

ARIZONA STATE LEGISLATURE

JOINT LEGISLATIVE AD HOC COMMITTEE ON FREEDOM OF EXPRESSION AT ARIZONA'S PUBLIC UNIVERSITIES

Minutes of the Meeting
July 18, 2023
9:00 A.M., SHR 109

Members of the public may access a livestream of the meeting here:

<https://www.azleg.gov/videoplayer/?clientID=6361162879&eventID=2023071003>

Members Present:

Senator Anthony Kern, Co-Chair
Senator Frank Carroll
Senator Sally Ann Gonzales
Senator Christine Marsh
Senator J.D. Mesnard

Representative Quang H. Nguyen, Co-Chair
Representative Lorena Austin
Representative Analise Ortiz
Representative Beverly Pingerelli
Representative Austin Smith

Staff:

Zack Dean, Senate Research Analyst
Justin Larson, House Legal Counsel & Research Analyst

Co-Chair Kern called the meeting to order at 9:07 a.m. and attendance was noted.

Co-Chair Kern offered a prayer and lead the Pledge of Allegiance to the Flag.

INTRODUCTION OF COMMITTEE MEMBERS

Co-Chair Kern requested that the Committee members introduce themselves.

OPENING REMARKS

Co-Chairmen Nguyen and Kern offered opening remarks.

TESTIMONY

Arizona State University

Dr. Patrick Kenney, Executive Vice Provost, Arizona State University, explained a PowerPoint presentation entitled "Legislative Hearing, Freedom of Speech at ASU" (Attachment A), distributed a packet of ASU material (Attachment B) and answered questions posed by the Committee.

Kimberly Demarchi, Vice President, Legal Affairs, Arizona State University, answered questions posed by the Committee.

Dr. Kenney answered additional questions posed by the Committee.

Senator Kern distributed a handout entitled "T.W. Lewis Statement Regarding the cancellation of gift to the ASU-Barrett Center for Personal Development" (Attachment C) at the request of members of the Committee.

Ms. Demarchi answered additional questions posed by the Committee.

Dr. Kenney answered additional question posed by the Committee.

Ms. Demarchi answered additional questions posed by the Committee.

Dr. Kenney answered additional question posed by the Committee.

Ms. Demarchi answered additional questions posed by the Committee.

Dr. Kenney answered additional question posed by the Committee.

Dr. Joanne Vogel, Vice President, Student Services, Arizona State University, answered questions posed by the Committee.

Dr. Kenney answered additional questions posed by the Committee.

Ms. Demarchi answered additional questions posed by the Committee.

Dr. Kenney made answered additional questions posed by the Committee.

Ms. Demarchi answered additional questions posed by the Committee.

The Committee offered comments.

Dr. Kenney made closing comments and answered additional questions.

Ms. Demarchi answered additional questions posed by the Committee.

Dr. Vogel answered additional questions posed by the Committee.

RECESS

At 10:24 a.m. Co-Chair Kern recessed the meeting to the sound of the gavel.

RECONVENE

At 10:39 a.m. Co-Chair Kern called the meeting to order.

Ann Atkinson

Ann Atkinson, representing self, shared her experience with Arizona State University (ASU) on the freedom of expression event, distributed and discussed a packet entitled "Health, Wealth & Happiness" (Attachment D). Ms. Atkinson answered questions posed by the Committee.

Representative Smith distributed and discussed his letter which was addressed to the Arizona Board of Regents (Attachment E).

Ms. Atkinson answered additional questions posed by the Committee.

The Committee offered comments.

Ms. Atkinson answered additional questions posed by the Committee.

Senator Gonzales requested that the Senate Rules Attorney clarify the definition of protected speech.

Ms. Atkinson answered additional questions posed by the Committee.

RECESS

At 12:02 p.m. Co-Chair Kern recessed the meeting to the sound of the gavel.

RECONVENE

At 12:43 p.m. Co-Chair Kern called the meeting to order.

Chris Klemmich, Senate Rules Attorney, answered questions posed by the Committee on the definition of protected speech.

TESTIMONY (continued)

Dr. Owen Anderson

Dr. Owen Anderson, representing self, shared his experiences on the freedom of expression while working at Arizona State University (ASU) and answered questions posed by the Committee.

Dennis Prager

Dennis Prager, Radio Talk Show Host, Prager University, shared his experience with the actions of ASU on the Health, Wealth & Happiness event. Mr. Prager distributed and discussed his latest column entitled "The 34 Professors Who Protested My Speaking at

Arizona State University" (Attachment F) and answered questions posed by the Committee.

Seth Leibsohn

Seth Leibsohn, representing self, gave an overview of his background, shared his opinion of the Health, Wealth & Happiness event and the actions of ASU on freedom of expression. Mr. Leibsohn answered questions posed by the Committee.

Ms. Atkinson offered closing comments.

CLOSING REMARKS

Senator Kern offered closing comments and distributed a copy of his letter addressed to Dr. Williams (Attachment G).

The Committee offered closing comments.

There being no further business, the meeting was adjourned at 2:36 p.m.

Respectfully submitted,

Tracey Gardner
Committee Secretary

(Audio recordings and attachments are on file in the Secretary of the Senate's Office/Resource Center, Room 115. Audio archives are available at <http://www.azleg.gov>)