizens to dine out while carrying a firearm.

Our volunteer lobbyists are at the capitol regularly, fighting for your rights!

Join or Renew today!

