

1 CITY AND COUNTY OF DENVER

2 STATE OF COLORADO

3 JUDICIAL COMMITTEE MEETING

4 Held on March 8, 2013

5 HOUSE BILL 13-1224

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7 REPORTER'S TRANSCRIPT

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1 P R O C E E D I N G S

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3 THE CHAIRWOMAN: -- to House Bill 1224.

4 MR. MAJORS: House Bill 1224 by
5 Representative Fields and Senator Hodge concerning
6 prohibiting large-capacity ammunition magazines.7 THE CHAIRWOMAN: And Senator Hodge is on
8 her way.

9 THE CHAIRMAN: Senator Hodge.

10 SENATOR HODGE: Thank you, Mr. Chair. I
11 move House Bill 1224 and I move the judiciary committee
12 report.13 THE CHAIRWOMAN: To the judiciary
14 committee report, Senator Hodge.

15 SENATOR HODGE: Thank you, Mr. Chair.

16 The committee report created a separate
17 clear definition for high-capacity magazines for
18 shotguns to make sure that future sales of common
19 hunting shotguns with tube extenders are not outlawed.20 Owners can have attachments and six
21 magazines. Manufactures can still make the same guns
22 they've always made, but the combination of capacity
23 between the fixed capacity of the gun and any extenders
24 cannot be more than eight. As an aside, I have an
25 amendment to fix this, but this is what the committee

1 report reads.

2 It also makes clear that high-capacity
3 magazines will be banned if they are specifically
4 designed to be readily converted to accept more
5 than 15 rounds of ammunition. It makes clear that it
6 will be illegal to sell magazines that are smaller than
7 15 rounds but are designed to stack together like
8 Lego's to make larger high-capacity magazines.

9 It also includes retailers that sell to
10 the government and law enforcement agencies in the
11 exception for legal sale of high-capacity magazines to
12 government entities and law enforcement in Colorado.

13 It clarifies that only manufacturers who
14 are specifically exempt from the penalties of the bill
15 are allowed to transfer high-capacity magazines out of
16 state. Thank you.

17 And finally, it clarifies that
18 manufacturers of high-capacity magazines will not be
19 required to put serial numbers on each magazine, but
20 will be required to add a permanent stamp or marking
21 that indicates the manufacture after the date of this
22 bill.

23 This reduces the burden on the
24 manufacturer, but also allows law enforcement to tell
25 the difference between newly-manufactured and

1 grandfathered-in magazines. I ask for an aye vote.

2 THE CHAIRMAN: Is there any further
3 discussion on the committee report? Seeing none, the
4 motion before the body is the adoption of the
5 judiciary -- Senator Brophy.

6 SENATOR BROPHY: Thank you, Mr. Chair.

7 Members, to the committee report, and we
8 can probably adopt it because it's better than -- well,
9 I don't even know if it's better than not adopting it,
10 but there was an attempt in the committee report to
11 change the bill so that the common shotgun wouldn't be
12 banned any longer in the state of Colorado.

13 As the bill passed the house and had
14 their clear stated support of other folks in this
15 building, this bill actually banned the common shotgun,
16 the shotgun that everybody uses to go pheasant hunting,
17 that everybody uses to go duck hunting in the state of
18 Colorado.

19 After July 1st you would not be able to
20 buy a new one. You wouldn't be able to give it to
21 someone to let them fix it for you, nothing. You were
22 just out of luck. If you brought a shotgun into the
23 state of Colorado from out of state that you had just
24 purchased for your fall hunt, you were risking, I
25 think, 12 months in jail for having violated this law,

1 and the amendment in committee didn't fix it.

2 So the committee passed the bill
3 (inaudible) to the floor that still bans the common
4 shotgun in Colorado starting July 1st. So you can
5 either vote for or against this committee report, but
6 it doesn't really make things better, it just clouds
7 them up.

8 THE CHAIRMAN: Is there any further
9 discussion on the judiciary committee report? Seeing
10 none, the motion before the body is the adoption of the
11 judiciary committee report. All those in favor, say
12 aye. Those opposed, no. The ayes have it and the
13 report is adopted. To the bill.

14 SENATOR HODGE: House Bill 1224 -- thank
15 you, Mr. Chair --

16 THE CHAIRMAN: Senator Hodge --

17 SENATOR HODGE: Yes.

18 THE CHAIRMAN: There is the amendment on
19 the desk. Do you want to address the amendment before
20 you move in --

21 SENATOR HODGE: I would like to, please.

22 THE CHAIRMAN: Mr. Majors (phonetic),
23 would you please read Amendment L.026.

24 MR. MAJORS: (Inaudible) 1224.

25 SENATOR HODGE: Thank you, Mr. Chair.

1 Amendment L.026 --

2 THE CHAIRMAN: Senator Hodge, can you
3 move your amendment?

4 SENATOR HODGE: I move Amendment L.026.

5 THE CHAIRMAN: Thank you.

6 SENATOR HODGE: In kind of one of the
7 ironies of living in the electronic age, I was sitting
8 at my desk watching my twitter when I saw that
9 Mr. Kopel said I had not fixed the shotgun problem.

10 So I asked him to help me, and this is --
11 he says it makes a bad bill better. He is not -- I'm
12 not telling you that he supports the bill, but he
13 worked very hard to help me fix this one issue. And I
14 really do want to thank him for that.

15 What this does is it says that you can
16 have a shotgun that has a tubular extension, it can
17 have one that is less than 28 inches. That's basically
18 what it does. I ask for an aye vote.

19 THE CHAIRMAN: Is there any discussion on
20 L.026. Senator Brophy.

21 SENATOR BROPHY: Thank you, Mr. Chairman
22 and Senator Hodge, and for everybody in the chamber and
23 everybody in the state of Colorado. See what happens
24 when you listen to a Coloradoan on a bill like this, as
25 opposed to somebody from New York City.

1 This amendment does, indeed, make the
2 common shotgun in Colorado -- the common hunting
3 shotgun in Colorado legal. It significantly changes
4 the way the bill came over, in that with a 28-inch
5 magazine, tubular magazine on the bottom side of your
6 shotgun, you would actually be able to put 19 of the
7 shortest 12-gauge rounds in it, and eight of the
8 three-and-a-half-inch super magnums, that's a new
9 round, I've never even shot it, but I have a lot of the
10 three-inch and two-and-three-quarter.

11 So this amendment definitely makes a bad
12 bill better, and probably saves 50 jobs from leaving
13 Colorado. So congratulations, we are starting to talk
14 about jobs and the economy, more to come.

15 THE CHAIRMAN: Again, I'll remind the
16 chamber of senate decorum, to not impugn the motives of
17 a Colorado senator standing before you, a Coloradoan,
18 and why this person may have chosen to run this bill.
19 Please speak directly either to the amendment or to the
20 bill at hand. But to continue to impugn the motives of
21 our Colorado state senate colleagues is inappropriate
22 per decorum rules.

23 So with that, is there any further
24 discussion on L.026? Seeing none, the motion before
25 the body is the adoption of Amendment L.026. All those

1 in favor, say aye.

2 (A response was heard.)

3 THE CHAIRMAN: Those opposed, no.

4 (No response was heard.)

5 THE CHAIRMAN: The ayes have it and the
6 amendment is adopted. To the bill. Senator Hodge.

7 SENATOR HODGE: Thank you, Mr. Chairman.

8 I guess I should make it clear that we
9 don't feel that we had ever banned shotguns. But I
10 think this amendment that we have just passed makes a
11 lot clearer what our intent was.

12 House Bill 1224 prohibits the sale,
13 transfer, or possession of an ammunition feeding device
14 that is capable of accepting more than 15 rounds of
15 ammunition or more than 28 inches of shotgun shells.
16 It grandfathers in those larger capacities currently in
17 one's possession, but specifies that they must be kept
18 with the current owner.

19 Violation is a Class 2 misdemeanor. A
20 second offense is a Class 1 misdemeanor. And it's a
21 Class 6 felony to have a larger than 15-round magazine
22 or 28-inch tube in the commission of a felony or any
23 crime of violence.

24 Manufacturers may continue to make
25 larger-capacity magazines for transfer to a branch of

1 the armed forces, a governmental agency, a firearms
2 retailer who sells outside of Colorado, a foreign
3 national government approved by the United States
4 government for such transfers.

5 High-capacity magazines can kill large
6 numbers of people quickly. Many of those currently in
7 use are larger in capacity than what we give our armed
8 forces in battle.

9 The Department of Justice analyzed
10 selected cities and found them to be used --
11 high-capacity magazines to be used in 14 to 26 percent
12 of gun crimes, and 31 to 41 percent of fatal police
13 shootings.

14 Mayors Against Illegal Guns conducted a
15 comprehensive analysis of every mass shooting between
16 January 2009 and January 2013 that was identifiable
17 through FBI data and media reports. High-capacity
18 magazines were used in 28 percent of the incidents.
19 This is disproportionate to the use in overall crime,
20 which was about 2 percent of the time.

21 Mass shootings in which they were used
22 resulted in an average of 15.6 total people shot,
23 123 percent more than shot in other incidents , which
24 is 7; and 8.3 deaths, 54 percent more than the five
25 other occurrences.

1 Shootings involving these type of
2 magazines include Newtown, Connecticut, December 14th,
3 2012, 26 people killed, including 20 1st grade
4 children. The shooter had multiple 30-round magazines.
5 Oak Creek, Wisconsin, August 5th, 2012, six people
6 killed, three wounded at a Sikh temple. The shooter
7 had three 19-round magazines.

8 Aurora, Colorado, July 20th, 2012,
9 12 people dead, 58 injured, 100-round drum magazine was
10 used. Tucson, Arizona, January 8th, 2011, six killed,
11 13 wounded, including Congresswoman Gabby Giffords.

12 Fort Hood, Texas, November 5, 2009,
13 13 people killed, 34 wounded, 20- and 30-round
14 magazines. Binghamton, New York, April 3rd, 2009,
15 13 people killed, four injured. A 30-round capacity
16 magazine was found at the scene. Virginia Tech,
17 April 16th, 2007, 32 people were shot and killed, 17
18 others were wounded.

19 It's been argued that this would be an
20 impossible legislation to enforce so we shouldn't even
21 try to pass this bill. Well, during the time of the
22 assault weapons ban from 1994 to 2004, a study in
23 Virginia of guns recovered from crime scenes that had
24 high-capacity magazines showed that immediately upon
25 passing the ban, we had an uptick in the use of

1 high-capacity magazines, and you can see that right
2 here.

3 But fairly soon, in 2000, the curve went
4 down. And it continued going down through 2007, even
5 after the ban ended in 2004. This shows that the
6 effects won't be immediate, but banning these magazines
7 will make a difference in the long run.

8 We've heard a great deal about the affect
9 the loss of Magpul would have in our economy and in
10 jobs in this economy. I respect their right to make a
11 business decision and understand that they've been
12 seeking incentives from a variety of states. I hope
13 they respect our right to increase the safety of our
14 citizens.

15 An amendment was added to this bill in
16 the House that specifically addressed their ability to
17 remain in Colorado if they so choose. This bill is
18 merely an attempt to reduce the slaughter.

19 Frequently the people who commit these
20 crimes are not familiar with guns and ammunition, and
21 they have trouble reloading. In the Giffords case, it
22 was at that point that someone was able to tackle the
23 shooter and end the carnage.

24 Data from emergency rooms across the
25 country suggest that home-defense gun use is relatively

1 rare. A competent defender should find 15-round
2 magazines adequate considering his or her ability to
3 reload quickly.

4 A friend here at the capitol talked to me
5 about this bill. He's an avid shooter, takes his kids
6 shooting frequently. His comment, I support the bill,
7 but it certainly makes things inconvenient. I'm asking
8 you to support a little inconvenience for a chance to
9 be in the process of keeping our constituents safer.
10 Thank you.

11 THE CHAIRMAN: Is there any further
12 discussion? I see a head popping out of a (inaudible)
13 box. Senator Roberts.

14 SENATOR ROBERTS: Thank you, Mr. Chair.

15 This one is a difficult one, all of them
16 are, but this one's difficult because no one, no one
17 thinks it's okay to massacre anybody, let alone,
18 kindergartners. It doesn't matter whether it's a
19 congresswoman in Arizona, children at Sandy Hook,
20 Aurora theatre, no one thinks that's okay.

21 And I can say, despite the thousands of
22 e-mails I have received , again, no one would say, turn
23 a blind eye to what has happened. What they do say,
24 though, is it is a fallacy to think passing this bill
25 will increase public safety. And there are many people

1 who are quite concerned that by passing this bill, we
2 will, in fact, increase the risk to their public
3 safety.

4 I'm going to actually talk more through
5 the words of my constituents. I had a town hall
6 meeting back in Durango a couple weekends ago. It was
7 at our public library. Maximum capacity in our public
8 library is 216 people. I'm lucky if we usually have
9 40. We had 400 people turn out for that town hall
10 meeting.

11 The reason I bring this up is, I told
12 those people, You know, if you make the trip to Denver,
13 if you come up and testify and tell the stories that
14 you have to tell, the legislators will take note,
15 because they know you've come seven hours over mountain
16 passes to communicate your story. While I can try, as
17 your representative in the legislature, to tell your
18 story, nobody can do it better than you.

19 Well, you know what, some of those people
20 took me up on that. I took the little pamphlet down,
21 how a citizen testifies in committee. They were
22 prepared. They had really prepared. They were
23 nervous, they got in their cars, and they came up.

24 And what happened? They didn't get to
25 testify. They, like many other people, not just those

1 in southwest Colorado, came here to a very crowded
2 building to find out that there were double bookings of
3 hearings on committees, that they wanted to be in both
4 rooms at the same time, they could not be. They had to
5 make choices.

6 And even when they made those choices,
7 even when they got their names on the list to testify
8 to tell us how these bills, this bill, in particular,
9 would affect them in their daily lives, they never got
10 a chance to speak.

11 They had to get back in their cars and
12 drive seven hours home. And I am deeply troubled and
13 disappointed by how that was handled because it didn't
14 have to be that way. That is not what we are supposed
15 to be about in terms of listening to people.

16 So as a second chance, not nearly as good
17 as if you had heard from them directly, I'm going to
18 give you some of their stories because I owe it to them
19 to have their voices heard.

20 The one that was most -- I wanted you
21 most to hear from is a young veteran who actually now
22 has moved up to this area because of services that are
23 available here that he cannot get at home. His name is
24 Tyler Wilson, and this is his story:

25 I am a native of Colorado and I served

1 honorably as a paratrooper with the 173rd Airborne
2 Brigade. I was wounded in Afghanistan in 2005, where I
3 was paralyzed from the waist down, receiving four
4 gunshot wounds, and nearly died for the oath I swore to
5 support and defend, the Constitution of the United
6 States, against all enemies foreign and domestic.
7 Those individuals who are elected to represent the
8 people of this state swore to support the Constitution
9 of the United States, as well.

10 After I was shot four times while serving
11 this great country, do you think for one second that I
12 blame the firearm? Absolutely not. I blame the
13 individual who pulled the trigger and only them. I am
14 concerned because many people have fallen victim to the
15 fallacy of the false sense of security these bills
16 provide, not to mention the gross intrusion on personal
17 liberties and extreme oversteps in power from the
18 government.

19 Instead of saying why not, we should be
20 asking ourselves why. You cannot legislate away evil.
21 No matter, are they reasonable, is there a reason for
22 these bills? There has to be a reason for them to be
23 reasonable. Or are they just another incremental step
24 in the agenda of those who want to destroy the Second
25 Amendment and destroy personal liberties.

1 Are they just a distraction from society
2 doing the things that would really benefit us in the
3 long run? On the magazine ban Tyler says, Civilians
4 defending themselves from a violent attack do so under
5 conditions similar to those experienced by police
6 officers in shooting situations.

7 Most U.S. law enforcement agencies have
8 shifted to firearms with larger capacity magazines
9 because 75 to 80 percent of rounds fired by law
10 enforcement officers in lethal-force encounters miss
11 the intended target. Many rounds that do hit the
12 target fail to achieve immediate incapacitation of the
13 immediate threat.

14 New York police department officers fired
15 368 rounds in 2010 to stop 24 attackers, 6.5-percent
16 effective hit rate. In an apartment, one encounter
17 involved four officers who fired a total of 21 rounds,
18 16 rounds were fired by one officer and struck the
19 individual only three times, 14-percent hit, 86-percent
20 miss. August 2010, four officers fired
21 46 rounds, hitting one subject four times.

22 If armed with a firearm containing
23 16 rounds, 15 in a magazine and one in the chamber, and
24 even having the training most law enforcement officers
25 receive, 12 to 13 rounds may miss the target entirely.

1 Of the three to four rounds that hit some
2 portion of the attacker's person, none may be effective
3 in immediately stopping the attack. Hits to the vital
4 areas may eventually cause death or incapacitation, but
5 it's the effect on the attacker in the next few seconds
6 of a fight that determines if the attacker is stopped.

7 Tyler winds up his testimony that he
8 would have given saying, I find it even more troubling
9 when lawmakers choose to infringe on my right to defend
10 myself. Unlike most people, being in a wheelchair, I
11 do not have the option to retreat or run away if my
12 life is threatened by that of another. I have to sit
13 where I am and fight for my life.

14 And those lawmakers want to dictate to me
15 how I can do that or not do that. It should be what I
16 deem necessary to defend my own life and those of my
17 loved ones. According to FBI statistics, you are
18 110 times more likely to defend your life using a
19 firearm than being killed by one. I will take those
20 odds any day.

21 To those who argue, I have a greater
22 chance of being shot with my own weapon, that is like
23 saying I have a greater chance of getting into a car
24 accident while driving my car than when I am not. It
25 has no weight in reality.

1 And it is with my apologies that you
2 didn't get to hear Tyler in person because he's a
3 wonderful young man, and you're lucky to have him in
4 the Metro area. His mother drove all the way from
5 Durango to be here with him during the entire day. He
6 waited 'til 4 o'clock in the afternoon before he gave
7 up on having a chance to testify.

8 I also want to tell you about two other
9 Durango young people who contacted me about this bill.
10 Dear Senator Roberts, how are you? We are writing to
11 you about our concerns for the proposed gun control
12 bills that you will be voting on shortly and to thank
13 you for your firm support of the Second Amendment.

14 We attended your town hall meeting in
15 Durango a few weeks ago, and unfortunately, didn't get
16 a chance to talk with you, but we wanted to give our
17 story. My twin sister and I are Olympians in biathlon
18 and participate in the only winter Olympic sport that
19 involves the use of firearms.

20 We are also college students, concealed
21 weapon permit holders, law-abiding citizens, and role
22 models for many of the youth in Colorado and all around
23 the country. As we make our final push to win the
24 United States first ever medal in biathlon in the
25 Olympics in 2014, we are worried about the effects the

1 current gun control bills will have on our ability to
2 compete in shooting competitions, as well as find
3 sponsors to help support our quest for gold.

4 We currently compete in three gun or
5 multigun competitions to improve our skills and help us
6 bring our shooting to a level that will enable us to
7 win internationally.

8 The gun bill, House Bill 1224, would make
9 requiring magazines that we use for this competition
10 illegal. We strongly believe in the existing gun
11 control laws and support a push to enforce these laws.
12 We do not, however, see how banning magazine capacities
13 will reduce the number of gun crimes.

14 These young ladies have, indeed, been
15 role models for the young people in my area. And, you
16 know, I am sure they are the unintended consequences of
17 this bill, but, in fact, they are going to be hurt by
18 it.

19 I have other stories. I know there are
20 others who would like to speak. I will -- Mr. Chair,
21 had to make sure who was back there. Mr. Chair, I
22 would like to reserve the right to come back and give
23 you some more feedback from my constituents, but I
24 would yield my time right now to whoever's next.

25 THE CHAIRMAN: Thank you, Senator.

1 Senator Lundberg.

2 SENATOR LUNDBERG: Thank you,
3 Mr. Chairman.

4 There are several reasons to oppose
5 House Bill 1224. I want to point out what I think is
6 the most egregious part of this bill. And that is, its
7 unintended consequence, I will assume it's
8 unintended -- I wonder if somebody could give me that
9 card there, thank you -- just a little bit of an
10 example or a lesson of the extensions because -- this
11 is the way the amended bill reads, is: A
12 large-capacity magazine means a fixed or detachable
13 magazine, box, drum, feed strip or similar device
14 capable of accepting or that is designed to be readily
15 converted to accept more than 15 rounds of ammunition.

16 Now, this is a 10-round magazine. This
17 is a 30-round magazine. This is another 10-round
18 magazine that has an extension. In this case, it's a
19 20-round, but actually it could be another 10-round.

20 In any event, this 10-round is easily
21 converted to something more than 15 rounds. And the
22 way these work, here, I have a magazine here, and this
23 small plate is on the bottom, and, of course, this is
24 the top part that feeds into the weapon. And there's a
25 spring in here that feeds the bullets up.

1 And you have to be able to take these
2 things apart and to clean them. And therefore, you
3 have to be able to get to the inside. You have to
4 be -- and on this one, it's got this little plate at
5 the bottom that you can take off. It takes what
6 appears to be a bullet point to push this little button
7 in so I can't remove it, but -- at this point in time.

8 But having done that, you can put an
9 extension on. Oh, and these green extensions here that
10 we're looking at were made with 3-D printers. Now,
11 that's readily available, and it will be more and more
12 readily available as 3-D printers become more available
13 everywhere.

14 And that's the problem. That's the
15 biggest problem that I want to point out right now, is
16 this high-capacity magazine ban is banning virtually
17 all magazines regardless of what their original
18 manufactured capacity is because you can convert them.
19 You can add an extension to them.

20 And they're designed to come apart
21 easily. And there's where the conversion occurs ,
22 because you have to be able to field strip these
23 things. You know, these are designed for the military
24 in combat situations. And let me tell you, you need to
25 be able to field strip your weapon, clean it out, put

1 it back together, and keep on moving.

2 And you can't afford for that one little
3 piece of grit or sand to be jamming things up, you've
4 got to be able to pop it out, clean it up, put it back
5 together, and move back on. That's the way a magazine
6 works.

7 Now, another thing to bear in mind is,
8 there are many weapons for which they have to have the
9 magazine to be functional. So this bill,
10 House Bill 1224, ostensibly is banning high-capacity
11 magazines. But if all-capacity magazines are
12 convertible to high capacity, it's banning all of the
13 magazines.

14 And if the magazines are necessary for
15 the weapon, themselves, it's also banning the use of
16 that weapon. The only exception is this grandfather
17 clause for those that are out there today. Don't
18 worry, there are only about -- what is it, 130 million
19 throughout the country, and of this particular design,
20 about 30 million available.

21 Now, so what we're doing is we're saying
22 to the people of Colorado, No problems, if you've got
23 one today, you can continue to operate it, but you
24 cannot even transfer that to your family members. If
25 I'm understanding this correctly, or if I'm incorrect,

1 I would like the sponsor to correct me, but as I
2 understand it, it is a one-time ownership grandfather
3 situation.

4 And that means that the magazine and the
5 firearm for which that magazine fits becomes
6 nonfunctional in any transfer whatsoever, unless, of
7 course, you have enough gas to drive to Wyoming and buy
8 one, which is where I expect much will occur.

9 What we're doing is we're setting up a
10 black market system for honest citizens of today who
11 wish to simply have what's necessary for their firearm
12 to function. Again, the 10-round is not legal because
13 it's readily converted, or convertible.

14 I trust this is an unintended
15 consequence, but it is a fatal flaw to House Bill 1224.
16 House Bill 1224 bans virtually all magazines that are
17 commercially available. I'm told there are some
18 military issue that are kind of a pressed steel that
19 aren't readily convertible, but I am not aware of that
20 being that common on the private market. For sure
21 we're talking to everything that's out there today,
22 stay out of Colorado.

23 Now, let's talk about Magpul, that
24 particular company that employs around 200 people up in
25 Erie, in Weld County. And in talking to them, they --

1 in committee, they came and spoke, and explained that
2 it's not only them, but it's their suppliers, which are
3 another, very conservatively speaking, 200 people, all
4 employed in the state of Colorado.

5 The sponsor has said, Well, they can
6 continue to do business. But they explained very
7 clearly, their business is national, and, indeed,
8 international. And their credibility among their
9 clients would be severely eroded if they chose to
10 continue to do business in the state that has outlawed
11 their product.

12 This kind of goes back to the jobs, jobs,
13 jobs that we talked about in previous bills. All of
14 these bills are severely jeopardizing the economic
15 health of Colorado. And this one, in particular, is
16 telling one very successful business, that it's
17 provided good jobs up in my part of the state, I'm from
18 Larimer County, but that's right beside Weld, it's
19 telling those people, You're out of a job, or at best,
20 leave the state . And it's telling all of those
21 suppliers, You're out of a job, you best leave the
22 state, as well. It's a great message, isn't it?

23 So let's review a little bit. It's
24 throwing several businesses out of business here in
25 Colorado. It's banning virtually all magazines. And

1 it's rendering those firearms for which the magazine is
2 an essential part of its function inoperable. This is
3 not a ban on high-capacity magazines. This is a
4 wholesale ban on firearms in the state of Colorado.

5 House Bill 1224 is fatally flawed, deeply
6 misdirected, completely inappropriate, vote no.

7 THE CHAIRMAN: Senator Brophy.

8 SENATOR BROPHY: Thank you, Mr. Chairman.

9 Members, I'll ask for a no vote on this
10 bill, also. And we've heard from the proponents of the
11 bill and the sponsor that the stated goal of the bill
12 is to improve safety in Colorado, and that's obviously
13 a (inaudible) goal.

14 I heard one of our other senators from
15 southwest Colorado mention that we all care about
16 safety, and we do. The problem is that this bill
17 doesn't do anything at all to improve safety of the
18 citizens of Colorado.

19 And I'm not just saying that, I'm reading
20 that from the National Institute of Justice memo on the
21 potential improvement of safety if there was a magazine
22 ban put into place. And again, this is the branch of
23 the Department of Justice. They just came out with
24 this study because they're looking at all types of gun
25 control measures.

1 And with regard to banning high-capacity
2 magazines they very clearly state it will do nothing at
3 all to improve safety, nothing at all to improve
4 safety. In no small part because of some of the facts
5 that senator -- that's really not in the rules, that's
6 kind of made up. But 10 years, 59 days, take my word
7 for it.

8 My friend from Berthoud mentioned that
9 there are 130 million standard-capacity magazines
10 floating around the United States of America. They are
11 durable goods. They're not perishable. They're not
12 going away.

13 And so the National Institute of Justice
14 tells us in their study that the only way that a
15 magazine ban would improve safety is if you did a
16 confiscation of significant numbers of those
17 130 million magazines that are around the United States
18 of America.

19 This bill doesn't do that. This bill
20 doesn't improve safety. Now, let's talk about what
21 this bill does in addition to what the senator from
22 Berthoud mentioned. And it's important because I put
23 on your desks earlier this evening a poll, a memo that
24 tells you that the one thing that the people in
25 Colorado want us to work the most on is jobs and the

1 economy.

2 57 percent of respondents say work on
3 jobs and the economy. Well, this bill goes to jobs and
4 the economy. The problem is, it takes it the wrong
5 direction. This bill drives jobs out of the state of
6 Colorado and has a negative impact on our economy, and
7 we know that.

8 I put up a map here of Magpul here in the
9 middle and all of the suppliers that Magpul does
10 business with in the state Colorado. Let me tell you a
11 little bit about the company, first. It was founded in
12 1999 by a Marine who was out of the service, working in
13 a software company.

14 He had an idea of a product to make for
15 fellow Marines, and so he started his company. And
16 then in addition to that wonderful product which
17 started in 1999, over the course of the next about
18 eight years, nine years, he started making all kinds of
19 things that civilians like.

20 I've often characterized their products
21 as bling for AR 15s. I have several of their products.
22 I absolutely love them. They are of the highest
23 quality. They are such great quality, we will hear how
24 valuable they are at some point in the future tonight I
25 am positive.

1 Well, I've got to tell you something
2 about Marines. The Marines that I know, like
3 Richard Fitzpatrick, when they tell you they are going
4 to do something, they generally do it. And if they
5 tell you they can't stay in business in the state of
6 Colorado if this bill passes, I think you should take
7 them at their word.

8 And let's examine, then, what are the
9 consequences of taking them at their word that they
10 would leave the state of Colorado. And I want to set
11 the record straight. If you're not to impugn the
12 motives of other senators, you probably shouldn't
13 suggest what the motives are of other civilians in the
14 state of Colorado, either.

15 They have not entered into any
16 negotiations with anybody outside of the state of
17 Colorado. Of course they've been contacted. This is
18 making national news. Governor Perry has contacted
19 them saying, Hey, come to Texas, we like jobs. They've
20 been contacted from South Carolina, come to South
21 Carolina, we like jobs. Apparently the people in
22 Colorado don't want jobs.

23 And let's talk about the jobs. Magpul
24 right now, 200 employees in Erie, Colorado. But for
25 this bill, by the way, they'd probably be at

1 300 employees in Colorado by now, there is such great
2 demand for their products. In Denver, two different
3 businesses.

4 Jobs in Denver, two different businesses.
5 100 employees will have to leave the state of Colorado
6 or go down the street to Department of Labor and get an
7 unemployment check if this bill passes.

8 In Longmont, from one company, 60
9 employees; from another company, 3 and a half
10 employees; from another company, 12; from another
11 company, 3 and a half; from another company still in
12 Longmont, two and a half.

13 From the town of Hygiene, 36 people
14 likely to have their job relocated out of Colorado with
15 the passage of this bill; 14.4 in Superior; 7 in
16 Loveland; 10 in Arvada; 5 in Englewood; 6 in Aurora; 5
17 in Berthoud; 3.6 in Broomfield jobs in the economy.

18 And we risk so many hundreds of direct jobs, not
19 counting the indirect jobs, that will come with the
20 passage of this bill.

21 Lawrence Tool & Molding Company, their
22 story is fabulous. The success of the company is
23 directly tied to the success of Magpul. In 2008 they
24 had 15 employees, now they have 73, all due to working
25 with Magpul.

1 Alfred here located in Denver, and Greg
2 came in and testified in front of the judiciary
3 committee, it took him three generations to build their
4 company -- well, through two generations I think he
5 said their company was at 40 employees. Now he's the
6 third generation, and because of his work with Magpul,
7 they're up to 150 employees. He has said without
8 question he has to follow Magpul if they leave the
9 state.

10 And let me tell you why that is. Take a
11 look at this map if you would again. What this map is
12 is an example of the renaissance in American
13 manufacturing. With relatively low and abundant energy
14 supplies, manufacturing is coming back to the United
15 States of America. We are not, if we defeat this bill,
16 outsourcing jobs.

17 And what's really neat about the
18 renaissance in manufacturing is, is that the companies
19 that work in this manner are unbelievably nimble. They
20 have a very short supply chain.

21 See, if you outsource any of these jobs
22 to China, for instance, where they do plastics
23 manufacturing, number one, the guys from Alfred will
24 tell you your quality won't be as good because we do
25 better work here in the United States of America and

1 right here in Colorado.

2 But the other problem with that is, is
3 that your supply chain then stretches to about six
4 months in length. So if your brilliant design
5 engineers come up with a modification for one of your
6 200-some-odd products, you can't get it to the market
7 for almost six months if you don't have this kind of a
8 supply chain.

9 With this kind of a supply chain, you can
10 put your newly-improved product on the market in
11 six days instead of six months, giving you an
12 incredible advantage over any of your competitors. And
13 that's what's at jeopardy here. And that's why all of
14 these companies will follow Magpul in leaving Colorado
15 if this bill passes.

16 Is that really what you want to do? Is
17 that really what you think the people of Colorado were
18 thinking when they said jobs and the economy were the
19 number-one priority for the legislature? Running jobs
20 out of Colorado and harming the economy? Members, I
21 don't think so.

22 I think we need to speedily defeat this
23 bill, send a clear message to this great American
24 success story of a company, We are so happy to have you
25 in Colorado, we apologize, get your expansion underway,

1 build that new facility in Broomfield, hire and train
2 another great hundred Colorado employees, stay here and
3 make some more jobs for us. Members, vote no on this
4 bill.

5 THE CHAIRMAN: Senator Crowder.

6 SENATOR CROWDER: Thank you, Mr. Chair.

7 What I have is a letter from one of the
8 businesses that's thinking about moving with Magpul I'd
9 like to read, it's fairly brief.

10 Dated March 7th, 2013. Dear Colorado
11 senator, I am the president of Advance Tooling Concepts
12 located in Longmont, Colorado. We are a manufacturer
13 that serves the plastics industry. We design, build,
14 and run plastic injection molds for many different
15 industries here in Colorado and across the country.

16 Some of the industries we serve locally
17 are computer, medical, communications, and firearms.
18 You may know of some of these companies, Oracle,
19 Kobagin (phonetic), Autobox (phonetic), Magpul, and
20 PharmaJet. I'm sending you this letter because I'm
21 extremely concerned about the negative impact that I
22 believe HB 1224 will have on our business and other
23 businesses in Colorado.

24 I and two other partners started Advanced
25 Tooling Concepts in 1999. By 2009 we had grown to

1 approximately 35 employees, purchased a
2 30,000-square-foot building in Longmont, and continued
3 to grow.

4 During that time, we also started working
5 with another local company, Magpul. As our
6 relationship with Magpul has grown, so has our
7 business. In the four years we have been working with
8 Magpul, we have been able to grow our business
9 substantially.

10 We are now leasing another
11 10,000-square-foot facility in Longmont that
12 specializes in medical molding. We now employ close to
13 90 people, and our molding facility runs 24/7. A large
14 percentage of our growth can be directly attributed to
15 Magpul.

16 If HB 1224 passes, Magpul has promised to
17 move out of the state and take with it all that it has
18 invested here. This move, if it happens, would
19 significantly impact our business and many more
20 businesses like ours around the state.

21 We, as a company, have been able to grow
22 in very trying economic times because of the companies
23 like Magpul. Without Magpul as a customer, we will
24 need to reduce our workforce and reconsider future
25 plans for the growth here in Colorado.

1 Gun violence is a very difficult problem
2 to have to deal with, but I believe that HB 1224 is a
3 feel-good answer that will not address the real
4 problem. I urge you to look at everything that this
5 bill impacts statewide if passed, and make the right
6 decision by voting no on House Bill 1224. This is
7 another business that could very well leave the state
8 of Colorado.

9 I would like to comment on something my
10 predecessor said. He indicated that South Carolina and
11 Texas would be in line for these businesses. But I
12 would not leave out this business going overseas to
13 places like China and Taiwan.

14 You know, the president is in quite an
15 uproar about businesses leaving the country, going
16 overseas for cheaper labor. This Magpul could very
17 well end up in China. And as I have heard,
18 South Carolina and Texas are both offering incentives
19 for these businesses. Please vote no on 1224. Thank
20 you.

21 THE CHAIRMAN: Senator Baumgardner.

22 SENATOR BAUMGARDNER: Thank you,
23 Mr. Chair.

24 I received a letter from the chief
25 executive officer of Alfred Manufacturing Company

1 that's located here in Denver. He said that he was
2 extremely concerned about House Bill 1224, that it
3 would have a devastating impact on Colorado business
4 and the 150 employees that we -- that they employ here
5 in Colorado.

6 He has a third-generation company that
7 has been committed to this state since his grandfather
8 founded the company in 1948. If House Bill 24 passes,
9 it's plain and simple, they have no voice, but they
10 will relocate to another state. That's 150 jobs.

11 Because, you know what, that's all we
12 talk about down here, or seem to talk about, is jobs,
13 jobs, jobs. And like one of the previous senators
14 said, That's what it is, it's jobs, jobs, jobs, that
15 we're forcing those jobs to leave the state.

16 Alfred Manufacturing is proud of their
17 growth. Even during the economic downturn, they grew.
18 They went from 40 employees in 2008 to 150 employees
19 currently. Their plan was to expand and employ an
20 additional 25 employees so they could have 175 by the
21 end of 2013.

22 The growth was due to the fact that their
23 major supply -- they were a major supplier to Magpul
24 Industries. They've manufactured and supplied parts
25 and products for over six years to other partnering

1 Colorado companies, their company and many companies,
2 that this bill will immediately harm in effect if this
3 bill passes.

4 House Bill 1224 has caused me, him,
5 not -- the executive officer of Alfred Manufacturing,
6 to put an immediate hold on an expansion that they had
7 planned here in Colorado. They own and operate four
8 buildings and are currently working with the city to
9 add a fifth building on the land that they own.

10 They froze that expansion when this bill
11 was introduced. They will relocate. He says in this
12 letter, If this bill passes, they will relocate.
13 That's a possibility of 175 jobs. That's income to the
14 state. It's for the kids, it's for education.

15 I understand state leaders want to find
16 solutions to the recent gun tragedies. If
17 House Bill 1224 would make Colorado safer, I would put
18 my business interests aside and fully endorse it as a
19 fourth-generation Colorado citizen.

20 The fact is, House Bill 1224 does
21 absolutely nothing to improve or enhance public safety
22 in Colorado. The only impact House Bill 1224 will have
23 on Colorado , it will hurt Colorado's economy. It will
24 destroy Colorado jobs and will significantly harm this
25 Colorado business.

1 They urge all the state leaders to focus
2 on the real solution to enhance public safety. They
3 also urge state leaders to find ways to grow Colorado's
4 economy and create jobs in the state that we live.
5 House Bill 1224 will harm Colorado's economy, destroy
6 Colorado jobs, and will have zero impact. I urge you
7 to vote against House Bill 1224.

8 I figure that we will hear not only this
9 testimony, but a lot more testimony on this specific
10 piece of legislation. Again, these companies are
11 reaching out to all of us. And these companies are not
12 in my district. These companies are located here
13 locally. But they're reaching out to all of us to make
14 sure that if this legislation was to pass, that we
15 understand what the repercussions could possibly be.

16 I'll stand with this gentleman and ask
17 for a no vote on House Bill 1224 because it will affect
18 our economy and it's just another bill in a group of
19 bills that will affect our state and affect the way
20 that our Constitution has guaranteed us, the right to
21 keep these arms regardless of what they are.

22 Thank you, Mr. Chair.

23 THE CHAIRMAN: Senator Marble.

24 SENATOR MARBLE: Thank you, Mr. Chair.

25 Once again I want to reiterate the fact

1 that none of us are here to advocate for death,
2 violence. All the tragedies, the deaths of our
3 children, it's horrific. But one of the more horrific
4 feelings is to be a victim again by bad legislation.

5 I'm going to reiterate what Vice
6 President Joe Biden said, and I want to ingrain this in
7 your minds. This came from the democrat vice president
8 of the United States who said, Nothing we are going to
9 do is going to fundamentally alter or eliminate the
10 possibility of another mass shooting or guarantee that
11 we will bring gun deaths down to a thousand a year from
12 what it is now.

13 In my district I am so fortunate to have
14 some of the greatest manufacturing in the state of
15 Colorado. That includes Magpul, and also, Alpha Mold
16 West, Incorporated, out of Broomfield. And I want to
17 read you a letter from the president, owner, and
18 veteran, Dane Whittington, from Alpha Mode West.

19 And he states: Dear Senator
20 Vicki Marble, Reference, House Bill 1224. Alpha Mold
21 West, Incorporated, opened in Broomfield in 1982 as a
22 toolmaking facility, specializing in the designing and
23 building of plastic injection molds.

24 We custom manufacture injection molds
25 which then produce parts molded of all types of resin

1 and plastic. Our company's initial success came from
2 working with the Hewlett Packard Corporation. We had a
3 great relationship for many years until it became more
4 profitable for them to move offshore. This happened at
5 the end of the 1990s.

6 We then moved our focus over to the
7 medical industry. And this became one of our major
8 sources for work. After the initial passing of the
9 Affordable Healthcare Act, many of these companies
10 started setting up manufacturing offshore to avoid the
11 medical device tax which went into effect on
12 01 January, 2013.

13 We have seen our work from these
14 companies dwindle as a result. For the past four years
15 we have been one of the many local toolmaking
16 facilities who design and build plastic injection molds
17 for Magpul's products. They have become an important
18 customer to our company.

19 With the passage of House Bill 1224, I
20 believe that jobs, many jobs will be lost to our
21 community. I also believe that passage of
22 House Bill 1224 will do nothing to improve the safety
23 of the people of Colorado, only to harm the little
24 manufacturing which is still remaining.

25 I would like to add that the Northern

1 Colorado Legislative Alliance, NCLA, does not support
2 House Bill 1224. They have come forth saying that it
3 ruins the economy, businesses, jobs, families, the list
4 goes on. I think the state legislature so far has done
5 quite a bit of damage to the small business owner here
6 in the state of Colorado.

7 I have another letter from a veteran that
8 was sent. And I think he pretty much sums up a lot of
9 what was sent in many of the e-mails, many of the
10 thousands of e-mails that we all received.

11 He states, Dear Sir or Madame, we cannot
12 let ourselves fall down on this slippery slope. The
13 right to self-defense is a natural individual right
14 that preexists the government. It cannot morally or
15 constitutionally be taken away absent individual
16 consent or due process.

17 Kings and tyrants have taken this right
18 away. We cannot let a popular majority take it away,
19 for the tyranny of the majority can be as destructive
20 to freedom as the tyranny of a madman. And that he
21 took from a quote from Judge Andrew Napolitano.

22 The Bureau of Justice statistics'
23 national crime victims crime survey states that 550
24 murders and 1,100 rapes are prevented every day by
25 firearms. According to the FBI, Americans use firearms

1 in self-defense 2.1 million times annually.

2 Cases where firearms are used criminally
3 amount to 579,000. 70 percent of those cases are
4 carried out by criminal repeat offenders. I implore
5 you to vote against turning law-abiding citizens into
6 criminals. None of these bills do a thing to protect
7 our children or stop criminals from going on rampages.
8 Vote no.

9 I am a patriot and a disabled veteran who
10 swore an oath to uphold the Constitution of the United
11 States of America. You swore that same oath when
12 elected to office. And with today's political climate,
13 you might very well violate that oath and the oath you
14 swore to the great state of Colorado.

15 Criminals are called criminals because
16 they do not obey the law. So passing gun legislation
17 only disarms the law-abiding people of Colorado and
18 turns the innocent into criminals with the stroke of a
19 pen. Once citizens are unarmed -- underarmed, the
20 criminals grow emboldened and attack with impunity.

21 No numbers, no math, and no statistics
22 show that any of your gun control measures reduce death
23 by firearms. Actually, the opposite. FBI and CDC
24 statistics show firearm-related deaths decreasing since
25 the 1994 assault weapons ban ended.

1 As for mass shootings, those statistics
2 have not changed in 50 years. Estimates show that a
3 hundred-thousand-plus lives are saved each year due to
4 firearms. Here are literally thousands of news
5 accounts of guns saving people's lives. And he refers
6 to a website which is called alwaysbecarrying.com.

7 Chicago, New York City, and DC are
8 examples of complete gun regulation failures. The U.S.
9 cities with the strongest gun laws have the highest
10 rate of gun deaths. You disarm your citizens, the
11 criminals have unarmed prey.

12 Let's focus on measures that actually
13 reduce crime. Pass legislation that lets gun owners --
14 that gets guns out of criminals' hands and gets
15 criminals off the streets. Armed security in schools,
16 increased neighborhood watch groups create incentives
17 for community involvement.

18 And for the love of God, end gun-free
19 zones, since only law-abiding citizens will respect
20 those signs, the criminals will not. We allow armed
21 guards to protect our money, but not our children? Our
22 priorities are really screwed up.

23 Please do not invalidate our
24 Constitutional oath by violating law-abiding citizens'
25 rights, vote against any restriction of our Second

1 Amendment rights. Sincerely, Richard Harnet
2 (phonetic).

3 When you look at gun magazine capacity
4 and you look at why our burglary rates are down in the
5 United States, it's because we are a well-armed
6 citizenry.

7 One of the things I want to tell you
8 is -- that you might not know is that in Great Britain,
9 are you aware that 60 percent of home invasions occur
10 while the people are at home? That's because they know
11 no one is armed. No one can protect their own home.

12 There is such compelling evidence against
13 the fact that restricting magazine bans allude to a
14 safer public. It isn't true. This bill is for nothing
15 except to destroy jobs and give those criminals the
16 ability to keep their magazines of whatever capacity
17 they choose to use against the citizens who are now
18 rendered, in a way, defenseless. Vote no on this
19 Bill 1224.

20 THE CHAIRMAN: Senator Lambert.

21 SENATOR LAMBERT: Thank you, Mr. Chair.

22 Well, I come from a district that has a
23 lot of military. You know, in Colorado Springs, we
24 have a full Army division. We have four military -- or
25 military bases affiliated with the Air Force, although

1 a lot of them are joint, including the United States
2 northern command.

3 And, members, one of the mottos that we
4 have in the military is you have to train the way
5 you're going to fight. And I can guarantee you, with
6 probably 20,000 soldiers, 20,000 airmen, Marines, Navy,
7 Coast Guard, even Canadian forces in Colorado Springs,
8 we have people who train the way they're going to
9 fight. They are gun owners.

10 The bill sponsor said that a lot of the
11 military weapons we have now in the U.S. military have
12 less than what she called a high-capacity magazine, I
13 don't know what that's all about. The only one I can
14 think of is maybe a 50-caliber sniper rifle or
15 something like that.

16 On my air crew we had guns with --
17 450-caliber machine guns, we didn't even take off
18 without 600 rounds in them. But the fact is, we have a
19 lot of military people that are going to be affected by
20 this.

21 We have a lot of retired military people
22 who work on security. Heck, we've got a church down
23 there where their training officer is a retired member
24 of Delta Force. And yet, we don't respect them enough
25 to think they have the judgment to know what ammunition

1 to put in their gun after they served 25, 30 years in
2 the U.S. military. That's outrageous.

3 We pass pro-military resolutions, maybe
4 that's lip service, but then we turn around and do not
5 listen to the military members and retirees who are
6 telling this body, this is an infringement upon their
7 rights. They are the ones who support your rights,
8 ladies and gentlemen.

9 Now, I think the bill sponsor also said
10 something about Virginia Tech. I don't think there was
11 any of what they would call a high-capacity magazine
12 down there because the shooter used two handguns. I
13 believe it was a 15-round Glock, a 10-round Walther.
14 But what happened in that case, did it have anything to
15 do with the size of the magazine?

16 One article about U.S. News seems to
17 indicate there might have been another cause to that
18 mass shooting. A senior university administrator
19 warned her own family nearly 90 minutes before the
20 all-campus alert was even issued.

21 University officials locked down the
22 president's office more than 30 minutes before the
23 campus-wide alert. The alert wasn't made for almost
24 two hours after Seung-Hui Cho shot the first of his two
25 victims, and then went on a rampage, of course,

1 reloading and reloading and reloading. It didn't make
2 any difference what size of the magazine was, but then
3 he saved one round to kill himself after he killed
4 32 other people and injured many more.

5 The real common denominator here is not
6 the size of the magazines, it's the fact that except
7 for the Tucson shooting, and maybe they should have had
8 somebody with a concealed carry there guarding
9 Congresswoman Giffords, but every single one of the
10 incidents the bill sponsor cited were in areas where
11 the law had banned citizens from arming and defending
12 themselves.

13 Now, I ran a bill this year to try to put
14 some liability on that because that is the cause, I
15 believe, of over 95 percent of the mass shootings since
16 the 1950s have been in so-called gun-free zones. Let's
17 get this right. Where people are disarmed, do not have
18 the Constitutional right to protect themselves, that's
19 where terrorists will look.

20 Now, a few minutes ago I had a visitor
21 here in the chambers. He's left, but he's the owner of
22 Lockburner Firearms, he's a gunsmith. And he and his
23 family came to visit today to tell us that they are
24 already planning to move to Arizona because their
25 parent company says, After these bills are passed in

1 Colorado, there's no reason for them to be here
2 anymore.

3 I don't think it's a small company, I
4 think it's a single family. And yet, they have been
5 here for three generations in Colorado, and now because
6 these bills may take away their livelihood, they're
7 going to be moving.

8 I also got a letter from the owner of
9 Machining Technology, Mr. Kevin Curtis. He said, Dear
10 Senator, I presently own and operate Machining
11 Technology located in Longmont, Colorado. We're in our
12 fourth year of business and currently employ
13 25 employees. Typical small business.

14 We have experienced substantial growth in
15 part due to our business relationship with Magpul. We
16 want to express our explicit opposition to
17 House Bill 1224. If House Bill 1224 passes, we will be
18 forced to relocate our business.

19 We have owned and operated many
20 businesses in Colorado, and have been Colorado
21 residents since 1977. The taxable revenue we've
22 generated over the years is in the tens of millions of
23 dollars. Our hope is that true legislative leadership
24 prevails, that is, if freedoms are being compromised
25 and lives will be saved. Unfortunately,

1 House Bill 1224 is not the solution.

2 And I agree with Mr. Curtis. I don't
3 think we've seen the economic damage that ill-advised
4 bills like this are going to cause. We have a tourist
5 industry that brings in, what, 20-, \$25 billion, it's
6 bigger than the budget of our state. And yet, we're
7 callously disregarding everything that's been said here
8 today about people who come here to hunt, the people
9 that want to come to Colorado.

10 Even fishermen who don't want to go out
11 maybe where there's bears or something in the woods,
12 they want to have a little self-defense. And yet,
13 we're creating an environment, a hostile environment to
14 training, to possession of arms. And in summary, when
15 all these things are totalled up, this is absolutely in
16 the worst interest of the state of Colorado. Please
17 vote no on 1224.

18 THE CHAIRWOMAN: Senator Roberts.

19 SENATOR ROBERTS: Thank you, Madame
20 Chair.

21 I'd like to touch on a couple of points.
22 One thing that came up at my town hall meeting, where
23 I, again, had over 400 people, was the concern that
24 law-abiding citizens will turn into criminals under
25 this bill.

1 And I know there are some who would
2 dismiss that as tough luck, so what, I guess if you
3 don't know better, so it goes. Well, let me tell you
4 how tough luck that's going to be. If you go to the
5 bill, we're talking about any person who violates
6 subsection 1 of this is going to be -- have committed a
7 Class 1 misdemeanor. That's the second time. The
8 first time is a Class 2 misdemeanor.

9 If you go to our fiscal note, and I know
10 the fiscal note analysts are challenged in terms of
11 trying to figure out some of these new things, but you
12 have a clear reading here of how many new crimes are
13 created under this bill. It creates three new
14 misdemeanors and one new felony charge.

15 This is at a time where as a state we've
16 said, We should not be filling our prisons with people
17 who are not criminals, and yet, we are creating four
18 new crimes. And I can guarantee you that there are an
19 awful lot of people in my district who will end up
20 being criminals under this not for any crime other than
21 possession of this magazine.

22 The other thing I'd like to point out,
23 again, in talking with my sheriffs, is the
24 implementation issue. I know on the Front Range a lot
25 of you, it's been a long time since you've been to

1 southwest Colorado. I have a visual aid, a map of
2 southwest Colorado.

3 I'd like you to see that in less than
4 20 minutes, I'm in the state of New Mexico. There's
5 Arizona, which is probably 40 minutes from Durango.
6 And then Utah is over here. Every county of mine
7 except two, so six out of eight counties border another
8 state.

9 How are we asking our county sheriffs to
10 figure out how to implement something like this? I
11 mean, again, on the Front Range, you're insulated on
12 the Front Range corridor. That's not the world I live
13 in. I live in the world where you can go to the Four
14 Corners Monument and be in four states in a single
15 second.

16 So when we say that we're going to do
17 this as the state of Colorado and it's not coming down
18 as a federal law, wouldn't like it if it was, but as
19 the state of Colorado, how is that going to work with
20 the implementation piece?

21 I want to underscore the fact that if we
22 were getting some serious public safety proposals here,
23 it would be one of those things where we would not be
24 talking about, so what happens to tourism or hunters?
25 This doesn't increase public safety. That is what I've

1 heard. It's what anyone can sort of assess if you step
2 back from it, you look at the people who will try and
3 implement it.

4 But I would just say, the consequences of
5 this are very concerning. I know I personally have
6 tried many times to take a bipartisan approach in the
7 seven years that I've been here. I think it is
8 extremely noteworthy that the bill package, and this
9 bill in particular, has nothing to do with
10 bipartisanship.

11 In fact, there was no conversation, and
12 some of the most informed people in this legislature on
13 these kinds of issues would happen to be on the
14 republican side of the aisle. Perhaps they still
15 wouldn't vote, but they'd help shape your bills or help
16 you know some of the definitions.

17 I guess I would just underscore that if
18 you can't get any republican to support something like
19 this, it is incredibly -- it's a disservice to our
20 state. And I was asked a question whether this would
21 have jurisdiction over Indian tribes, and no, it
22 wouldn't, because state law and federal law -- federal
23 law is -- rules on the Indian tribes.

24 So again, we just have more
25 jurisdictional mess that my sheriffs will have to try

1 and figure out. And quite frankly, I think they will
2 throw up their hands and say, This is unenforceable.
3 Not because they don't care about public safety, but
4 because we've created a bill proposal here that doesn't
5 work in the real world and punishes people who are
6 actually law-abiding citizens, not criminals.

7 THE CHAIRWOMAN: Members, dinner has
8 arrived. We will not be taking a break. But alongside
9 of the wall over on this side of the building is dinner
10 for members and staff. And we will, though, continue
11 the discussion.

12 Senator Lundberg.

13 SENATOR LUNDBERG: Thank you, Madame
14 Chair.

15 Members, I rise again in opposition to
16 House Bill 1224. And there are just so many things to
17 be said about this bill that are so important. The
18 good senator from southwestern Colorado pointed out
19 some of the issues on the criminal law that's created
20 through this, as well as the economic issues. I'm
21 following up on that at this point in time.

22 However, first let me remind you of the
23 main point. At least in my opinion the main point of
24 House Bill 1224 is it does not simply ban high-capacity
25 magazines. It bans every magazine that can be, quote,

1 readily converted to high-capacity magazines, which
2 means virtually every magazine. So this is what it
3 does. It bans magazines.

4 UNIDENTIFIED SPEAKER: (Inaudible) tell
5 me twice they (inaudible).

6 SENATOR LUNDBERG: And it functionally
7 renders any weapon that's fed with that magazine to be
8 legally inoperable. Now, there is a grandfather
9 clause. So you can keep your magazine, but you cannot
10 pass that on even through inheritance.

11 So if you have this firearm that's fed
12 with this magazine, regardless of its size because they
13 are all banned by this bill, then you can pass on to
14 your heirs this inoperable piece of steel and plastic,
15 but it's no longer functional.

16 And I received an interesting observation
17 from a gentleman from Longmont who actually is a
18 defense attorney, a criminal defense attorney. And he
19 said -- this is his analysis of it. He says, I can
20 tell you, it will be impossible for the DA to prove the
21 date of possession.

22 Because if you buy something after this
23 bill becomes law, then it is illegal. Hence, his
24 analysis is, therefore, the gun will be confiscated as
25 evidence. And most charges are not brought to trial,

1 they are settled through a plea bargain.

2 Here's his analysis: Plea bargain will
3 be to dismiss, but destroy. So the gun gets destroyed.
4 At an absolute minimum, this is a confiscation of all
5 of these weapons through at least the course of the
6 generation.

7 Now, that's some observations on the
8 dysfunctionality of House Bill 1224 on the criminal law
9 side. I also have before me a letter sent from a
10 gentleman, Bryan Owens, the vice president of
11 operations for Parkway Products from Loveland, a part
12 of my district.

13 This is concerning House Bill 1224. He
14 states: I write as a Colorado businessperson who is
15 very concerned with the upcoming vote on
16 House Bill 1224. For it appears that our state's and
17 our nation's recent horrible experience with gun
18 violence has enticed us to find emotionally gratifying,
19 but ultimately ineffective potential solutions to a
20 serious and complex set of issues that our society
21 currently faces.

22 What is not complex, however, is the
23 impact on Colorado citizens, taxpayers, and voters that
24 are attempting to clean up a perceived image problem by
25 racing to be on the vanguard of a movement without

1 considering the immediate and practical impact of that
2 action.

3 Please understand that Coloradans will
4 lose jobs making products that will continue to be
5 legally sold and produced in other states. Magpul
6 Industries is one of the few local manufacturers left
7 in this state that have consistently supported what was
8 once a thriving manufacturing industry in Colorado.

9 And that's most notably in northern
10 Colorado, which is where Magpul is, and my district up
11 in Larimer County is, as well. Their decision to
12 actively source from local business wherever possible
13 has saved a number of our regional competitors and has
14 contributed to healthy growth in numerous other local
15 businesses over the past decade, including our
16 Loveland, Colorado, facility.

17 If Magpul pulls their business from
18 Colorado, the immediate impact on our Loveland facility
19 will be a loss of jobs in manufacturing, logistics,
20 engineering, and administration. I know of several
21 manufacturers who are likely to close their Colorado
22 facilities completely.

23 Given that green energy is proving
24 increasingly unlikely to come to the rescue of Colorado
25 manufacturers, do we really wish to punish Colorado

1 businesses and workers only to make a primarily
2 cosmetic point with no real social benefit?

3 Please consider the real and practical
4 impact you will have on your constituents as you decide
5 how to vote on this bill. I cannot believe that the
6 hollow reward of purely symbolic response will outweigh
7 the real harm to the numerous families affected by this
8 course of action.

9 Please, vote no on House Bill 1224.

10 Thank you for your consideration. Thank you for your
11 service to our wonderful state. Respectfully,
12 Bryan Owens, vice president operations, Parkway
13 Products, Loveland, Colorado.

14 You've heard so many letters from so many
15 manufacturers telling you the very same thing, this is
16 bad for business, this is bad for jobs, this is bad for
17 the people of Colorado. It would appear to me that
18 this is a part of a new economic reality for the state
19 of Colorado. Any questions?

20 THE CHAIRMAN: Senator Renfroe.

21 SENATOR RENFROE: Thank you, Mr. Chair.

22 I just didn't realize where we were at in the order in
23 time.

24 Members, this bill, we can go so many
25 directions to talk about the problems and the things

1 that it doesn't fix. And I know we're trying to fix
2 something. That's what we seem to want to do down
3 here. We feel something, we want to fix it.

4 When the sponsor gave her opening remarks
5 on this bill, she talked about people needing to accept
6 some inconvenience. I think that is unacceptable to
7 ask the law-abiding citizens of this state.

8 I'd also like to mention another thing
9 she talked a lot about. She talked a lot about how
10 with these standard-capacity magazines, they're truly
11 not high, that's political rhetoric to try to scare
12 people, they are standard-capacity magazines in that
13 they kill quickly, that you have access to more rounds,
14 that the killer has access to more rounds, the
15 criminal.

16 But that's only half the story. The
17 law-abiding citizen would have access to more rounds
18 quickly to defend themselves, which is why we have
19 firearms in the first place. Let us not ever forget
20 that or leave that out of the debate because that is
21 what this should be about.

22 Criminals are always going to break the
23 law. We can make as many laws as we want. Until we
24 change the hearts of man, they're going to continue to
25 do evil things and cause tragedies.

1 A lot of the testimony the sponsor gave
2 also talked a lot about all these different criminals
3 that used standard-capacity magazines. Why don't we
4 want our citizens, our law-abiding citizens defending
5 themselves to have that same firepower?

6 I think I heard the sheriffs, or maybe it
7 was even the senator from Grand Junction, when he was
8 quizzing on how much -- he was quizzing I think a
9 sheriff or a police chief, I don't recall, he was
10 quizzing, How much ammo, ammunition should we have?
11 How many rounds should we have?

12 And I hope he comes up and explains and
13 talks to that specifically on this because that was
14 powerful testimony in committee. My answer is always,
15 not just one more than whoever would be coming at you,
16 but plenty more because I don't want to get down to
17 where there's only one left. I don't think anybody
18 wants that. And by banning the amount that you can
19 have in a magazine, that's exactly what you're doing to
20 law-abiding citizens trying to defend themselves.

21 You know, I was sitting in my office the
22 other day, and my aide was there working. And some of
23 you might know my aide David or seen him around, you
24 know, he's physically impaired. He's confined to a
25 wheelchair, you know, tough motor skills, you know,

1 very hard for him to do a lot of things.

2 And he -- we were working, and he just
3 kind of turned his wheelchair over to my desk and sat
4 there real quietly while I was doing something and
5 wanted to wait for me to pause to notice that he was
6 there. And so I stopped and kind of looked up to him
7 and kind of, What's going on? What do you need? What
8 did I not do yet that I'm supposed to? You know, one
9 of those things your aide keeps track of it.

10 And he says, No, I just wanted to talk to
11 you about the assault weapons ban if I may and give you
12 some of my thoughts. And he sat there and he told me,
13 he said, I can't load a magazine. I can put them in my
14 weapon, but I can't load them. And if you're going to
15 restrict what I can have, I'm already at a disadvantage
16 because of the physical challenges that I face, is
17 basically what he said.

18 So what do you want me to tell him? What
19 message is this senate, this legislature sending to
20 people out there like David? Accept some inconvenience
21 is I think the words that were used to start this.
22 That's unacceptable.

23 A sheriff testified to this bill also.
24 And one thing I thought was very powerful, I'm sure
25 you've seen a picture of it, maybe you haven't, but you

1 had one sheriff testifying with, at times, up to
2 30 sheriffs standing behind him, opposed to every
3 single bill that was heard on Monday.

4 They testified in this bill that this was
5 something that they had no idea how they could enforce.
6 And I think you've heard that said over and over in
7 here. How are we going to enforce this? Manufacturers
8 don't put a born-on date or a manufactured date on
9 their magazines, there's no way they could cost-wise.

10 Now, obviously in the future you're going
11 to know by a new generation of technology, you could
12 probably figure it out if it is. So what you're
13 basically doing is you're politely confiscating my
14 weapon, my firearm to defend myself with this bill.

15 That's truly what you're doing. You're
16 saying, Oh, we're going to allow you to keep it, we're
17 going to allow you to keep all the magazines that you
18 have, we're going to grandfather those in. You can't
19 transfer them to somebody else, so we're willing to
20 wait you out.

21 That's exactly what you're saying to the
22 law-abiding citizens of this state, we're willing to
23 wait you out. We'll get your guns, we'll get your
24 magazines. It might take us 30 years, I pray 40, 50,
25 but at some point in time, that day will come.

1 And then my children will have to make
2 the choice, are they going to obey the law and turn
3 them in? Confiscation, that's what's coming with this
4 bill at some point in time. There's no way around
5 that. If there is, I'd love to hear how -- oh, I guess
6 I could voluntarily sell them out of state where
7 they'll still be legal. Or I could -- I don't even
8 know.

9 I guess a question for the sponsor or the
10 chair in this bill is, Could I sell them to a police
11 officer in our state since they have immunity and they
12 can keep them and they can use them privately? That's
13 a great question.

14 Then along that same -- oh, the great
15 senator from Mesa is volunteering. But that raises
16 even another question. So the bill allows for off-duty
17 police officers to purchase and use these banned
18 magazines. What if their spouse has the vehicle that
19 day that they're stored in? How are the police going
20 to handle that?

21 Now, the sheriffs say they don't know how
22 they'll enforce it. But again, we're going to wait
23 this out and we'll see in the future. And then you'll
24 be in court trying to defend your innocence. That's
25 what will happen with this bill.

1 It breaks my heart how many letters we
2 have received from businesses talking about their
3 future with this package of bills, this bill, in
4 particular, but I think it's the package. It's the
5 message that we're sending.

6 I think some of the companies like
7 Outdoor World, the messages that they've sent are that
8 we are already sending that message. We have a chance
9 to stop it, and I pray we do.

10 Here's another company that has been in
11 this state a very, very, very long time, 36 years. I
12 can't believe the thought of having to write a letter
13 like this after being in business in Colorado for
14 36 years. This is from the president, Lloyd Lawrence,
15 of Lawrence Tool & Molding. Sounds like a family-owned
16 business to me. My father started our company 40 years
17 ago. And to write a letter like this I know would
18 break him.

19 To where somebody that's been in business
20 for 36 years, I can't imagine -- actually, I can. I
21 actually -- I know exactly where this man is coming
22 from. For 36 years Lawrence Tool & Molding has served
23 Colorado with pride and efficiency. But if House Bill
24 13-1224 passes, we will draw this relationship to a
25 close.

1 36 years. It breaks my heart. It
2 absolutely breaks my heart. 36 years in the state of
3 Colorado. We are a veteran-owned plastic injection
4 molding company supporting dozens of local businesses.
5 We manufacture components for ice machines, solar
6 panels -- wow, solar panels. We're having an industry
7 that supports the solar industry move out of our state
8 if this passes -- frisbees, medical suppliers, and the
9 construction industry.

10 Our parts have been used in DIA, RTD's
11 Light Rail, Children's Hospital, Union Station, and
12 numerous other projects around the state. Since 1977
13 we've driven nearly a hundred million dollars into the
14 local economy and offered hundreds of stable jobs to
15 its citizens.

16 And they're located on 7th Avenue here in
17 Denver. 36 years. We've always been profitable, but
18 business really took off when we teamed up with Magpul.
19 This partnership has allowed us to expand operation
20 into a second location and invest hundreds of thousands
21 of dollars into equipment, employees, and new product
22 lines. Now we're at a crossroads.

23 Yes, we are at a crossroads, aren't we.
24 We talk about jobs, jobs, jobs, and here they are
25 leaving Colorado. Jobs, jobs, jobs, leaving Colorado.

1 36 years, unbelievable. We are at a crossroads.

2 Magpul has promised to move out of state
3 if this legislation passes. They feel it would be
4 wrong to give the benefit of their laborers to a
5 community that has banned their product. If you would
6 ban my product in Colorado, I can tell you, even though
7 we've been here 40 years, we would move, too.

8 It says here, We agree, and with this
9 letter, we're going to join them. You shouldn't view
10 this loss as negotiable. The wealth our company
11 produces is very significant. Our production rates are
12 higher than ever, and we expect 2013 will be our
13 strongest year yet in 36 years for a bill that
14 everybody says is unenforceable, at least in this
15 generation.

16 So I guess you don't want this company to
17 say they've been here 70 years is what we're saying.
18 Jobs, jobs, jobs. Early estimates suggest we'll add
19 hundreds of new jobs contributing upwards of
20 200 million to the Colorado economy as we move forward.

21 And that's just the business end of the
22 discussion. The truth is, there is far more at risk.
23 Wages we pay are immediately disbursed throughout the
24 community. Each of our employees has a family, and
25 they have families, we are their lifeline.

1 I think the senator from Wray earlier
2 said, instead of them collecting the check at their
3 business over an 7th Avenue, they're going to go right
4 down the street and collect a different type of check.
5 Jobs, jobs, jobs leaving Colorado.

6 Now, consider the number of businesses
7 that rely on us for earnings, and the number of
8 dependents climbs in a hurry. The effects will even be
9 felt by people we've never met, doctors, grocers,
10 mechanics, and those relying on public services.

11 Overall losses are hard to project, but
12 collectively, we're talking about more than 1,100 jobs
13 and several million dollars leaving Colorado.
14 Calculating what we'll lose in tax revenue alone is
15 enough to make your head spin.

16 We urge you to consider the outcomes.
17 This bill is not a solution for problems at hand and
18 only would undermine our economy. If you'd like to
19 visit our facility and meet some of the people that
20 will suffer the impact, please call to arrange a time.
21 Lloyd Lawrence.

22 I pray, Lloyd, that you don't have to
23 leave because of a bill that can't be implemented for
24 generations. Vote no on this bill.

25 THE CHAIRMAN: Senator Hill.

1 (Inaudible.) Senator Scheffel.

2 SENATOR SCHEFFEL: Thank you,
3 Mr. Chairman.

4 First order of business, promise made,
5 promise kept to Dan. I spent the entire day at the
6 capitol building Monday, March 4th, waiting for my
7 chance to speak against House Bill 1224. I sat
8 patiently for over seven hours as I watched testimony
9 after testimony.

10 After waiting all those hours, the
11 audience was told that expert testimony had taken all
12 the time allotted and there was no time left for public
13 comment, and that there would, therefore, be no public
14 testimony.

15 Hundreds of citizens were prevented from
16 speaking. And I believe that this severely undermines
17 the democratic process. The following is what I would
18 have said to the committee.

19 From Dan. The proponents of
20 House Bill 1224 point out that a study conducted during
21 the 1994 to 2004 assault weapon ban showed a decrease
22 in the number of high-capacity magazines recovered in
23 crimes in Virginia during the ban. They use this fact
24 to say that the ban was successful, however, this is
25 nothing more than circular logic.

1 It is not surprising that banning an item
2 will reduce its prevalence. Despite a reduction of the
3 number of recovered magazines, a study done by the
4 National Institute of Justice in 1999 said that the ban
5 failed to reduce the average number of victims per gun
6 murder or multiple gunshot wound victims.

7 The previous magazine ban did not save
8 lives and did not reduce the number of victims per
9 shooting incident, even though it did reduce the number
10 of high-capacity magazines recovered in crimes.

11 Let me restate that. Reducing the use of
12 high-capacity magazines did not reduce the number of
13 overall deaths, nor did it reduce the number of deaths
14 per shooting incident. This proves that having
15 high-capacity magazines available to the public does
16 not increase harm to society.

17 People also like to point out anecdotal
18 stories about murders being stopped during reloads.
19 But anecdote is not a valid basis for making law,
20 especially when the law is opposed by so many. Freedom
21 should not be curtailed unless there is solid evidence
22 that doing so would help society. There is no such
23 evidence in this case.

24 Proponents of House Bill 1224 made many
25 emotionally-based calls to do something. However noble

1 that may sound, there's no evidence that this bill will
2 save lives. If we really want to save lives, we need
3 to focus on mental health services and keeping weapons
4 away from those who should not have them.

5 Blanket bans on certain types of
6 equipment are not the answer. Please do not support
7 House Bill 1224. Thank you, Dan, for taking the time
8 to contact me so that your voice could be heard today.

9 A similar note, I don't know if anybody's
10 had time to see this cartoon. It is funny. It draws a
11 chuckle. It has a sad truth behind it. The car behind
12 it is tragic. These are all the businesses that we've
13 been talking about and reading letters from that will
14 be affected by this bill.

15 If you haven't taken time, you ought to
16 take a closer look at this. It references contract
17 manufacturers, mold and tooling suppliers, packaging
18 suppliers, contract warehouses, I actually know that
19 individual, marketing, and soft goods suppliers, and
20 industrial equipment reflected here as mere dots on a
21 map.

22 Let me tell you about one of the dots.
23 It's not just a dot on a map, it represents a real
24 industry making real products, employing real people
25 who will be hurt by this bill. The story of

1 Technologies, LLC, is as follows:

2 My name is Tim O'Hayre. And I'm the
3 president of the two employee-owned manufacturing
4 companies in Colorado, Techniques, LLC, in Louisville;
5 and Colorado Fabricators in Broomfield. We've been
6 manufacturing in Colorado since the early '70s. We've
7 seen some good years and we've seen some bad years.
8 Sounds like a regular business.

9 For the last four years we have been
10 digging our way out of the recession. How many times
11 have we spoken at this mike about the recession. Our
12 business has grown in the last two years in part due to
13 companies such as Magpul Industries. Magpul has chosen
14 to manufacture in the United States, and more
15 importantly, in Colorado.

16 Because of their commitment to Colorado
17 companies like mine, we have been able to grow and
18 create jobs. In the last 12 months, we invested
19 several million dollars in new equipment. We have
20 added 20 percent to our workforce in Louisville.

21 In November of 2012 we purchased Colorado
22 Fabrication in Broomfield. This company was on the
23 verge of closing its doors. Since the purchase we have
24 been able to retain the original workforce, add
25 equipment, and add new jobs. More jobs and equipment

1 were planned for 2013 in both locations. But those
2 plans are on hold at this time.

3 As Magpul supports our business, we, in
4 turn, support other Colorado businesses that depend on
5 us to make their payrolls. We purchase our raw
6 materials and other support services from these
7 companies. One of these companies recently told me
8 that we were a godsend to his business, as he was going
9 to have to shut down for lack of work. Our secondary
10 work has kept his doors open, and he has added to his
11 workforce.

12 We are not a billion-dollar company. We
13 are a collection of people, of families of fellow
14 Coloradoans who want to continue to manufacture in
15 Colorado. If House Bill 1224 passes and companies like
16 Magpul are forced out of Colorado, we, in turn, would
17 be forced to leave, taking all of our jobs and our
18 support to the local economy with us.

19 We make goods for companies all over the
20 United States and some places around the world, so we
21 can manufacturer our products from any state. Magpul
22 is our largest customer. If they choose to leave for
23 whatever reason, we will need to follow them.

24 There's a lot of debate on both sides of
25 this issue, but there's an extreme amount of

1 uncertainty as to the effectiveness of this bill.
2 House Bill 1224 will do nothing to improve the safety
3 of the people of Colorado. This bill will only hurt
4 Colorado business and the Colorado economy.

5 There will be a terrible domino effect if
6 this bill passes. It will not only impact Magpul and
7 their Colorado suppliers, but it will impact the
8 Colorado businesses that rely on those companies'
9 employees to shop in their stores and eat in their
10 restaurants.

11 My family came to Colorado in the 1860s.
12 My parents still live on some of the original homestead
13 in Lakewood. I'm a fourth-generation Coloradoan. I
14 urge you, as our leader, to focus on solutions that can
15 enhance our safety and without crushing our economy.

16 Colorado is a wonderful state to live in,
17 raise our families in and work in. Please help protect
18 all aspects of our health, safety, and welfare. Signed
19 respectfully, Tim O'Hayre, president, Techniques, LLC,
20 and Colorado Fabrication, LLC.

21 Thank you, Tim, and thank you, Dan, for
22 taking the time to contact me. Your words resonate
23 with me, and I will be a no vote on 1224. Colleagues,
24 to be sure, the heinous acts of criminals has deeply
25 hurt and driven to the core of the people in our

1 communities, our state, our nation. But the answer is
2 not House Bill 1224.

3 I have seen demonstrations about these
4 magazines. I wish we could have them here, evidently
5 it's not permissible. I wish we could have a
6 demonstration here to show the interchangeability and
7 how fast these turn from to this many to that many, and
8 a reducer, and increaser, and a spring attenuator, and
9 all the different things that these do, it is not the
10 answer to go after these magazines. This will directly
11 hurt Colorado companies. Please vote no on 1224.

12 THE CHAIRMAN: Senator Marble.

13 SENATOR MARBLE: Thank you, Mr. Chair.

14 We are here tonight discussing
15 House Bill 1224 and the other gun bills due to the very
16 misguided focused on an inanimate object instead of the
17 perpetrator of truly evil acts. I've been given
18 another letter from a woman who was here to testify on
19 Monday, but due to time constraints, could not have her
20 voice heard. And I am here to read her letter. And I
21 hope you will listen, as it is from a woman's
22 perspective regarding the limits on magazines .

23 My name is Laura Carno, and I am from
24 El Paso County. I run a political media company that
25 communicates with women. And it's on behalf of myself

1 and these women that I am urging you to vote against
2 House Bill 1224 because it desperately affects women.

3 And the reason that this affects women
4 more than men is women are smaller in stature than
5 their assailant. We never know if we are going to have
6 a larger assailant, multiple assailants. Maybe it's a
7 home invasion. Maybe I have to protect my children's
8 lives, as well as my own life.

9 What if the bad guy is hopped up on
10 drugs, and even if I land a shot, he doesn't go down
11 because he's not feeling pain? The point is, I need to
12 be the one to decide how much firepower I need to be
13 able to protect myself.

14 You know, women in my mother's generation
15 used to say, I don't need a man to take care of me.
16 And that generation of women raised my generation of
17 women to be independent. I can take care of myself in
18 every way, including my own self-defense.

19 So when my government says, No, I'm
20 sorry, I understand that you think you're independent,
21 but you need to wait for a man with a uniform and a gun
22 to come help you, so just hang in there until he gets
23 there.

24 I'm not okay with that. I think we've
25 come too far in too many decades to go backward on

1 that. You know, I am delighted to live in a free
2 country where I, the citizen, am created equal to you,
3 the legislator. You're not the king and I didn't come
4 here to ask for your permission on how to defend
5 myself.

6 And I know that some of you up there
7 don't think that this size magazine is necessary. And
8 my suggestion is, if you don't think it's necessary,
9 then you don't have to own one. But your opinion about
10 magazine size has nothing to do with my ability as a
11 law-abiding citizen and independent woman who can take
12 care of herself whether or not I own that magazine. So
13 I ask you, as somebody created equal to you, to say no
14 to House Bill 1224.

15 I heard my colleague speak that these gun
16 bills are a precursor to true confiscation. And I want
17 to read a quote, a very amazing man who I know you all
18 will recognize. But he said, Among the many misdeeds
19 of British rule in India, history will look upon the
20 act of depriving a whole nation of arms as the
21 blackest. Mahatma Gandhi.

22 I believe the takeaway from this letter
23 and from this quote can be summed up as follows: There
24 is nothing virtuous or dignified in a death due to lack
25 of self-defense. Give the people their dignity of

1 self-defense in the way they choose. Vote no. Just
2 vote no on this bill.

3 THE CHAIRMAN: Senator Baumgardner.

4 SENATOR BAUMGARDNER: Thank you,
5 Mr. Chair.

6 You know, I didn't know if I was going to
7 come back up here again or not, but -- well, I had
8 planned to come back. You know, the senator from
9 Douglas County made a few comments about these
10 businesses on this map. They're just not businesses,
11 those are people's lives, those are people's income,
12 those are people's houses, those are people's kids that
13 how are we going to send them to school now?

14 How am I going to get my kids to school,
15 I don't have a job because the company I worked for
16 pulled out and went to another state or another country
17 because of House Bill 1224 that restricted size of
18 magazines.

19 Hundreds and hundreds of people out of
20 work. For how long? Who knows. I mean, they can draw
21 unemployment for a while till they drop off if they
22 can't find work. You know, we're supposed to be
23 recovering. We're supposed to be coming out of this
24 recession. And with these bills, we're going to go
25 right back into part of it because we chose to drive

1 business out of the state of Colorado.

2 I have a letter that I'd like to proceed
3 with, Mr. Chair, that does speak to House Bill 1224, if
4 I may proceed, sir.

5 THE CHAIRMAN: Yes.

6 MR. BAUMGARDNER: Thank you, Mr. Chair.

7 I would strongly encourage you to vote no
8 on House Bill 1224. The magazine capacity limit bill
9 will not make one single U.S. resident safer, not one
10 single law enforcement officer safer.

11 Today it's the 15-round limit. Tomorrow,
12 the 10-round limit. Down the road, six rounds. There
13 is no end to the goals that people, like President
14 Obama, Mayor Bloomberg, and George Soros will do. You
15 can easily bet their body guards will not be
16 constrained even if they are private guards.

17 This bill is not morally wrong, but
18 extremely flawed. My goal and your goal should be
19 public safety. The bill does not make that leap. With
20 just 15 minutes of practice, I can have you doing a
21 magazine change in less than two seconds. This bill is
22 about fluff and feel good. Please do not support it.
23 And he encourages us to not support it.

24 This is from a former highway patrol
25 trooper of 28 years, also works for the sheriff's

1 department. May I proceed, Mr. Chair, with another
2 letter?

3 THE CHAIRMAN: Yes.

4 SENATOR BAUMGARDNER: Thank you.

5 I don't know if there's any connection
6 here, I don't think so, but I'm going to proceed. It
7 says, I support protecting law-abiding Americans'
8 Second Amendment rights to keep and bear arms for
9 self-defense. And I am a law-abiding citizen opposed
10 to a law that guts our Constitutional rights.

11 The idea to ban a magazine with capacity
12 over 15 rounds is flawed. The high-capacity magazines
13 are much greater than 15 rounds, greater than 30 rounds
14 for many rifles sold today, including 30-round
15 magazines. And the vast majority of the pistols use
16 magazines greater than 10 rounds, and even 15 rounds.

17 The rules set forth in District of
18 Columbia versus Heller, A gun in common use cannot be
19 banned as the often used estimate of high-capacity,
20 standard-capacity magazines in the United States is
21 over at this time, at the decision of District of
22 Columbia versus Heller, was about 80 million, and today
23 it's approximately 130 million said magazines are in
24 common use.

25 Again, the rule set forth says this

1 common use cannot be banned. If you pass the
2 high-capacity magazine ban and Magpul does leave the
3 state and does continue to produce these magazines --
4 and I'd like to stop there just a second and kind of
5 elaborate on that a little bit.

6 Something I heard early on in testimony
7 about an amendment that was put on in the House. And
8 if this has been talked about before, I apologize. But
9 in case you were out of the room and didn't hear it, I
10 think it's very important, that we, as the state of
11 Colorado legislature, would support keeping Magpul
12 here, telling them, you cannot sell these magazines in
13 our state, but you can sell them in every other
14 49 states, places like Sandy Hook, Connecticut,
15 New York, California.

16 We'll take the income, we'll take the
17 taxes, we'll make sure you stay in business, and it's
18 okay, you can sell those magazines in every other
19 state, but you can't sell them here. So is that what
20 it's about? Are we concerned about safety or are we
21 concerned about money? Are we concerned about revenue
22 for the state?

23 It's important to keep these businesses
24 here, but at what cost? If we're really concerned
25 about this, then let's look at this and do something

1 different. But to tell a company, We don't want you to
2 make them and sell them here, but you can make them and
3 stay in the state, and we'll keep the revenue coming in
4 here.

5 This gentleman said, continued to say
6 that if that happened, he wouldn't buy another product
7 of theirs, and he said that a lot of Americans agree
8 with him. We stand to lose hundreds of jobs if Magpul
9 pulls out.

10 He would also like to bring to your
11 attention the increasing number of firearm
12 manufacturers and other companies in that industry that
13 will not sell any goods to a state that cannot be sold
14 in the state. So these other companies, they're not
15 going to sell anything to us, either, or sell anything
16 in this state that would benefit the state.

17 The more companies join in a larger firm
18 will placate this boycott. Supporters of the Second
19 Amendment, this, again, is just another chunk, another
20 small step. We're all concerned about safety. We're
21 all concerned about our kids. We're all concerned
22 about our citizens.

23 But we've heard by this gentleman that I
24 spoke about prior that was a trooper that can teach you
25 how to change these magazines out in two seconds,

1 that's not a lot of time.

2 You know, I'd like to see business
3 flourish in this state. I'd like to see us continue to
4 make these accessories for firearms in our state. As
5 well as many of the people of the state of Colorado,
6 his last comment was, I hope that the people at the
7 state capitol listen to the people of the state of
8 Colorado.

9 He's asking you to vote no on
10 House Bill 1224. I'm asking you to vote no on
11 House Bill 1224.

12 THE CHAIRMAN: Minority Leader Cadman.

13 MR. CADMAN: Thank you, Mr. Chairman.

14 A lot of companies, a lot of Colorado
15 employees, a lot of business. I want to share a
16 statement on this bill that was sent to us by
17 Richard Dorans, the vice president of operations for
18 PTA Plastics.

19 PTA has operations in Longmont, Colorado,
20 and Oxford, Connecticut. PTA has been in business
21 60 years. And on March 1st we celebrated our one-year
22 anniversary as an employee-owned company. I thought
23 that was pretty amazing, 59 years, and then they
24 figured out how to give their employees ownership share
25 of their business.

1 (Inaudible) management made a conscious
2 decision in 2000 to focus our marketing on the medical,
3 defense, and security markets. We thought these
4 markets were less likely to use manufacturing to
5 low-cost countries.

6 PTA was fortunate to begin a partnership
7 with Magpul in 2010. Magpul's business philosophy is
8 unique and extremely uncommon today. Their goal is to
9 source as much as they can on the Front Range of
10 Colorado. There's the proof.

11 Their presence and growth has made a
12 significant impact to the injection molding community
13 in Colorado. PTA has grown with Magpul. We have
14 increased staffing by 20 percent, added five molding
15 machines, and two machining centers used to build
16 tooling. Over \$2 million in capital expenditure
17 investment in the last two years.

18 It's unfortunate that PTA's 175 employee
19 owners are faced with the threat of losing a
20 significant piece of our business due to our top
21 customer leaving the state of Colorado, not to mention
22 the adverse impact to Magpul's Colorado supply chain of
23 toolmakers, packaging companies, polishers, texture
24 suppliers, welders, and on and on, that are required to
25 support Magpul's orders.

1 While the gun control issue is
2 emotionally and politically charged, we must be
3 cognizant of this and any legislation that has near and
4 long-term negative impacts on our tenuous economy.

5 It's about Colorado jobs, PTA's employees
6 and their families. Magpul has been loyal to Colorado
7 since their inception. And it would be unjust to see
8 them leave and stimulate the economy of another state.

9 On behalf of our 175 employee owners, I
10 urge you not to put our Colorado jobs and our Colorado
11 company at risk. I urge you to stop 1224 from going
12 forward.

13 I think what's interesting about some of
14 these people that are pleading for their very survival
15 of their businesses and their employees is they are
16 also, many of them, incredibly cognizant of the issues
17 before us that are supposedly being addressed in these
18 proposals. At the same time I've written on most of
19 these letters, this is probably their business epitaph.

20 And what are we talking about, magazines,
21 pieces of plastic, some springs, some metal. Most of
22 these are going to be -- the discussion around these
23 has been around the 223 AR 15s. You've heard some
24 citations from the Supreme Court case, Heller, that
25 provides a restrictive standard for what types of arms

1 may be banned, only those, and this is the important
2 part, not typically possessed by law-abiding citizens
3 for lawful purposes.

4 Things can be banned that are not the
5 following: Not typically possessed by law-abiding
6 citizens for lawful purposes. The estimate currently
7 is there's 30 million ARs in existence. I may or may
8 not have a couple that look like them. Law-abiding
9 citizens for lawful purposes own these arms.

10 When these topics were first brought up,
11 I kept hearing the word assault, assault weapons, and
12 high-capacity magazines. And I thought, No big deal,
13 those don't apply to me. I used to have an assault
14 weapon. I used to have a weapon that went fully
15 automatic, but the government gave me all the
16 ammunition I needed. I was in the Army.

17 They gave us assault weapons to use.
18 M 16s, fully automatic, 30 rounds in, what, 1.2 seconds
19 or something like that. I don't even remember it's
20 been so long since I had one. And I kept hearing,
21 high-capacity magazines, and I thought, That can't
22 apply to me, I only have normal-capacity magazines. I
23 don't have anything larger than 30 rounds.

24 If you start going to 50 or larger, they
25 get very expensive, they're incredibly unreliable. And

1 now at 65 cents a round, going on a dollar a round, no
2 way. You know what I make. I can't afford a
3 paycheck -- to use a whole paycheck for an hour at the
4 range, that's how fast those things go through them.

5 So what do we have to do to feed the
6 rhetoric? We have to change the definitions. We have
7 to change what is normal. We have to change what is
8 common. We have to call it something different. It
9 has to be labeled different or we can't feed this
10 rhetoric. We can't buy into this emotional argument
11 that somehow a piece of plastic and a spring and a box
12 is responsible for these horrible incidents, because
13 they're not.

14 You know what we're talking about? We're
15 talking about parts, let me show you. Even under this
16 bill that's been changed, this 10-round capacity -- I
17 think this 15-round capacity, would almost be legal
18 except since you can take the plate off so that you can
19 clean it, it now becomes easily alterable.

20 You could easily -- this is a 10? Here's
21 the legal, illegal magazine now, somewhat confusing.
22 Here's the illegal spring, real scary. Here's the
23 illegal base plate, real scary. The follower, I think
24 that's what this is called. I guess I should take mine
25 apart more often and clean them because I've never

1 actually seen all these parts out of the inside before.

2 So while you're banning these, you're
3 also banning the folks that we're talking about here.
4 You keep hearing about the jobs. Go look at one of
5 these places and you will see a guy that literally
6 takes a stack of these, puts one of these on it, and
7 sets it over here. You're banning his job.

8 So the moral assertion now is, well, we
9 think these things are lethal, we think they're deadly,
10 we think they're dangerous, but we'll go ahead and
11 allow you to build them as long as you ship them out of
12 state. Does that make sense to you?

13 Do we get a pass on anything else that we
14 think is dangerous to Colorado to ship it out of state?
15 If so, maybe we should start doing nuclear power plants
16 as long as we can ship the waste, the toxic waste out
17 of state.

18 So now, I may or may not have some of
19 these, and they're currently legal for me, but would be
20 illegal for me to sell or to give away to my kids or
21 somebody else.

22 The sponsor mentioned Mayors Against
23 Illegal Guns. You know, if you look at what they've
24 done, they've done some pretty good work. But why are
25 we turning this into mayors against legal plastic? I

1 thought we were talking about Mayors Against Illegal
2 Guns, not legal parts, which is what we have, illegal
3 guns. Nobody wants guns in the hands of criminals
4 obviously. As a matter of fact, we ought to lock them
5 up, the criminals.

6 There's a lot of people in this building,
7 I'm assuming some of this, there are probably people in
8 this building that think we shouldn't have any guns,
9 that's okay. Free society, we're welcome to have our
10 own opinions. There's probably people that think you
11 should have as many as you can hold and you should be
12 able to get virtually anything. Somewhere in the
13 middle in society we find a balance.

14 There's people outside this building,
15 probably outside this state, that think all guns should
16 be banned by all people. Some of these people are
17 supporting these bills. Some of the people that
18 believe we should have no weapons are supporting these
19 bills. Why? Because they know they can't get that
20 passed anywhere, anywhere. They can't get the guns, so
21 they're trying to get the parts.

22 But I'll tell you, it's effectively
23 already happening. Maybe you don't even need to run
24 this bill. Why? Because you can't even buy this stuff
25 here now. Have you gone shopping lately? Have you

1 tried to buy a \$20 box of ammunition for your 22? It's
2 nowhere to be found.

3 The other day I heard about some
4 somewhere, by the time I got there, it was too late.
5 And when I found out that they were selling it for \$60,
6 for 22 ammunition that we used to buy a box of 50 for
7 50 cents, that tells you how old I am, gallon of gas,
8 box of ammo, 50 cents. It doesn't exist.

9 Just the discussion of the government,
10 the government, whether it's the federal government or
11 the state government, clamping down on any component of
12 what people were normally used to accessing has changed
13 the marketplace all across the country. Want to bring
14 one of those over to me?

15 This is a store in Colorado Springs, I
16 believe this was -- it was a couple -- it was right
17 after Christmas, it was between Christmas and New
18 Years. This is about 10 feet of a wall of Specialty
19 Sports. And these are those old Rite Aid's, so you can
20 imagine how big they are, you know how long those walls
21 were, this is only one part of one wall of Specialty
22 Sports of the weapons that they had sold in the last
23 couple days.

24 They said they sold enough weapons in
25 four days to equate to an entire year of business. So

1 these are all stacked up. These are all handguns,
2 handguns, handguns, handguns, handguns, revolvers,
3 semiautomatics. These are all long guns. Can't really
4 see what they are. Oh, there's some AR's in there,
5 there's some shotguns in there, there's some 22s in
6 there.

7 Another picture just around that corner,
8 the same thing, literally panic-buying. Why? Because
9 people thought there was going to be a rash of people
10 breaking into their houses, no. Because there was a
11 rash of government breaking into their Constitution.

12 That's what happened. That's what's
13 still happening. That's why what we were buying a
14 couple, literally several weeks ago for a few pennies
15 around are now impossible to get, and if you can find
16 them, extremely expensive. So I hope you stocked up.
17 I hope you stocked up.

18 You pass this bill, there's still
19 130 million of the 30-round capacity magazines out
20 there. Typical value, what, 14- to \$20? Well over a
21 hundred after that. So congratulations if you have
22 them. Enjoy your summer trip, because the minute you
23 leave the border, you can legally sell them for their
24 new value, 120 bucks.

25 Remember, this is people that aren't

1 buying weapons because they're afraid of being broken
2 into. Person after person I talked to at Specialty
3 Sports said these were people that were buying because
4 they were afraid of their government from proposals
5 like this.

6 And we keep hearing, This is just the
7 first step. We keep hearing, I heard it in the house.
8 I sat there and I listened to this on that long Friday
9 over there as long as I could, I stayed there 'til
10 4 o'clock, and I kept hearing, We have to do something,
11 we have to do something, we have to do something.

12 But does that mean you have to do the
13 wrong thing? Does that mean you have to put a ban on
14 something that's not going to do one thing for public
15 safety, not one thing? Does doing something mean
16 driving hundreds and hundreds and hundreds and hundreds
17 of jobs producing legal products out of Colorado? Is
18 that what doing something means?

19 Then back to the premise of, they're so
20 immoral, they're so dangerous, they're so deadly, we
21 should stop making them unless we can sell them to
22 somebody outside the border. That doesn't make sense.
23 It just doesn't make sense.

24 We can't even figure out a way how to
25 make this bill let these things be legal in any

1 capacity. All magazines are now illegal under this
2 bill if you can alter them. If you can clean them so
3 you can keep reusing them, they are now illegal, which
4 virtually makes all hunting illegal because you have to
5 use these magazines. Good luck.

6 I guess we can shut down the DNR because
7 revenues are going to dry up. Millions of dollars of
8 hunting licenses will no longer be purchased in
9 Colorado because you can't bring your weapon here, you
10 can't get a magazine here. Don't get caught with a
11 magazine. How's that message work? You know, bring
12 all the weapons you want, don't get caught with a
13 magazine.

14 All right. All right. Maybe the goal is
15 to turn us all into something similar to a poster in
16 the president's office, Barney Fife had the bullet in
17 the pocket? No magazine, keep your bullet in your
18 pocket so when you're hunting, you're ready. Take your
19 bullet out.

20 We have to stop trying to create this new
21 definition of assault anything because it's not
22 accurate. As a matter of fact , when I joined the Army
23 and they showed us what an M 16 round was, I said, Why
24 is it so small? As someone who had been brought up
25 hunting, we use 30.06, 308, pretty big rounds.

1 When you see the size of a 223, it's
2 pretty small. As a matter of fact, it's about the size
3 of a 22 with a little bit more powder. We hear these
4 assertions that they're designed to kill, they're not
5 actually. Specifically in the battle zone, they're
6 designed to wound, right?

7 So the more dangerous weapons are the
8 ones that are bigger with more powder, the 308s, the
9 30.06s. But if we label them assault something, we can
10 scare people. We can scare people. We can turn up the
11 rhetoric and turn down the reality and we can scare
12 people.

13 Let's stop scaring people. You know
14 what, people are scared enough in Colorado. These are
15 real people in our state that are scared of what's
16 happening here, and this is how they're showing it. A
17 year's worth of weapons purchased by our neighbors
18 because they are afraid of what we're doing here. And
19 I think they should be.

20 These aren't assault anything. They're
21 not designed to do anything different than any other
22 defense weapon. They're small, they're compact. On
23 the ranch, they're tools . Ax, bucket, shovel, AR, be
24 ready, probably a fencing tool. But be able to put a
25 magazine in or it's just an empty piece of metal that's

1 virtually useless unless you need a pry bar.

2 You know, there's another story that
3 hasn't been told here yet. We've talked about the
4 Second Amendment. We've talked about the economic
5 impact. We've talked about the fear of government that
6 this assembly is putting into Coloradoans, and here's
7 the picture, you don't have to believe it, you can
8 shake your head, but this is real.

9 And I have a message yesterday from the
10 owner of Specialty Sports that says they will close
11 their doors in Colorado and move out. So
12 congratulations, all you folks that want no guns in
13 Colorado are about to accomplish at least part of your
14 mission, because the sales of these items will not
15 happen here, nor will the parts be sold here either.
16 If we can scare people, though, we can get them to
17 support us.

18 You know, people are pretty scared after
19 9-11. We had a couple, several, many, we had many
20 planes, some full of people that some of you knew, used
21 to attack our institutions, and people died. A
22 significant point in history. We probably all remember
23 where we were and what that day was like.

24 Not too long ago the person responsible
25 for that was found and he was killed by Seal Team 6.

1 This is something -- I want to share with you something
2 that this company doesn't share with folks. And I'm
3 going to show you a picture, I wish I had a bigger one.

4 We've talked about the economic impact of
5 all these companies, and certainly a lot about the
6 economic impact of the company that's being fed by all
7 these companies, Magpul. I'm going to share an excerpt
8 here from this book. I encourage you to read it or
9 borrow it from me.

10 The firsthand account of the mission that
11 killed Osama Bin Laden, *No Easy Day*, the auto-biography
12 of a Navy seal. For the first time anywhere, the first
13 person account of the planning and execution of the
14 Bin Laden raid from a Navy seal who confronted the
15 terrorist, master mind, and witnessed his final
16 moments.

17 From the streets of Iraq, to the rescue
18 of Captain Richard Phillips in the Indian Ocean, and
19 from the mountaintops of Afghanistan, to the third
20 floor of Osama Bin Laden's compound, operator Mark Owen
21 of the U.S. Naval Special Warfare Development Group,
22 commonly known as Seal Team 6, has been part of some of
23 the most memorable special operations in history, as
24 well as countless missions that never made headlines.

25 *No Easy Day* puts readers alongside Owen

1 and the other handpicked members of the 24-man team as
2 they trained for the biggest mission of their lives.
3 The blow-by-blow narrative of the assault, beginning
4 with the helicopter crash that could have ended Owen's
5 life, straight through to the radio call confirming
6 Bin Laden's death is an essential piece of modern
7 history.

8 The little Colorado company played a
9 major part in that history started by a Marine who was
10 probably in similar situations in combat that had a
11 better idea. And on the day that that raid happened,
12 when they marched in there and took down truly one of
13 the most evil men of our time, those men, this man,
14 Mark Owen, was carrying a Colorado-made product from
15 Magpul, Magpul.

16 Is that really the kind of company that
17 we want to drive out? Pass this bill and say good-bye
18 to Magpul and everybody that supports them, and turn
19 your back on a part of history that was made from
20 things made by people here in Colorado. For what? For
21 what? Vote no.

22 THE CHAIRWOMAN: Senator Grantham.

23 SENATOR GRANTHAM: Thank you, Madame
24 Chair.

25 We've already heard from several, several

1 industries that are impacted by this. These are --
2 this is -- these are not some phantom assertions. You
3 hear whispers and doubts. Folks, this is -- this is
4 real. This is real life for these folks that are going
5 to be put in this position by this legislation.

6 Byers Industries in Longmont, Longmont,
7 they're in jeopardy here. It says, I am the chief
8 executive officer -- this is coming from them.

9 Dear Senator, I am the chief executive
10 officer of Byers Industries located in Longmont,
11 Colorado. I founded Byers Industries in 1976. We have
12 had a steady growth ever since. 2007 we were employing
13 over 70 employees. 2008, several of our larger
14 customers sent their work offshore.

15 At that time Magpul was expanding their
16 product lines, and we were able to avoid a major
17 layoff. Byers Industries will be severely impacted if
18 Magpul moves their business out of the state. It makes
19 me feel sad when I think of all the pain and suffering
20 that has been caused by the recent shootings.

21 I know that state leaders are trying
22 their best to prevent such tragedies. I feel there are
23 better ways than HB 1224 to prevent such shootings.
24 HB 1224 will do considerable harm to the Colorado
25 economy. And I urge our state leaders to find a better

1 answer. Sincerely, Harold Byers.

2 WP Manufacturing: Dear Senators, thank
3 you for reading this letter. I own WP Manufacturing in
4 Longmont. We are family owned, and WP has been in
5 business since 1970. We have over 45,000 square feet
6 of manufacturing space.

7 Although our company is a contributor to
8 the Colorado economy through the work we do, we are not
9 insensitive to the issue of public safety. In fact, we
10 are supportive of measures that would protect our
11 community. Making sure weapons do not make it into the
12 hands of those with malintents or mental illness is a
13 very responsible goal.

14 However, HB 1224 will not get us any
15 closer to achieving that goal, as multiple studies have
16 shown. Although it has good intent behind it, this
17 bill will not keep criminals from obtaining magazines,
18 as there are just too many out there as standard
19 equipment. An in-state criminal black market would
20 immediately form, which would only supply those without
21 regard to law. Collectively, we can produce a much
22 wiser solution.

23 As the manufacturing market has slowly
24 returned to our state, firearms accessories have become
25 a majority of our revenues here at WP. If 1224 passes,

1 WP will be forced to relocate its growing operations
2 out of state before we complete our 44th year of
3 business in Colorado. That would be an absolute shame.

4 But from what I understand, we would not
5 be alone. There are many small businesses that would
6 be forced to leave Colorado if you pass this bill.

7 The saddest part is the unintended
8 consequence, that so many Colorado employees, my
9 employees, would be forced to make a difficult
10 decision. Either they must become unemployed in
11 Colorado during these tough economic times or uproot
12 their family and move to another state.

13 I humbly ask that you do not force me to
14 put my employees and their families through this. I
15 ask the committee to -- and this committee of the
16 whole, to consider studying this proposal in a more
17 thoughtful manner.

18 Analyze data whether a state magazine
19 capacity limit would really do anything significant to
20 enhance public safety. And look at whether there are
21 other more effective solutions that will not cost
22 Colorado jobs, companies, and the state so dearly,
23 in-state revenue estimated to be in excess of
24 \$1 billion over the next decade.

25 I believe we can find actual solutions

1 rather than passing such a speculative law in a hurried
2 fashion. Voting this bill down with the intent of
3 arriving at a better solution will not be a defeat for
4 any legislator, it would be a thoughtful and prudent
5 process.

6 We have elected you to take this type of
7 measured approach in passing any new laws. As a proud
8 Colorado small business owner, I am asking this
9 committee for that prudence. It should not be this
10 bill or nothing. We can do better. Sincerely,
11 Steve McLean, president, WP Manufacturing.

12 Folks, it's not just the manufacturers,
13 it's not just the small businesses, it's not just
14 Magpul. There are a lot of folks concerned about
15 what's going on here today and what's going on with
16 1224.

17 Probably of all the legislation that
18 we're hearing today, this is bringing about the widest
19 concern from my constituents who aren't even attached
20 to any of the -- any of the manufacturers up on the
21 Front Range area, they don't have any direct connection
22 to those, but they are most worried about the effects
23 of this bill.

24 We have folks in the shooting clubs that
25 are worried about, how is this going to affect them?

1 The 4-H shooters, I've got many good friends in that,
2 and I know many of you do, too. In fact, I look across
3 the chambers here today and I see many of the little
4 bears sitting on the desk still, 4-H.

5 One of the biggest activities that we see
6 in 4-H is the shooting clubs. And that's a statewide
7 thing, it's not just out in the rural areas. You know,
8 I learn something new every day, sometimes more than
9 one thing.

10 But it's a -- its -- I had a 4-H parent,
11 a 4-H activist call me up and tell me about the
12 shooting sports and the activity around the state with
13 this. And they've got really great clubs. They've got
14 a great club down in Fremont County. In fact, they
15 hold some of the competitions down there. They've got
16 a great club in Douglas County. And I think there's
17 some direct involvement with the Douglas County 4-H
18 right in this room right now.

19 But he said, Interestingly enough, some
20 of the most competitive clubs for the shooting clubs
21 actually come from the Denver and Boulder clubs. How
22 will this affect them? They're scared. Because,
23 folks, when you start talking about the kind of
24 magazine capacity, the kind of weapons they need to use
25 in these competitions, it's not just a simple matter of

1 writing a check and replacing your weapon. We're
2 talking about sometimes in cases of certain guns, a
3 thousand dollars or more for some of these shotguns.

4 They are scared about the fact that they
5 may have to shut down their shooting clubs because of
6 some of these new pieces of legislation. We got
7 letters from Edward Kiley (phonetic).

8 He just simply states, My son is in 4-H
9 in the shooting area, trap and skeet. I'm asking you
10 not to support this house bill. It will impact the 4-H
11 shooting program. I hope that's not true. But folks,
12 they are worried, they are worried.

13 A good friend of mine, Anne, Anne Vinnola
14 down in Florence, also, Fremont County, she says she's
15 a 4-H parent. She's a 4-H shotgun coach from Fremont
16 County. She says she's heartbroken.

17 Each one of my kids were in the 4-H
18 shooting sports program from the time they could hold a
19 gun until they graduated from 4-H. I have many years
20 of happy memories watching them shoot, learn
21 sportsmanship, make lifelong friends, and learn how to
22 be moral, productive Colorado citizens.

23 4-H shooting sports programs include
24 shotgun, 22 rifle, and others that are now in the line
25 of bills that would seriously inhibit kids from

1 pursuing these programs. Frankly, in rural counties,
2 4-H shooting sports give large amounts of kids
3 something important to do that they can excel at.

4 Each Thursday night from March through
5 Labor Day weekend, I, with other 4-H parents, sponsors,
6 and leaders guide these kids through proper gun safety,
7 sporting behavior, how to treat others with respect and
8 kindness, and so much more.

9 Boys and girls alike learn side by side.
10 And to watch the transformation of a small child
11 hoisting their parents' shotgun to their shoulder to
12 take aim at clay pigeons for the first time, missing
13 each target, to a self-assured and skilled shooter
14 winning a national championship is an incredible
15 journey.

16 Misguided emotion and ignorance wants
17 law-abiding American children penalized because of the
18 horrible deeds of deranged people. Do we really want
19 our children to view guns as bad and the pursuits they
20 love and excel at as dangerous?

21 How could you want to strip the freedom
22 from law-abiding young people and send them a message
23 that they are bad people because they like to legally
24 and safely shoot guns?

25 In over 30 years since the 4-H shooting

1 sports have been around, there have been no fatalities
2 and very few minor injuries to the thousands, thousands
3 of kids on the range or anyone affiliated with them.
4 Why are we penalizing them?

5 They get good grades. They learn
6 leadership skills. They learn how to work as a team.
7 They get many other great skills. I would be very
8 hard-pressed to even find one of these kids committing
9 gun-related crimes as adults. In fact, I was not able
10 to even find one.

11 These kids are not your problem. They
12 are the fine, upstanding citizens we in the state of
13 Colorado and our nation need more of, and our Colorado
14 senate needs to encourage and stand behind them.

15 I echo those sentiments. Her daughter
16 Jenny also wrote and gave many of the same sentiments
17 as her mother. Thank you for all your support for us
18 4-H shooting sports kids. Shooting sports is one of
19 the things that made me who I am. It gave me more
20 respect for firearms. It really taught me to be much
21 safer with a gun. Without shooting sports, 4-H would
22 not be the same. It gives us all something to work
23 towards and focus our time on, and it gives us
24 something positive to work toward.

25 I have built so many strong relationships

1 with people in Fremont County through the shooting
2 sports. People that I know, I have such a connection
3 with because of the shotgun. We learned how to pull
4 our own weight in order to help the team, we grew a
5 team that was more like a family. Without these sports
6 we wouldn't have the unbreakable friendships that we
7 have now.

8 Jacob Yslas, same thing. I've been in
9 4-H my whole life. I followed my brother into shooting
10 sports as soon as I could carry a shotgun. Shooting
11 sports impacted my life in many different ways, in many
12 different areas. The biggest impact was teaching me
13 gun safety at a very young age.

14 Children learn safety and are monitored
15 so closely that with time, gun safety and
16 responsibility comes naturally. People are afraid of
17 guns because they don't understand them. Shooting
18 sport programs through 4-H teaches you that guns are a
19 tool and should be used with respect and confidence
20 just like using a car.

21 Shooting sports and hunting have taught
22 me to be aware of my surroundings and cautious of other
23 people's safety. Being able to shoot a firearm is our
24 Second Amendment right and 4-H has preserved that right
25 and passed on gun safety and responsibility. If these

1 laws are passed, many children will not be allowed to
2 have these rights, and that is wrong.

3 Tony. Tony wrote that, I'm 19 years old,
4 I was in 4-H from age 7 until I graduated from high
5 school. And I'm a former Fremont County 4-H shotgun
6 competitor. I competed in the shotgun shooting events,
7 and won in the top five positions at the state 4-H
8 competitions many times.

9 Shooting sports had an impact on my life
10 because not only did it help keep me out of trouble
11 growing up, it also gave me an exciting hobby that I
12 enjoyed doing and excelled at. I was also required to
13 have good grades in order to compete in 4-H.

14 4-H shooting sports is also where I met
15 the majority of the friends I still have. It also
16 taught me what being a leader meant. I am still an
17 active 4-H shooting coach, and shoot shotgun events
18 around the state in other competitions.

19 I enjoy the fellowship I have with my
20 friends and family. I know what it means to be a team
21 player, how to lead a team. We all learned what it
22 meant to better ourselves in life by not quitting and
23 trying harder to meet a goal.

24 By taking away anything that has to do
25 with our guns, the Second Amendment, my freedom; my

1 nephews, my future children will not get to experience
2 all of the fun and knowledge about shooting and hunting
3 that I did, and that is not fair.

4 Shooting and hunting are a way of life.
5 And in your statistics, how many law-abiding citizens
6 that went through 4-H have committed the crimes that we
7 are being attacked for? Please do not vote yes on
8 these bills. They will destroy 4-H shooting sports and
9 penalize thousands of great kids throughout Colorado.

10 That's also Tony Vinnola. This is a
11 family affair. Jenny, Anne, Tony, the Vinnolas, good
12 friends of mine. Casey Myers, a 4-H shotgun
13 instructor, has been a Fremont County 4-H shotgun
14 leader for eight years. He says, During that time, I
15 have had the honor of coaching many wonderful kids. I
16 have had the privilege of watching many of them grow
17 from young children to upstanding productive members of
18 our state.

19 More than one youth shooter from our
20 program has competed and won at the state 4-H
21 competitions, as well as nationals. Colorado has a
22 state program that is one of the very best in the
23 nation. This proud tradition, this wonderful program,
24 one that has touched the lives of thousands of kids
25 over the last 30 years is now in jeopardy due to

1 legislation that could render 4-H shooting sports and
2 Coloradoans too risky to field.

3 4-H is the best (inaudible) shooting
4 sport program for many reasons. Most importantly, we
5 are safe, ethical, legal, and right. It is not just a
6 theory, it is the very foundation from which all 4-H
7 has built an active, strong, positive youth
8 organization that has lasted for more than 100 years.

9 4-H shooting sports is (inaudible)
10 one-half of the overall organization and growing. By
11 passing laws forcing us to choose between compromising
12 the very high standards we have set or ending a
13 successful shooting sports discipline out of caution
14 and abiding by a nonsensical law, I, as a 4-H
15 volunteer, fully expect Colorado 4-H shooting sports to
16 begin ending programs.

17 Passing a law creating limited conditions
18 in which youth would be allowed to have access to the
19 guns commonly used in their disciplines would create
20 hardship financially and legally for the kids, and the
21 fine tradition of shooting sports will die.

22 Casey Myers, Fremont County.

23 Like I said, folks, they are worried,
24 worried about the nuances of this bill, worried about
25 the actual implications, not just for those of us who

1 may or may not like to have the 30-round mags, we're
2 talking about -- we're talking about kids, we're
3 talking about shootings sports, we're talking about
4 shotgun capacities, what are they going to be allowed
5 to do and what are they not going to be allowed to do,
6 how is this going to affect their competitions, their
7 shooting sports; they're worried and they have a right
8 to be.

9 We see so much fallout in businesses, but
10 what about other fallout, when we see the reaction of
11 people across this country right now in this
12 legislation, and what they're planning to do, what
13 they're planning not to do in relation to Colorado
14 because of what we're seeing here.

15 We got an interesting e-mail from someone
16 in Iowa. They actually own a home just south of me in
17 Westcliffe down in Custer County, but their main home
18 is in Iowa. It says, I live in Iowa, own a home near
19 Westcliffe. In a time of economic uncertainty, it
20 would be unwise to alienate the hunters and
21 firearm-friendly people that travel to your state
22 annually to spend vast quantities of money; from game
23 tags, to lodging, for dining and groceries, to all
24 kinds of local purchases, as well as discrimination of
25 local businesses.

1 I'm wondering if you have managed to hurt
2 your pocketbook in ways you've never imagined. I took
3 some of the people that work for me and spent
4 February 8th through 10th in your lovely state looking
5 at ranches and property. My wife and I had decided to
6 buy land we looked at not far from Canon City.

7 Today -- this is from February 18th -- we
8 have halted that purchase. Try that again. Today,
9 back on February 18th, we have halted that purchase.
10 There is no way -- there is no way we're going to
11 support a state that believes our rights to
12 self-defense should be limited.

13 We won't buy your elk tags. We won't use
14 your outfitters. We won't buy our gear in your stores.
15 We won't buy your gasoline and diesel for our vehicles.
16 We won't shop in your stores, stay in your hotels, and
17 we won't be eating in your restaurants, your local
18 businesses won't enjoy revenue earned from our
19 purchases, and the state won't collect a nickel of the
20 associated tax.

21 Opting to alienate the primary group of
22 people that visit your state for tourism, hunting, and
23 vacationing seems inherently foolish and ill-advised.
24 I'm encouraging others to approach your decision to ban
25 weapon magazines to do the same. Congratulations,

1 Colorado. Be careful what you wish for, you may just
2 get it.

3 The exact same story, folks. Folks from
4 Kansas. My name is Fred Hagerman (phonetic). My wife
5 and myself have been looking at homes in the Woodland
6 Park area in hopes of moving our family and my
7 automotive restoration parts business. We have located
8 a couple of homes to look at and had appointments to do
9 so this upcoming week with ReMax there in Woodland
10 Park.

11 However, as of this afternoon, I have
12 canceled those appointments. I am put in a position of
13 having to wait to see if the firearms legislation is
14 passed. Unfortunately, if this passes, I will not be
15 continuing our search for a new location in
16 Woodland Park or any other part of Colorado for either
17 our family or my business. I cannot give up any of my
18 freedoms, liberties, or rights to move there.
19 Fred Hagerman, Kansas.

20 I have several other letters, folks. I'm
21 going to reserve the right to come back and talk about
22 some of those a little bit later and give some of my
23 comrades the opportunity to speak here and so I can get
24 a drink of water. Thank you, Mr. Chair.

25 THE CHAIRMAN: Thank you.

1 Senator Lundberg.

2 SENATOR LUNDBERG: Thank you, Mr. Chair.

3 Mr. Chair, I was expecting today to see
4 some interesting debate and discussion as we went back
5 and forth on the merits or the demerits of these bills.
6 Mr. Chair, I've been a bit surprised that it's been a
7 one-sided argument against the bills, particularly on
8 1224. I wonder, Mr. Chair, if there is any redeemable
9 argument for passing this bill. I haven't heard much
10 here.

11 But I also stand before you today to
12 point out once again how deceptively comprehensive 1224
13 is. Because it states that a large-capacity magazine
14 means a fixed or detachable magazine, box, drum, feed
15 strip, or similar device capable of accepting or that
16 is designed to be readily converted to accept more than
17 15 rounds of ammunition.

18 This is the basic case for a PMAG 10, it
19 holds 10 rounds. Now, it also has a spring, a
20 baseplate, and a couple of pieces around the spring to
21 hold it in place and to feed the ammunition out. But
22 this is it. It holds 10 rounds.

23 So is this a high-capacity magazine or
24 not? One would think it is not. And you have to have
25 this in order to operate the firearm. Without it, the

1 firearm is, as the good senator from Colorado Springs
2 pointed out some time ago, maybe good for a pry bar.

3 Well, is this readily converted -- or
4 convertible to a larger-capacity magazine than 10 or is
5 it not? Now, we've talked about it, but I thought it
6 would be much more appropriate if we demonstrated
7 exactly what we mean by "readily convertible."

8 This is the basic piece. We've removed
9 the baseplate that's right here and the spring and the
10 other two pieces involved. So we take the baseplate
11 off, we take an extension, and again, this was an
12 extension that was printed out on a 3-D printer, so I'd
13 call that readily available, as well.

14 Here's the 10-round magazine, here's the
15 extension. There it is, converted. Your spring, your
16 baseplate, you're in business. That, ladies and
17 gentlemen of the senate, is, in fact, something that is
18 readily convertible. Hence, this is a high-capacity
19 magazine. This, according to the terms of
20 House Bill 1224, is illegal.

21 Is anybody listening out there who is
22 going to be voting? Are you going to be voting to make
23 this illegal? 1224 makes the standard
24 smaller-capacity -- actually, if they have a smaller
25 one, it doesn't take much to clip on enough to put more

1 than 15 rounds in, they're all illegal, that's the way
2 1224 works.

3 Don't fool me with some rhetoric that the
4 smaller magazines are acceptable, they are not. This
5 bill makes all of these magazines illegal. It renders
6 the weapons completely inoperable by legal standards
7 for the state of Colorado.

8 And I would also point out, the counsel I
9 got from a -- a criminal defense attorney from Longmont
10 who noted that there's no way a DA could establish when
11 you built this. Hence, as evidence, they take the
12 weapon.

13 And by the practice of the law here in
14 Colorado, you don't go to court, you plea bargain. And
15 by his analysis, the most normal standard expected plea
16 bargain would be they drop the charges, they destroy
17 the weapon, the totally legal weapon, except they just
18 couldn't figure it out because you didn't have that
19 receipt for this piece that you built on your own. Is
20 this really the kind of law we are expecting the people
21 of Colorado to accept?

22 Let me speak a little more -- let me
23 raise my eyes to the people of Colorado. Is this the
24 type of legislation you expect from your senators? Is
25 1224 acceptable law for your day-to-day life? Well, if

1 this senate passes this legislation and it becomes law,
2 the good people of Colorado need to support those of us
3 who will repeal this as soon as we possibly can.

4 THE CHAIRMAN: Senator Baumgardner.

5 SENATOR BAUMGARDNER: Thank you,
6 Mr. Chair.

7 I'm back again. Got a couple more things
8 here that I wanted to bring out, a couple more pieces
9 of mail that I just received. One's from a retired law
10 enforcement officer that wrote me at 4:59 p.m. today
11 and asked me if I'd please read this at the well, and I
12 told him I would.

13 Can I proceed, Mr. Chair?

14 THE CHAIRMAN: Yes, sir, you may proceed.

15 SENATOR BAUMGARDNER: Thank you. Thank
16 you.

17 Senators, in regard to the proposed gun
18 laws before the senate, please vote no on all these
19 laws now being considered. In regard to the 15-round
20 cap for magazines, I am a retired law enforcement
21 officer with 25 years of service. The weapon I carried
22 and trained with for over 25 years holds 17 to 19
23 rounds each.

24 If House Bill 1224 passes, I would be
25 carrying an illegal weapon. I believe all of us who

1 have retired in good standing from law enforcement
2 reserve the right to protect ourselves from the many
3 enemies that we have made over the years while serving
4 in public.

5 In regard to the bill, making
6 manufacturers and sellers liable, again, vote no. This
7 is a knee-jerk reaction to a problem caused by only a
8 few individuals. Only about a dozen persons are
9 responsible for the mass shootings which have taken
10 place in the last few years, most of who have been
11 mentally ill.

12 The millions of people, citizens, who do
13 not break the law of the land should not be punished by
14 the very few who commit these crimes. I am sure that
15 since we get a good many products from China, that we
16 will not be able to go back to China to recoup damages
17 from these manufacturers.

18 I was at Columbine and know that only two
19 persons were involved in those shootings. In regard to
20 guns at colleges, how many rapes have occurred over the
21 last number of years that may have been prevented had
22 weapons been allowed?

23 THE CHAIRMAN: Senator Baumgardner, are
24 you focusing on House Bill 1224, the magazine bill?

25 SENATOR BAUMGARDNER: Thank you,

1 Mr. Chair. I asked for permission to read a letter
2 from someone that had sent it to me. I will try to
3 stay away from issues that might possibly address other
4 pieces of legislation.

5 THE CHAIRMAN: Thank you. Senator
6 Baumgardner, please proceed.

7 SENATOR BAUMGARDNER: Thank you.

8 Over 100,000 people are killed and
9 injured each year in automobile -- in vehicle
10 accidents, many of those children, many times those
11 killed in school shootings. Yet, where is the outcry
12 to ban vehicles from the roads?

13 In just the last few months we have had
14 several hit-and-run accidents in the Denver area in
15 which people have died. It's sad when children die,
16 yet, this is another reaction that only harms
17 law-abiding citizens.

18 Having worked with many major lawbreakers
19 in the past, I can only say that they would be most
20 happy to see the public disarmed. It would give them
21 free reign to commit their crimes without fear of
22 meeting any armed citizens.

23 They don't buy their weapons, they steal
24 them. They rob them from owners who have them legally.
25 Guns by themselves don't kill, only people kill, and

1 many of those need mental help. Thank you,
2 Terry Powell, retired law enforcement officer. He told
3 me I could use his name.

4 I have one final letter, Mr. Chair, if I
5 may proceed.

6 THE CHAIRMAN: Yes, Senator, you may.

7 SENATOR BAUMGARDNER: Thank you.

8 While I am not a resident of the state of
9 Colorado, I do enjoy coming to the state to hunt, fish,
10 and ski. I have been a longtime visitor to your state,
11 averaging two to three trips a year.

12 If House Bill 1224 passes, you can take
13 any money I might have spent and kiss it good-bye. I
14 will boycott your state and encourage everyone I know
15 to do the same.

16 This bill is bad policy. It will not
17 only cost Colorado jobs with businesses picking up and
18 leaving, and have no doubt, they will leave ... The
19 men that own Magpul are honorable and actually do what
20 they say, quite unlike most politicians.

21 I am sure you've heard all the statistics
22 and dollar values that will leave the state. But I
23 personally think that it will be much higher, as folks
24 like myself will totally boycott your state.

25 This bill also will have zero affect on

1 crime of any sort. It is unenforceable as its current
2 language is written. All this bill does is to turn
3 law-abiding citizens into criminals by taking those
4 standard magazines and adapting to them to make them
5 larger. The criminal element will still be able to do
6 and get what they want.

7 This bill will hamstring law-abiding
8 citizens into the fence of their homes and property.
9 He asks once again if we would oppose House Bill 1224.

10 It's just not people in this state, it's
11 people outside this state that say, You know what, if
12 this group of legislation, gun bills pass, we won't
13 come anymore. We'll tell our friends not to come
14 anymore. We won't spend money in your state anymore.
15 Business will leave the state. Unemployment will go
16 up. Then we will be figuring out how we're going to
17 fund more people on unemployment.

18 One final thing here. You know, I,
19 myself, have been getting a lot of these little cards.
20 And they're not just from my district, they're from all
21 over the state. Some of them are from my district.

22 Craig, Colorado; Lakewood, Colorado;
23 Fort Collins; Greenwood Village. Most of these that
24 I've gotten are not in my district, they're here.
25 They're in the cities, they're in the areas where most

1 of the population lives. Grand Lake, Fort Garland,
2 Fort Collins, Littleton, Loveland, Deer Trail,
3 Lakewood, Englewood, Aurora, Greeley, Evergreen,
4 Wellington, Wheat Ridge. Thousands came to me.

5 Am I the only one that are getting these,
6 asking that we seriously consider what we do here at
7 the state legislature? These are the citizens. These
8 are the people that elected us. They're asking us to
9 make a good decision here. They're asking us to vote
10 no on this gun legislation.

11 We're elected to represent our districts.
12 These are -- a lot of these are not in my district.
13 These are the people of the state of Colorado saying,
14 You know what, we need to think about what we're going
15 to do here. We need to think about what's going to
16 happen in the future.

17 These are an outcry not just from my
18 constituents, but constituents of everybody in this
19 chamber from all over the state asking us to make good
20 decisions here. They've asked that we vote no on
21 House Bill 1224.

22 I'll ask you again myself, vote no on
23 1224. This legislation will not address what we're
24 expecting and solve the problems that we expect it to
25 solve.

1 Thank you, Mr. Chair. Thank you,
2 members.

3 THE CHAIRMAN: Senator Lambert.

4 SENATOR LAMBERT: Well, thank you,
5 Mr. Chair.

6 And I would just like to maybe ask a
7 question of the distinguished senator from northwest
8 Colorado in senate District 8. You know, I take high
9 offense when you come up here to the well and talk
10 about knee-jerk reactions.

11 THE CHAIRMAN: Senator Baumgardner.

12 SENATOR BAUMGARDNER: Thank you,
13 Mr. Chair. And distinguished colleague, whose name I
14 shall not mention, I -- I'll try to refrain from making
15 any more comments about those knee things, knee-jerk
16 reactions.

17 THE CHAIRMAN: Senator Lambert.

18 (Inaudible.)

19 SENATOR LAMBERT: Well, thank you. Thank
20 you.

21 Yeah, I'm not sure if he was talking
22 about the knee or the jerk. But, you know, our good
23 senator from Berthoud made an absolutely compelling
24 argument, that this type of technology in this bill is
25 defined as any magazine in Colorado, possession of any

1 magazine is illegal. And therefore, any rifle, any
2 pistol, anything you use that can be adapted with this
3 technology is also illegal.

4 So we're not making too much progress on
5 that, so I think maybe -- let's turn and talk about
6 exemptions. I came up here a little while ago and
7 asked about how -- I mean, this is a question of trust.
8 Let's play a little game here. Who do you trust? You
9 trust people that protect our country, that are trained
10 with military equipment to protect us overseas and to
11 protect us here in Colorado.

12 Do you honestly trust or do you not trust
13 members of our military and former members that have
14 been trained with standard-capacity weapons, even
15 automatic weapons that we're not talking about today,
16 we're talking about semiautomatic, but if they're
17 trained to use exactly the same magazines in fully
18 automatic military weapons, why should they not be
19 allowed to maintain their readiness for our country
20 here within the United States? I move amendment L.032,
21 ask that it be read at length.

22 THE CHAIRMAN: There is an amendment on
23 the desk. Mr. Majors, would you please read
24 amendment L.032.

25 MR. MAJORS: Amendment L.032 to House

1 Bill 1224 by Senator Lambert. (Inaudible) page 4,
2 strike line 16 and substitute subsection 5, "An active
3 duty, reserve, National Guard, or Coast Guard member,
4 or honorably-discharged veteran of the United States
5 Armed Forces, reserves, National Guard, or Coast Guard,
6 or members of their families or," and "renumber
7 succeeding subparagraph accordingly."

8 THE CHAIRMAN: Senator Lambert.

9 SENATOR LAMBERT: Thank you, Mr. Chair.
10 I move L.032 again.

11 Members, this does not take out the
12 current exemptions, it adds one more exemption that
13 says, if you're on active duty in this state, even in a
14 private capacity, if you've been trained with these
15 weapons, you should be able to have at least a magazine
16 that's compatible with the legal rifles, legal pistols
17 that you already own.

18 I also added members of our National
19 Guard which are not currently exempted in this bill
20 because it's talking about active duty military forces,
21 and I don't think the way it's defined, I don't
22 believe, covers the Colorado National Guard, who should
23 always be ready.

24 Plus, our discharged, honorably
25 discharged veterans of the United States armed forces

1 and their families, it's a simple amendment, and I ask
2 for an aye vote.

3 THE CHAIRMAN: Senator Hodge.

4 SENATOR HODGE: Thank you, Mr. Chair.

5 I ask for a no vote. Yes, these are all
6 great and wonderful people, but some of them come back
7 with significant mental health problems, and I think we
8 need to check (inaudible) that first.

9 THE CHAIRMAN: Senator Lambert.

10 SENATOR LAMBERT: Mr. Chair, I really
11 object to the -- this stereotypical viewpoint that all
12 military veterans, all military returnees have mental
13 health problems. Yes, there is --

14 THE CHAIRMAN: Senator Hodge.

15 SENATOR LAMBERT: Excuse me, I have the
16 floor, Mr. Chair.

17 THE CHAIRMAN: There was a long pause, I
18 apologize. Senator Lambert.

19 SENATOR LAMBERT: Thank you, Mr. Chair.

20 Of course our active-duty military people
21 suffer from traumas of war. They have since the Civil
22 War. They have -- they've gone through battle fatigue.
23 They've gone through soldier's disease in the Civil War
24 is what they called it.

25 But to stereotypically say, you know,

1 we're just going to have a blanket policy in this state
2 saying that military veterans who, if they have
3 mentally deficient problems or if they have traumatic
4 stress and they have been diagnosed, they're not
5 eligible to get weapons anyway. It's already part of
6 the law.

7 It does raise the point, are we doing
8 enough for our veterans? Maybe not, but that's not
9 part of this bill. But please don't stereotypically
10 identify military veterans and active-duty members as
11 being disqualified for arms ownership simply because
12 they've served our country.

13 THE CHAIRMAN: Senator Hodge.

14 SENATOR HODGE: Thank you, Mr. Chair.

15 And I did not say all had mental
16 problems, I said some.

17 THE CHAIRMAN: Senator Lambert.

18 SENATOR LAMBERT: Thank you, Mr. Chair.

19 And, of course, those -- that exemption
20 is understandable, again, not part of this resolution.
21 Let's start out with people we should trust in our
22 country. If the bill sponsor would like to put in
23 another clause or put in an amendment, I'd be glad to
24 have that. If by law people have been suffering from
25 combat stress of some sort that is a disqualifying

1 problem in this bill, maybe we should consider that.

2 However, think of the chilling effect on
3 active-duty members living in the state. If the
4 state's going to say, any time that you may come back
5 from overseas with posttraumatic stress syndrome, we're
6 not going to let you have a weapon.

7 They will never self-identify for
8 counseling, for mental health counseling or anything
9 else in the state of Colorado or perhaps anywhere else
10 in the United States. Let's have a little more
11 enlightened viewpoint about our veterans.

12 THE CHAIRMAN: Senator Hodge.

13 SENATOR HODGE: Thank you.

14 I would be happy to work on that
15 amendment with you, kind esteemed senator from Colorado
16 Springs. In the meantime, I ask for a no vote on this
17 one.

18 THE CHAIRMAN: Senator Balmer.

19 SENATOR BALMER: Thank you, Mr. Chairman.

20 Members, I am profoundly disappointed
21 with the way this discussion has turned. Remember that
22 a lot of military personnel that return from a
23 deployment where there are people every single day
24 trying to kill them, the enemy trying to kill them,
25 they come home, they are often not home for very long

1 before our country calls them back to the same
2 battlefield or to a different battlefield.

3 So if it's -- if they are sane enough to
4 fight for our country again on another deployment, why
5 wouldn't they be able to be trusted with a weapon here
6 in the United States of America where we are supposed
7 to have the right to have a weapon?

8 So our military personnel come back to
9 Fort Carson or they come back to one of the other
10 installations in our state, they're often not here for
11 very long before our country calls them back again.

12 So if you want to say that some of our
13 military personnel have mental problems, I believe that
14 was the quote that we're going to settle on, I'm not
15 comfortable with that quote. I think we should
16 completely back up this conversation. We are going
17 down a bad road here.

18 We should have nothing but enormous
19 respect for our military personnel, and understand the
20 fact that they are supremely qualified to handle a
21 weapon because they have received hundreds of thousands
22 of dollars from our country, from our government, from
23 our Department of Defense on how to use weapons
24 properly.

25 No one knows more about weapons than

1 those that have served in the military. So they're the
2 only ones that we could say are completely qualified in
3 every respect on every weapons system that they were
4 trained to be qualified on. There are many people that
5 become qualified in the civilian world, we should be
6 protecting the Second Amendment rights for all of them.

7 This amendment is simply trying to help
8 military personnel. Remember that their families had
9 to withstand the awful separation while they were gone,
10 wondering every night whether or not they're going to
11 be killed.

12 And those families live right here in our
13 communities, whether they be out in Aurora with
14 families that are at Buckley, or Colorado Springs with
15 Peterson and everything down there, with Fort Carson.
16 Those families are here, they're all Coloradoans.
17 They're Americans and they've served our country, let's
18 show them some respect.

19 THE CHAIRMAN: Senator Lambert.

20 SENATOR LAMBERT: Ask for an aye vote.

21 THE CHAIRMAN: The motion before the body
22 is the adoption of Amendment L.032. A division has
23 been called. All of those in the chamber not entitled
24 to vote, please be seated. The motion before the body
25 is the adoption of Amendment L.032. All of those in

1 favor, please stand.

2 Please be seated.

3 All those opposed, please stand.

4 The motion fails. Back to the bill. I
5 have Senator King in the queue.

6 SENATOR KING: Thank you, Mr. Chair.

7 Wow, where do I start here? You know,
8 it's been said that democracy is two wolves and a lamb
9 voting on what's for lunch, and liberty is a well-armed
10 lamb contesting the vote. I'm here on behalf of the
11 lambs because I have seen that the wolves are at the
12 door.

13 You know, one of my -- one of my favorite
14 quotes is, Government is not reason, it is not
15 eloquence, it is force; like fire, a troublesome
16 servant and a fearful master; never for a moment should
17 be left to irresponsible action. President George
18 Washington.

19 It is irresponsible to infringe on
20 law-abiding citizens' rights to self-defense and
21 personal safety. And this administration and the
22 majority party should be held strictly liable for any
23 citizen's inability to protect themselves and their
24 families as a result of this irresponsible action.

25 Another favorite quote. Though defensive

1 violence will always be a sad necessity in the eyes of
2 men and women of principle, it would be more
3 unfortunate if wrongdoers should dominate just men and
4 women. Saint Augustine.

5 We all bring life experience to this
6 chamber. Mine is of violence. Like firemen know fire,
7 I know violence. My whole adult life has been focused
8 on violence: The study of it, the research of it, the
9 investigation of it, the prevention of it, the teaching
10 of it, the litigating of it, the training of it, and in
11 some cases, the use of it.

12 Whether it was Michael Blagg shooting his
13 wife in the head and suffocating his daughter and
14 putting their bodies in the Mesa County landfill for
15 54 days, her body was recovered, the daughter's body
16 was never recovered; or James Richard Drake, who cut
17 the throat of Regina Drake while she slept next to her
18 children, and the list goes on and on and on.

19 And in 30 years of violent crime
20 investigation, I can tell you this: That the amount of
21 rounds for law-abiding citizens, their need to protect
22 themselves and their families, is always one more than
23 the bad guy's got.

24 We should not be limiting law-abiding
25 citizens' abilities to protect themselves and their

1 families. I think to prove my point, or at least make
2 my point, please relax because I want to share
3 information that could save you, could save your
4 family, could save your friends, information about
5 critical incidents.

6 What is a critical incident? A critical
7 incident is any situation where there is a strong
8 possibility of serious bodily injury or death for you.
9 We're going to talk about that and we're going to talk
10 about that what someone goes through during a critical
11 incident.

12 Raise your hand if you've ever been shot
13 at. You know, on TV it's deceiving because you hear
14 the bang -- thank you, sir. That's not what I hear.
15 You hear (indicated), bang. And the (indicating) is
16 the bullet.

17 I heard that sound about 20 years ago.
18 Rookie cop sent to a simple burglary of Rainbow Roller
19 Rink. And as a rookie cop, I did what rookie cops do,
20 you go to the back. You don't go in, you're not going
21 in with the dog, you're not doing anything that's
22 exciting at all, you go to the back and watch the door.
23 And that's what I did.

24 Little did I know that the same two young
25 people that broke into Rainbow Roller Rink had decided

1 that they would leave and go up on a hill in the back
2 of that business. And that's when a 13-year-old
3 gang-banger from Phoenix decided that he was going to
4 impress his cousin by trying to shoot me in the head.

5 You know, during a critical incident, a
6 lot of thing happen. The average person takes in
7 2,000 bits of information a second. You're doing it
8 right now. You're thinking about what I'm saying.
9 You're thinking about how long we've been going.
10 You're thinking about your family. You're thinking
11 about whether the weather is going to change all in a
12 second.

13 During a critical incident, one of two
14 things happens. You drop to 500 bits of information a
15 second. 500 bits of information a second is
16 (indicating) so scared. Or you go to 6,000 bits of
17 information a second. And 6,000 bits of information a
18 second is, you know, it was so weird, I drove up to the
19 intersection, four-way stop, I stopped, and I start to
20 go through it, and I see out of the corner of my eye
21 another car going right through the stop sign. And it
22 was almost like it was all in slow motion all of a
23 sudden.

24 I watched the front of the car collapse.
25 And I'm looking at the windshield and there's just

1 spider webs in front. That is someone that is taking
2 in 6,000 bits of information a second. And that is
3 something that we're going to talk about.

4 I want to talk about rounds and how many
5 rounds a law-abiding citizen should have. You know, I
6 asked the chiefs of police who were in favor of this
7 that very same question. And they said, Well, you
8 know, I don't know. That is a very good question. Do
9 you know that the average police officer today carries
10 52 rounds around his waist? Three 17-round magazines
11 and one in the pipe, 52 rounds.

12 How many people here, raise your hand if
13 you've ever shot someone else, shot someone else. Not
14 a pleasant experience. Pepe Mow (phonetic) was drunk
15 and he was out in front of his girlfriend's house after
16 a domestic violence disturbance. Girlfriend called the
17 police, I showed up, he was gone.

18 Everybody else left after I talked with
19 her, and I left. Not five minutes later the girlfriend
20 calls back and says, He's back and he's got a gun and
21 he's standing out next to my trailer saying how he is
22 going to come in and kill me and the guy that's in the
23 trailer with me.

24 I turn around, I park probably 200 yards
25 from where the trailer's at. And there is this huge

1 dark field that I need to cross to be able to get to a
2 position of advantage. So I start across the field,
3 and every time he stopped yelling, I thought he saw me
4 and I thought I was in fear of losing my life.

5 It's dark, and yet, I can see that he's
6 standing in front of the trailer, he has a gun in his
7 right hand. It's amazing the things you think about as
8 you're going through that. There was a small dirt
9 hill, and he's probably 40 yards -- 25, 30, 40 yards
10 away from me.

11 I go up behind him and tell him to drop
12 the gun. And it was like it was in slow motion. I saw
13 him turn, look at the trailer, look over his shoulder
14 at me, look back at the trailer, start to lift the gun
15 and turn towards me.

16 I fire one shot, uh-oh, muzzle flash, I
17 can't see. Sound distortion, sounds like my gun just
18 misfired, just a pop, and yet, I could hear the brush
19 under his feet, still all in slow motion. Fire four
20 more times. Back then police officers carried
21 18 rounds, and you're supposed to count your rounds. I
22 didn't, I was scared.

23 And I'm thinking, I hope I don't have to
24 reload in the dark after muzzle flash. Please, God,
25 don't make me reload. Fortunately for me, one of those

1 rounds hit him and he went down. Fortunately for me,
2 and dealing with PTSD, he lived. And he was nice
3 enough to tell the paramedics that if I'd have come out
4 from behind the hill that I was standing behind, that
5 he would have shot me. So that takes away all of my
6 guilt of shooting him.

7 And I'd start to wonder -- and the reason
8 I'm sharing this story with you is because that was a
9 critical incident. And can you imagine what an
10 untrained law-abiding citizen would be going through if
11 they had to deal with something like that?

12 You know, I've had the distinct honor of
13 working with Lieutenant Dave Grossman. In fact, let me
14 give you a little bit of background so that you
15 understand why we're talking about this in reference to
16 the amount of rounds that law-abiding citizens should
17 be able to carry.

18 Lieutenant Dave Grossman is a former West
19 Point psychology professor, professor of military
20 science, an Army Ranger who has combined his experience
21 to make revolutionary new contributions to our
22 understanding of killing in combat, the psychological
23 costs of combat, and the root cause of the current
24 virus of violent crime in our society.

25 He is the author of "On killing," which

1 was nominated for a Pulitzer Prize. He on the
2 U.S. Marine Corps commander's required reading list.
3 And it's required reading for the FBI academy and
4 numerous other academies and colleges.

5 Colonel Grossman's most recent book, "On
6 Combat," has also been placed on the U.S. Marine Corps
7 commandant's required reading list. He has presented
8 papers before the national convention of the American
9 Medical Association, the American Psychiatric
10 Association, the American Physiological Association,
11 the American Academy of Pediatrics.

12 He has presented at over a hundred
13 different college and universities worldwide, and has
14 trained educators and law enforcement professionals in
15 the field of school safety -- and that's where I met
16 him, debriefing a school shooting -- in all 50 states,
17 and just finished his last book, "Stop Teaching Our
18 Kids to Kill: A Call to Action Against TV, Movie, and
19 Video Game Violence."

20 I want to talk a little bit about
21 phobias. You know, there hasn't been a ton of research
22 done on phobia. But what we have found is that
23 15 percent of the population, 15 percent of the
24 people -- thank you, sir -- 15 percent of the people in
25 this room would have a phobia if I dropped a large

1 bucket of snakes right there. 15 percent of the people
2 in this room would have an immediate response, eyes to
3 feet to door. I'm outta here. I'm outta here.

4 And that message shoots directly to their
5 eyes and their feet. No conscious thought, running to
6 the door, probably leaving a trail of unnecessary body
7 mass right behind them.

8 However, we have found that there is one
9 universal phobia that we all have, a universal phobia,
10 and that is violence, human to human, corrosive,
11 destructive violence. 98 percent of the people in this
12 room, if someone walked through that door and shot me
13 in the chest, would have a phobic response. And the
14 other 2 percent are mentally ill.

15 Human-to-human violence is devastating.
16 It devastates us. It shatters us. It causes us, as
17 humans, to be broken people. So what happens during a
18 critical incident. If you've ever been through one,
19 you know what happens for you, heart rate immediately
20 goes from 80 beats a minute to 120 beats a minute to
21 140 beats a minute. Over 140 beats a minute your
22 complex motor skills start to go away. You can't do
23 things because your complex motor skills are gone.

24 Think about that in reference to loading
25 a magazine, to defending yourself. 160 beats a minute,

1 you have auditory exclusion. You don't hear things as
2 well at 160 beats a minute. You have loss of near
3 vision. You can't see very good up close. That could
4 be a problem trying to reload a magazine. That could
5 be a problem trying to get a sight picture to defend
6 yourself.

7 170 beats a minute, you lose depth
8 perception, you lose peripheral vision. In other
9 words, you get tunnel vision. You can see straight
10 ahead, that's it. You have vasoconstriction. Think
11 about that. They were as white as a ghost. That's
12 because your body is responding by drawing all of that
13 blood into the internal organs and away from the skin.
14 White as a ghost, vasoconstriction. And at 200 beats a
15 minute you lose your cognitive processes, they
16 deteriorate.

17 Now, this is where I would really like
18 you to listen because I care about you and I care about
19 your family. There's no one in this room that can make
20 their heart rate go to 180 beats a minute, can't do it.
21 But can you bring it down?

22 THE CHAIRWOMAN: Senator King?

23 SENATOR KING: Yes, ma'am.

24 THE CHAIRWOMAN: Is this relevant to --

25 SENATOR KING: Absolutely, ma'am.

1 Absolutely relevant to the idea that citizens should
2 not be limited in their ability to protect themselves
3 no matter how many rounds they feel they need to
4 protect themselves. And I will continue because it's
5 relevant to your life and your safety.

6 The only way that you can overcome a
7 critical incident -- and that doesn't mean it's a
8 shooting. That could be a fire. That could be a heart
9 attack by the person right next to you. That could be
10 someone choking, a chemical spill, you name it. SIDS,
11 critical incident for your child.

12 So you're right, Madame Chair, in
13 reference to those others, it is not relevant. In
14 reference to the idea that you need to reload a gun for
15 your own personal safety and the safety of your family,
16 it is absolutely relevant.

17 Your able to lower your heart rate, your
18 ability to get over the fact that you're in the middle
19 of a critical incident is the difference between you
20 living and you dying, the difference between someone
21 you care about living or them dying, the difference
22 between (indicating) so scared and taking action.

23 In 2011 there were three homicides in the
24 state of Colorado from semiautomatic rifles with these
25 type of magazines. There were 22 homicides with an

1 edged weapon. There were 20 homicides with a hammer.
2 And yet, we are looking at telling law-abiding citizens
3 that you can't decide. Cops can have 52 rounds around
4 their waste, we're going to limit you to 15.

5 You start thinking about all of the
6 things involved in a critical incident when it comes to
7 saving your family and your life during -- well, let's
8 talk about home invasion. You're outnumbered, maybe
9 they have weapons. You know, I really do think an
10 edged weapon is a great personal safety tool.

11 But what if that bad guy has made the
12 mistake and brought a knife to a gun fight, but he does
13 happen to cut you. What if it happens to be on your
14 hand, your right hand? The idea of reloading your
15 weapon now that you've been injured, along with
16 180 beats a minute, along with the fact that probably
17 this is in low-light conditions, along with the fact
18 that you've never been through this before, along with
19 the fact that you're worried about your family, along
20 with the fact that you're worried about dying, along
21 with the fact that if you've fired a round, you now
22 have a visual problem, you might have a hearing
23 problem, you might have a tunnel vision problem.

24 That is just one of your problems. The
25 other would be, what if there's more than one? These

1 cowards don't run by themselves. Like hyenas, they go
2 in packs. The idea here is that you need to do the
3 things that you need to do to feel safe and secure, to
4 be able to defend yourself and your family.

5 Let's take it one step further. What
6 if -- what if they are like the California bank
7 robbers, well planned, well executed, but it's a home
8 invasion. What if -- what if they've got one of these?
9 Then how many rounds do you need? What if they're
10 wearing body armor? That's why cops carry 52 rounds
11 around their waist.

12 And should our citizens be any less able
13 to protect themselves and their family?

14 I say no. I say that citizens, like
15 police officers in this country, should have every
16 right to have as many rounds as they possibly could
17 want to make themselves feel safe and secure. They
18 should have as many semiautomatic rifles, 22 -- oh,
19 wait, that's an assault -- oh, wait -- 22 through M 16.

20 I think that that is not only good common
21 sense, but that is your right. And the idea that we
22 are starting to limit the ability of our law-abiding
23 citizens to do that, here we go again, is
24 dysfunctional.

25 The idea that we're making an argument

1 with I don't know how many millions of these magazines
2 in the United States -- and ladies and gentlemen, I'm
3 32 miles from Utah. The ability to just go across that
4 border and go into Green River, Utah -- and to think
5 that we're doing anything other than making a political
6 statement, that's what's going on here, it's a
7 political statement, because it's dysfunctional, it
8 doesn't work.

9 Millions of these magazines, we're
10 surrounded by them, and yet, we want to tell our
11 citizens, oh, no, no, no, we're going to limit your
12 ability to protect yourself and your family, you're law
13 abiding. And these animals, these wolves at the door
14 who don't play by the rules, who go out of their way to
15 make it hard for you, that are cowards, that will take
16 every advantage against women and children, they don't
17 have rules, there are no rules.

18 That type of violence is what I've spent
19 my life studying, what I have spent my life dealing
20 with. That is the reason that I am up here sharing
21 with you my life's work, so that you don't have to and
22 so that you have that life experience. Because in my
23 world, good gun control is two to the body and one to
24 the head. That is sad, but that is what violence is.

25 Our citizens should be able to protect

1 themselves and their families, they're law abiding,
2 they have done nothing wrong. And this idea that we're
3 making a political statement at the expense of our
4 citizens is unconscionable.

5 It's sad and it is a situation where we
6 will rue the day that we started down this road, this
7 political statement road of dysfunctional laws that
8 don't work, that are nothing more than talk, that don't
9 reduce violent crime, that don't make our citizens
10 safer from domestic violence, from other types of
11 violence, from home invasions, from robberies, from
12 rapes.

13 Ladies and gentlemen, we've got choices
14 here. The nation's watching us. And quite frankly,
15 the world is watching us, our gun battles. Well, I
16 hope I didn't just wreck my political career there.
17 Our gun battles. You know, it ...

18 And if we had any evidence-based
19 information to say, Oh, yeah, this will reduce violent
20 crime by this amount, but it's not, it's hype. It's a
21 political statement. It has no -- no basis in reality
22 that you think that we outlaw these in Colorado, that
23 anyone will be safer. Millions, we're surrounded by
24 them.

25 Sad, it's sad that we've come to this

1 because we're not solving problems. It's almost
2 12 hours and we've solved one problem, and it has to do
3 with the ability to use video to get a concealed carry
4 permit, or TV, 12 hours.

5 Evidence-based decision-making,
6 evidence-based problem-solving, we're not doing that.
7 We're doing emotional-based decision-making. I'm so
8 scared based decision-making, I want you to be scared
9 based decision-making instead of telling our citizens,
10 You do what you need to do to protect yourself and your
11 family.

12 You're a law-abiding citizen, you deserve
13 that respect. You know what's best for you and your
14 children and your wife and those people you care about.
15 You, not the government, not the state of Colorado, and
16 not the senators in this room. And all for a political
17 statement. Vote no on this legislation.

18 THE CHAIRMAN: Is there any further
19 discussion? Senator Harvey. There wasn't one listed.

20 Senator Hill.

21 SENATOR HILL: Thank you, Mr. Chair.

22 Mr. Chair, I move Amendment L.031.

23 THE CHAIRMAN: There's an amendment on
24 the desk. Mr. Majors, would you please read amendment
25 L.031.

1 MR. MAJORS: Amendment L.031 to
2 House Bill 1224 by Senator Hill. Amend (inaudible)
3 bill, page 4, strike lines 19 through 24, (inaudible)
4 paragraph accordingly.

5 SENATOR HILL: Thank you, sir.

6 THE CHAIRMAN: Senator Hill.

7 SENATOR HILL: This is a pretty simple
8 bill -- or pretty simple amendment. We have a real
9 problem growing here, that if -- as I started to look
10 at the these exemptions, as I started to look at the
11 many different legitimate cases where this was going to
12 restrict someone's opportunity, I realized we have a
13 growing divide.

14 We have a growing divide between what the
15 average citizen of Colorado is going to have to abide
16 by and what the military industrial complex is going to
17 have to abide by. This is absolutely a threat to our
18 civil liberties going forward. We've had many talks
19 about this. If it's good for the goose, it's good for
20 the gander. If it's good for the goose, it's good for
21 the military industrial complex, as well.

22 This will remove exemptions from this
23 bill and ensure that if we are going to limit the
24 citizens of Colorado, we are going to limit everybody
25 in Colorado. I ask for an aye vote.

1 THE CHAIRMAN: Is there any further
2 discussion? Senator Hodge.

3 SENATOR HODGE: Thank you. I just ask
4 for a no vote.

5 THE CHAIRMAN: Is there any discussion?
6 Seeing none, the motion before the body -- oh, Senator
7 Brophy. Senator Brophy.

8 SENATOR BROPHY: Thank you, Mr. Chairman.

9 And I really think that the people of
10 Colorado deserve to hear from the proponents of this
11 bill why this amendment is a bad idea. Because it
12 appears to those who are still watching that the
13 proponents must think that law enforcement officers
14 would need more than 15 rounds in a dangerous situation
15 with one or more bad guys challenging them, threatening
16 their lives, threatening the lives of the citizens that
17 they are sworn to protect. It makes sense to me they
18 do. They may face more threats than you can handle
19 with 15 rounds.

20 But guess what, so can every other
21 law-abiding citizen in the state of Colorado if they're
22 faced with more threats than 15 rounds can handle. It
23 seems that the people of Colorado need to hear from the
24 proponents of this bill why the law enforcement
25 community can justify 15 rounds and 16 rounds and the

1 rest of us cannot.

2 THE CHAIRMAN: Senator Lundberg.

3 SENATOR LUNDBERG: Thank you, Mr. Chair.

4 I believe this amendment, and I'm
5 supporting this amendment, I believe it makes as much
6 sense as the bill does. And so if you're going to
7 support the bill, you have no reason to not support the
8 amendment.

9 But I would also point out that the way
10 the bill reads is, the PMAG 10 is illegal because it's
11 readily converted. I commend the senator from El Paso
12 for bringing this before us to point out how much sense
13 this bill makes.

14 So do you think that there should be a
15 limit? Okay, make it a limit. Either that or tell the
16 people of Colorado, you're second class. Tell that to
17 the constituent that came to me who's from Livermore up
18 in northern Larimer County who told me that he's about
19 an hour away from any emergency services.

20 And he told me specifically, he said,
21 I'll tell you how many rounds I want in my magazine,
22 that's one more than the guy who's facing me. If it's
23 good for him, it's good for the cop who shows up
24 defending him.

25 I think the senator from Wray is quite

1 correct, if there's any reason to vote no other than
2 raw political power, let's hear it.

3 THE CHAIRMAN: Senator Marble.

4 SENATOR MARBLE: Thank you, Mr. Chair.

5 I believe this is an appropriate
6 amendment. And I would definitely vote yes. What's
7 good for the people are good for everyone. It stands
8 to reason that we should all be treated equally.

9 And I am a Marine mom. I do have friends
10 who are in law enforcement, best friends. But I think
11 we all stand together when it comes to the audacity of
12 this bill and its genesis. At some point we have to
13 make the statement that it's just wrong.

14 When we look at Colorado as one of the
15 lowest ranking gun murder death rates in the nation,
16 it's ranked 13th, compared to the District of Columbia
17 that's ranked 50th with 16.5 gun murders per hundred
18 thousand, compared to our 1.3. I mean, even 1.3 is way
19 too many, but I think we all stand together on this,
20 and I urge your support for this amendment.

21 THE CHAIRMAN: Senator Renfroe.

22 SENATOR RENFROE: Thank you, Mr. Chair.

23 Members, I rise in support of this
24 amendment. And a lot of times when we do things here,
25 we look at how things are done around the country and

1 we hear all the time, We do this because, well, other
2 states are doing this, other states are proposing this.

3 This is the way this bill I think was
4 originally drafted, not having a law enforcement
5 exemption in it. If you go back and look at what
6 New York did and what Mayor Bloomberg wanted in his
7 bill, that's exactly what they did. They didn't exempt
8 their police from having high-capacity or
9 standard-capacity magazines.

10 And the uproar came and the police
11 screamed, We need to be able to protect ourselves,
12 self-defense. Why is it good for law enforcement and
13 not good for a law-abiding citizen? This is exactly
14 the way this bill was probably supposed to be drafted,
15 or should have been, shouldn't it have? I ask you to
16 support this amendment, Mayor Bloomberg would.

17 THE CHAIRMAN: Senator Scheffel.

18 SENATOR SCHEFFEL: Thank you,
19 Mr. Chairman.

20 Colleagues, I'm going to support this
21 amendment, as well. You know, it was just a little bit
22 ago that we tried to expand the exemption, that didn't
23 work. And so now the argument that what's good for the
24 goose is good for the gander, that resonates with me.
25 Let's level the playing field.

1 If there is a legitimate basis for the
2 magazine limitation, then this endorses that view, and
3 let's level the playing field. Let's not give a
4 special exemption. If the limit is good for the
5 regular citizenry, then it ought to be good for
6 military, et cetera, and let's make it even-handed
7 across the board.

8 I somehow think that this vote will belie
9 the inconsistency on how we're thinking about this, but
10 that's worth doing. I ask for an aye vote.

11 THE CHAIRMAN: The motion before the body
12 is the adoption of Amendment L.031. A division has
13 been requested. All of those in the chamber who are
14 not entitled to vote, please be seated.

15 The motion before the body is the
16 adoption of Amendment L.031. All those in favor,
17 please stand.

18 Please be seated.

19 All those opposed, please stand.

20 The motion fails. Back to the bill. I
21 have Senator Lundberg in the queue.

22 SENATOR LUNDBERG: Thank you, Mr. Chair.

23 Members, on Monday in the judiciary
24 committee we had a very limited amount of time.
25 Hundreds of citizens came to speak their mind, very few

1 were allowed to because of the time constraints. And I
2 bring to you the testimony of a lady who I could see
3 she was incredibly frustrated in the audience, and I
4 went and talked to her, and she said, Here's my
5 testimony.

6 Well, Senate, here's the testimony: My
7 name is Karen Murray. I am here representing my family
8 and all of my freedom-loving friends who couldn't be
9 here today. I'm here to speak out in opposition to all
10 of these bills.

11 I'm a mom, who under the Second
12 Amendment, has the right to protect myself and my
13 family. I don't believe any law should limit what
14 types of firearms I can use for that purpose or how
15 many rounds of ammunition I might need in any given
16 scenario.

17 I, too, was shocked and saddened by the
18 tragedy of Sandy Hook and too many others like it. You
19 believe that tighter gun laws are the answer, I do not.
20 Our actions must be focused on the root of the problem,
21 the erosion of our moral fiber, kids that have been
22 desensitized through hours of violent video games, and
23 a complete failure of our system to recognize and deal
24 with people who show signs of dangerous behavior are
25 all contributing factors in this ongoing debate. But

1 somehow it end up being about guns and high-capacity
2 magazines.

3 The term "slippery slope" that is often
4 used on this side of the issue refers to what doors are
5 being opened or what precedents will be set in the
6 future. But what about now? Magpul has made it very
7 clear that they will pull out of the state of Colorado,
8 taking revenue and jobs with them. And other companies
9 will follow suit in not doing business here.

10 Will it also create more division within
11 our communities? Will it cause Coloradoans to move to
12 more gun-friendly states where they can still use their
13 favorite shotgun when they go hunting? Will it mean
14 loss of revenue from tuition at public universities
15 where concealed carry is not permitted? No one knows
16 for sure.

17 But the sentiment among my friends and
18 family is that, and this one is in quotes, This is the
19 last straw. Most of the people in my life have said
20 that they've have enough of this gun-grab mentality and
21 are moving out of Colorado -- and moving out of
22 Colorado is a viable option for them.

23 This is not about guns. This is about
24 control. This is about an antigun agenda where the end
25 game is to completely disarm every American citizen.

1 Aren't the 20,000 gun laws that are
2 already on the books enough? If this were all about
3 public safety, wouldn't our speed limits be lowered
4 again to 55 miles an hour so we could save just one
5 life? Speed-related highway fatalities far outnumber
6 those killed in mass shootings each year.

7 I am a conservative. I speak out. I
8 change minds. And most importantly, I vote. I urge a
9 no vote on all of these bills. Thank you.

10 Well, I have this to say to Karen,
11 Karen Murray, who wrote that, Amen. And I move
12 amendment 27.

13 THE CHAIRMAN: There's an amendment on
14 desk. Mr. Majors, would you please read Amendment
15 L.027.

16 MR. MAJORS: Amendment L.027 to
17 House Bill 1224 by Senator Lundberg. Amend (inaudible)
18 bill, page 2, strike line 1.

19 THE CHAIRMAN: Senator Lundberg.

20 SENATOR LUNDBERG: Thank you, Mr. Chair.
21 This one's kind of simple. It takes out
22 one line.

23 THE CHAIRMAN: Senator Lundberg, would
24 you like to move your amendment?

25 SENATOR LUNDBERG: I did, but I will move

1 it again.

2 THE CHAIRMAN: Well, thank you.

3 SENATOR LUNDBERG: I move Amendment
4 L.027, which removes the enacting clause, it kills the
5 bill. And this is a straight-up vote, yes or no.

6 We have listened for the last, what,
7 five hours, and we have heard an overwhelming
8 preponderance of the evidence that this bill is a bad
9 bill. This bill is poorly written. It somehow
10 captures all of the magazines out there or virtually
11 all and declares them illegal, thus, rendering all of
12 the firearms that require these magazines to be legally
13 inoperable. It makes exemptions for some, but not for
14 the people of Colorado.

15 And hour after hour after hour after hour
16 we have passionately argued these points. And we've
17 essentially heard a deafening silence from the
18 proponents of this legislation. They have only one
19 strong argument, and it might be 20 votes. And I call
20 that raw political power.

21 I'd like to hear some legitimate
22 arguments as to why this bill should not die right here
23 and right now by accepting Amendment 27. You're on.

24 THE CHAIRMAN: Senator Hodge.

25 SENATOR HODGE: Thank you, Mr. Chair.

1 I ask for a no vote. This kills the
2 bill.

3 THE CHAIRMAN: Senator Lundberg.

4 SENATOR LUNDBERG: Thank you,
5 Mr. Lundberg (sic), Mr. Chairman, whoever it is, it's
6 almost 12 hours now.

7 I think the argument is clear, there is
8 none, only raw political power. Exercise it while
9 you've got it, but it won't last.

10 THE CHAIRMAN: Is there any further
11 discussion on L.027? Seeing none, the motion before
12 the body is the adoption of the amendment. A division
13 has been requested. All those not entitled to vote in
14 the chamber, please be seated.

15 The motion before the body is the
16 adoption of amendment L.027. All those in favor,
17 please stand.

18 Please be seated.

19 All those opposed, please stand.

20 The motion fails. Back to the bill.
21 Senator Harvey.

22 SENATOR HARVEY: Thank you, Mr. Chair.

23 I want to thank all of my colleagues who
24 have been up here and have spoken so eloquently,
25 especially Senator King.

1 We've been up here talking about how this
2 bill is going to impact businesses, how it's going to
3 impact the economy. We have a chart here showing all
4 of the businesses that are going to be impacted by this
5 bill. Look at them.

6 But what does that represent, those dots
7 on this map up here? It's more than just companies,
8 it's people, it's families. And I have a letter here
9 from a gentleman in Colorado who has asked me to give
10 his two cents from the employees' perspective.

11 It says: Hello, my name is
12 Edgar Entelione (phonetic), however you pronounce it.
13 I will start by writing a little bit about my
14 background. Both of my parents came to Colorado in
15 1980 from Chihuahua, Mexico.

16 My parents came to this country not to
17 leave a tyrannical country, nor to escape communism.
18 My parents came to this great nation because of its
19 economic opportunities. A large part of my family soon
20 followed my parents. I suspect that many Hispanic
21 families came to Colorado for economic prosperity.

22 I do know a large group of Mexican
23 immigrants that are gun enthusiasts, but I will concede
24 the fact that guns are not the reason they came to the
25 United States. They're here to work.

1 I've seen many news reports about Magpul,
2 the Colorado-based company that will leave if
3 House Bill 1224 is passed. In these news reports, I
4 couldn't help but notice the amount of Hispanic faces
5 I've seen working for Magpul.

6 After seeing the video clips of the
7 hard-working Hispanics, it reminds me of my mother, my
8 cousins, uncles, and aunts who came to Colorado to
9 become successful, success many Hispanics may not see
10 if House Bill 1224 passes.

11 I'm a first-generation born American, a
12 Colorado native, a gun enthusiast and a Hispanic.
13 Let's step away from the impact 1224 will have on my
14 gun rights, and let's focused on how House Bill 1224
15 will put on hold many Hispanic dreams.

16 I know I am preaching to the choir when I
17 say that Hispanic families often work harder and earn
18 less, but I always maintain focus -- but they always
19 maintain focus on their goals.

20 House Bill 1224 will force many Hispanic
21 families to put their goals aside. Those working to
22 buy a house, a new car, pay for college will now have
23 to fill out an unemployment form when all of these
24 businesses on this map leave the state.

25 Many of you have supported lower tuition

1 fees for undocumented students. And now that support
2 will be in vain if you push a company as big as Magpul
3 away. This year President Obama has finally
4 acknowledged the need for immigration reform. But this
5 year, Colorado's legislature could potentially render
6 that reform useless, as immigrants will have no
7 incentive to be in Colorado.

8 Your push for driver's licenses for those
9 who are undocumented, your push for access to higher
10 education for those who are undocumented, and your
11 support for immigration reform will have little effect
12 if at the same time you create a higher Hispanic
13 unemployment rate. Some reports state that current
14 Hispanic unemployment is above 10 percent.

15 The Hispanic community cannot afford to
16 lose more jobs. Hispanic children cannot afford to see
17 their parents lose another job. Hispanic families
18 cannot afford to live in economic uncertainties.

19 I cannot ask you to forget my gun rights,
20 but I ask you to remember those who will suffer from
21 your yes vote. Folks like your mothers, fathers,
22 grandparents, cousins, uncles, remember the Hispanic
23 families that will live in deeper poverty because of
24 political agendas. Please keep Hispanic families
25 employed, keep Hispanic dreams alive. Please vote no

1 on House Bill 1224. I couldn't agree more.

2 THE CHAIRMAN: Senator Baumgardner.

3 SENATOR BAUMGARDNER: Thank you,
4 Mr. Chair.

5 Earlier this evening the -- I received a
6 text from one of my constituents and was reminded that
7 even though it had been touched on a little bit, maybe
8 we need to talk about it a little more is, out in rural
9 Colorado when someone gets in trouble, sometimes it
10 takes a little longer than a couple of seconds or a
11 couple of minutes for law enforcement to respond.

12 Has anyone in the room ever been to
13 Massadona, Colorado? What's there? Never mind.
14 Massadona is about halfway between Craig, Colorado, and
15 Dinosaur. There's a couple of houses there. There
16 used to be a restaurant/bar there. That Massadona,
17 yes.

18 So I guess if you want to look at a
19 situation, hypothetical situation that someone was
20 trying to break in to one of those houses in Massadona
21 and they had to wait for law enforcement to respond,
22 that's about 45 miles from Craig, Colorado. It's also
23 about 45 miles from Dinosaur, which does have a
24 sheriff's office annex. But the time to get there is
25 going to be a little longer than a couple of minutes or

1 10 minutes or 15 minutes.

2 Do not the people that live in these
3 remote areas have the right to protect their-self? As
4 the senator from Grand Junction said at one point in
5 time, How many more rounds do you need to protect
6 yourself, that's one.

7 If that's all you have to protect
8 yourself is a weapon that has more than 10 rounds,
9 knowing that it's going to take law enforcement time to
10 get there, do they not have the right to have as many
11 rounds as they need to protect their-self?

12 The other thing that was touched on a
13 little, but was not touched on a lot, was farmers and
14 ranchers that possibly might have a type of firearm
15 that has more than a 10-round magazine or 15-round
16 magazine.

17 These guys go out to check their cattle
18 miles from home. And when they're calving, the coyotes
19 are out there, and sometimes it may take more than
20 one shot. I'm a fair shot, but you get three or four
21 or five of them out there trying to get your calves,
22 you need something that you may need more than
23 15 rounds to take care of those predators.

24 Just something to consider when we're
25 talking about banning magazines that hold more than

1 15 rounds, or if you want to call them standard
2 magazines because that's what they are for certain
3 types of firearms that are out there.

4 So are you going to take that farmer's or
5 rancher's right away from them to protect their
6 livelihood? This is how they make their living. This
7 is what they're doing, is protecting their flock. Is
8 that what we want to do, is to say, You know what, we
9 appreciate the produce that you bring to Colorado, but
10 you know what, if it takes more than 15 rounds to
11 protect that, that's okay.

12 Do you know what a cow is worth right
13 now? It's worth a lot of money. It's worth about a
14 dollar and 83 a pound. You lose very many of that --
15 very many of those, you can lose thousands of dollars.

16 And there's predators out there, there's
17 mountain lions, there's coyotes. You have the right to
18 protect what is yours. And sometimes you need more
19 than 15 rounds to protect that.

20 So that's just another aspect that we
21 need to think about. When you do this, you're not only
22 affecting people that just want to have this as a
23 constitutional right, because it is their right, but
24 you're also taking away the availability to protect
25 your family and to protect your animals.

1 But again, I had somebody ask me to bring
2 that up. Didn't know if it had been brought up a lot
3 or not, but thought that we would just reinforce that.

4 Thank you, Mr. Chair and members.

5 THE CHAIRMAN: Senator Renfroe.

6 SENATOR RENFROE: Thank you, Mr. Chair.

7 Mr. Chair, I rise in opposition to this
8 bill. And I think it's pretty clear where we are after
9 our last division vote, but that just gives us the
10 chance to move forward from here and see if we can make
11 some arguments to change a few minds and save a few
12 jobs in the state of Colorado.

13 Earlier I came up and read a letter from
14 a company that has been here for 36 years. When we
15 were out getting dinner later on, I met someone
16 associated to the company, and I didn't know they were
17 here.

18 And they said, You know, that is truly a
19 family-owned business, this Lawrence Tool. The dad
20 started it, his daughter is working there, son-in-law
21 working there, it is truly a family-owned business.
22 36 years.

23 And by passing a bill that can't be
24 enforced except for, I guess unless you take it to what
25 it truly is doing, in banning every single magazine in

1 the state, that should make it pretty easy to enforce,
2 you would think, except we're grandfathering existing
3 in, so back to that, it's a circular argument of how do
4 you enforce.

5 The question becomes why? What's the
6 motive? What's the goal? Is it about safety? We sure
7 haven't heard very many people come up here and talk
8 about safety except from people opposed to the bill
9 talking about how having the opportunity to defend
10 yourself is what increases safety. Not restricting you
11 to less than what, as the senator from Mesa said, a
12 wolf would have.

13 Let me talk to you about another company
14 since we're looking at another long list of companies
15 that will leave. This is one we haven't talked about,
16 this is another one. US Precision Mold is a small tool
17 and die manufacturing facility that builds plastic
18 injection molds. In the past few weeks we have become
19 very -- the past few weeks has become very uncertain
20 for us.

21 You know, the senator from Boulder talks
22 about being in business a long time, and I know that he
23 has been in business a long time. Uncertainty is not
24 what a business wants. It's not what our market wants.
25 Whenever we hear uncertainty, it seems the market's

1 dropped. That's what we're creating with this bill.

2 They are continuing in a path of uncertainty.

3 They have a relationship with Magpul.

4 They provide products to them. As a result of that
5 relationship, they've purchased more than \$525,000 in
6 manufacturing equipment to meet the needs of Magpul and
7 other customers.

8 I bet that we could figure out what the
9 business personal property tax is on that equipment.
10 Look what that's doing to Arvada. That's where this
11 company is located, the city of Arvada.

12 With the passage of this bill, we will be
13 forced to lay off 50 percent of our current workforce.
14 There we go, jobs, jobs, jobs leaving Colorado again.
15 And these are very highly skilled jobs, earning between
16 65- to \$80,000 a year.

17 I don't think the governor would laugh
18 about \$65,000-jobs leaving the state. I would hope he
19 would not laugh about that. I would hope he wouldn't
20 laugh about any job leaving the state.

21 US Precision Mold is a home-grown
22 company. They write in here, this is kind of amazing,
23 There have been many sleepless nights, long hours, and
24 lost weekends to create our business out of nothing.
25 I've seen those nights with my father in our business,

1 and I'm sure this is true for them in their business.

2 But, of course, there's some -- maybe we
3 shouldn't even read this letter because obviously,
4 there's some out there that would say they didn't build
5 that. So let's just disregard this company, we can let
6 them go because they didn't build it. And we could sit
7 up here and we could make jokes like that all we want.
8 But the reality is, this is a real company with real
9 jobs.

10 We would consider the passage of this
11 bill and a front to the business community while
12 producing yet more dependence on government handouts
13 with people losing their jobs. Thank you for taking
14 the time to listen to our voice in your final decision.

15 I hope you listen to that and their
16 voice, because what I have here is, this is the list of
17 citizens that signed up to speak in judiciary committee
18 on Monday. And I know we've been reading testimonies
19 of people that didn't get the opportunity to speak
20 because of the pace that these were heard.

21 On the signup sheets here, 34 people
22 showed up in support of this measure, with 16
23 testifying. In opposition there were 238 people that
24 came to the capitol and waited hours and hours. Out of
25 this list, there's three that got to testify.

1 According to the Shooting Sports
2 Foundation, they're a trade group in the firearms
3 industry, The industry, as a whole, in Colorado
4 directly creates 2,676 jobs, 84 million in wages,
5 259 million in economic impact. The overall impact of
6 the fire industry -- firearms industry direct and
7 indirect is 4,765 jobs, 190 million in wages, and
8 590 million in economic impact.

9 So what message are we sending the
10 business community for a bill that is unenforceable?
11 Our sheriffs admit that, it's, leave Colorado. Vote no
12 on this bill.

13 THE CHAIRWOMAN: Senator Brophy.

14 SENATOR BROPHY: We have a new chair.
15 Thank you, Madame Chair.

16 Members, I want to join the rural caucus
17 that we heard from the senator from northwest Colorado.
18 And I appreciate his words so much and it speaks so
19 much to the heart of my constituents.

20 But before I do that, I want to remind
21 you that this bill as drafted, because of its language,
22 effectively bans every detachable magazine in existence
23 in America, or every style. So you won't be able to
24 purchase any new ones after July 1st of this year
25 because they are all readily convertible.

1 When you do that it's a de facto ban on
2 all of the modern sporting rifles that are becoming
3 ubiquitous across this country. They tell us that
4 there are almost 12 million of these things in the
5 country.

6 And so I'm going to tell you some stories
7 about how they are typically used and typically owned
8 by citizens for lawful purposes in rural eastern
9 Colorado.

10 First, I heard from a constituent of mine
11 near Holyoke, which is, you know, the next town north
12 of Wray, great little community. She lives on a ranch
13 about 30 miles out of town. And she says, you know,
14 Goodness, we might be, best case scenario, 45 minutes
15 from law enforcement showing up to help us if we ever
16 have a problem. Worst case scenario is more like an
17 hour and a half.

18 How would you like to be on your own for
19 an hour and a half? Doesn't sound like a lot of fun.
20 That's hopefully an atypical use. You know, I own a
21 life insurance policy, even though I have every
22 intention of living to be 140 years old, I hope I don't
23 have to use my life insurance policy. I hope I never
24 have to use one of my standard-capacity magazines for
25 home defense.

1 My buddy, Kenny Rogers, that's really his
2 name and he really is a cowboy, most of you have
3 probably met him, he lives by Yuma, he's the past
4 president of the Colorado Cattlemen's Association,
5 e-mailed me over the weekend after I'd spoken on a
6 radio show with Ross Kaminsky on Sunday.

7 And Kenny said, Just this morning, and
8 this is a typical lawful use by a citizen in eastern
9 Colorado, just this morning Kenny said, I had four
10 coyotes harassing my newly-born baby calves, four. So
11 I grabbed my modern sporting rifle, it's an AR style,
12 and dispatched some of those coyotes and the others
13 off. And it took more than 15 rounds to do the job
14 that day.

15 Typical lawful use of what has really
16 become the utility rifle. It's found in almost every
17 ranch pickup in eastern Colorado right in the gun rack,
18 right above the pliers and the leather gloves, tools.

19 And I'll tell you about another typical
20 lawful use by citizens in eastern Colorado for modern
21 sporting rifles. Ever since I was a little boy I have
22 been shooting watermelons on my dad's farm with him. I
23 have a scar right between my eyes from a scope when I
24 was too close to it at the age of about 6 or 7, on what
25 was then the common rifle owned by my dad, a standard

1 deer hunting rifle.

2 Now, again, most of us out there own the
3 modern sporting rifle just like this one. And yeah,
4 you might recognize that, gentlemen. He's been there
5 twice. And if you observe the ear-to-ear grin on his
6 face, you might come to realize that he's having a good
7 time. That is a typical lawful use of a modern
8 sporting rifle in eastern Colorado. And that is a
9 20-round Magpul PMAG.

10 And that event is called Brophy's Bike
11 and Blast. It's what my dad's little fun watermelon
12 shoot has morphed into. I've been using it as a
13 fund-raiser. I don't make any money off of it because
14 we spend about a thousand dollars on ammo and almost
15 that much on adult beverages, the night before.

16 This bill makes the event illegal. This
17 bill makes no provision for the temporary transfer of a
18 standard-capacity magazine, no provision at all. I
19 have to maintain continuous possession. None of you,
20 none of you can have possession of one of those if you
21 didn't own it before July 1st. This bill makes this
22 fun event illegal.

23 Is that what you want to do, make it
24 illegal to do something that people have been doing
25 for -- as long as there are rifles and watermelons, I

1 Colorado. They're probably going to have to leave even
2 if the bill is ultimately found unconstitutional
3 because their political risk exists because of the
4 attitude exhibited by the majority party in this
5 legislative body.

6 If you're operating a business and you've
7 got that great problem that everybody wants when
8 they're operating a business, more work than your
9 people can do, you need to expand, you have to have a
10 bigger building, how can you, in good conscience, sign
11 a long-term lease on a building in a state where your
12 product is about to be banned? You can't. You can't
13 take that risk. It's way too great of a risk.

14 If we kill this bill tonight, we might
15 save those jobs, we might save that Colorado company,
16 we might save a fun event like this, and we might save
17 the taxpayers of Colorado a lot of money defending an
18 unconstitutional bill, vote no.

19 THE CHAIRWOMAN: Senator Lundberg.

20 SENATOR LUNDBERG: Thank you, Madame
21 Chair.

22 To the good senator from Wray, Colorado,
23 it was 50 years ago last October that I got my scar
24 right here from my dad's 300 H&H magnum, it slipped off
25 the shoulder. The deer got worse, though.

1 I have a letter from a councilman from
2 Loveland. Honorable Senators, I appear before you --
3 he wanted to give this in person, but wasn't able to.
4 I appear before you as a fellow elected official, a
5 councilman from the town of Loveland, where we are
6 wrestling with the question of mixed jurisdiction, as I
7 believe you are, as well.

8 In Loveland we will be discussing and
9 determining whether to follow a course of action in
10 establishing rules and regulations for the production
11 of oil and gas reserves that align with the state and
12 the Colorado Oil and Gas Conservation Commission in
13 order to develop rules and regulations that apply in
14 the face of the established process in Colorado.

15 It is with a great deal of humility that
16 I consider such a decision. The humility that the
17 state of Colorado has spoken to the nature and scope of
18 oil and gas permitting and regulation, and the humility
19 that the city of Loveland, in my opinion, should
20 acquiesce to the guidance of the State.

21 In similar fashion, I believe that the
22 United States Constitution has spoken to
23 House Bill 1224 and other measures, seeking to limit
24 the people's right to keep and bear arms, and that the
25 senate should exhibit that same humility. It is the

1 right of free people of this nation to keep and bear
2 arms, to defend their associated unalienable rights and
3 to protect their rights from a tyrannical government.

4 To abridge that right by the limiting of
5 arbitrary components of various firearms, the
6 capricious restriction of when and where citizens can
7 exercise their right to protect themselves and the
8 indiscriminate association of liability for those who
9 choose to engage in the commerce of firearms products
10 is not only wrong, but it is being discussed without
11 consideration of the overriding jurisdiction of our
12 most important founding document, the United States
13 Constitution. I implore you to defeat these measures
14 and not send them on. Thank you. Hugh McKean,
15 Loveland City Council.

16 THE CHAIRWOMAN: Senator King.

17 Senator King is first.

18 SENATOR KING: Thank you, Madame Chair.

19 So how do we make decisions,
20 evidence-based decision-making, hysteria-based
21 decision-making. As part of a 1994 and badly named
22 assault weapon ban, the production of high-capacity
23 magazines was halted. A comprehensive study by the
24 Center of Disease Control nine years later looked at
25 51 studies covering the full range of gun control

1 measures, including this ban, and concluded that none
2 could be proven to reduce crime, none could be proven
3 to reduce crime. Now, that sounds like evidence to me.

4 In 2005, the American Journal of
5 Preventative Medicine did a similar survey and came up
6 largely to the same conclusion. Evidence-based
7 decision-making, hysteria-based decision-making. Come
8 down and debate. Come down to the well and let's
9 debate. The people of Colorado deserve that.

10 If you've got a point to make that isn't
11 hysteria and is actually facts, then there's a spot
12 right here. And there's nobody here. Then I take it
13 you concede.

14 THE CHAIRWOMAN: Senator Renfroe.

15 SENATOR RENFROE: Thank you, Madame
16 Chair.

17 Madame Chair, I wish you could see the
18 picture, so when you come down, you'll need to take a
19 little time and take a peek at this to see what Senator
20 Brophy is talking about. I've been out to the Bike and
21 Blast, and I would encourage you all to come out, but
22 it won't be as much fun this next year.

23 I guess I can take my magazine and still
24 have fun for (sic) my rifles, and Senator Brophy --
25 excuse me, the senator from Wray can have his fun with

1 his, and a few other members can have fun with their
2 magazines, but that would be about it, isn't it? It'll
3 change.

4 One thing Senator Brophy didn't bring up
5 with this picture, is this is an AR 10 that's actually
6 being shot in this picture, having fun with, which it
7 could be an AR 15. It could have an upper on it that
8 would shoot a 22, and there are magazines that can do
9 that.

10 And actually, that's what people are --
11 the senator from Wray has one of those, and that's on
12 my list, because the price of ammo these days, that's
13 what people are liking to shoot in the AR style of a
14 firearm. And those, just like everything else, will be
15 banned, the 22.

16 Again, it looks like a lot of fun with
17 that smile. I know I have a lot of pictures of me with
18 smiles. I have pictures of my kids, I have pictures of
19 friends at different shoots that we've been at.
20 Amazing, amazing amount of fun. That's all.

21 THE CHAIRWOMAN: Senator Crowder.

22 SENATOR CROWDER: Thank you, Madame
23 Chair.

24 Senator Brophy, or the senator from Wray,
25 brought up an idea that I'd like to talk to you about

1 briefly about this bill.

2 Recently I went against my caucus and
3 voted for a different bill, it's called the asset bill.
4 And after I did that -- I had no problem doing that
5 because I believed in it. But I had people stopping me
6 in the hallway, democrats, and individuals shaking my
7 hand and saying what an amazing amount of courage that
8 took.

9 And I did not think it was any courage at
10 all because I thought it was the right thing to do.
11 But I guess I would ask now if, in fact, you believe in
12 this, if you believe this would hurt this state
13 economically, would you have the courage to stand up
14 against your caucus and do the same thing?

15 What my idea of doing up here is what is
16 right for the state of Colorado, as well as your
17 district. But I think this goes a little bit beyond
18 partisan politics. I think this is actually a very
19 real issue. But again, I would ask you if you had the
20 courage or if you had the inclination to stand up for
21 this or against this, if you could do the same thing.

22 I -- personally, I slept very well all
23 the nights past that asset bill, and I still sleep
24 well. But I think that's the biggest thing about this
25 job here, you need to do what you think is right so you

1 can go home and sleep and look at yourself in the
2 mirror and be very comfortable with yourself. Thank
3 you very much.

4 THE CHAIRWOMAN: Thank you. Senator
5 Harvey.

6 SENATOR HARVEY: Thank you, Madame Chair.

7 I just wanted to take a minute to come
8 back to this picture. I've been at this watermelon
9 shoot two times. Many of you all saw my son here
10 earlier today, he was here for most of the day on the
11 other side of the room, and he has gone with me to the
12 event on many times.

13 We didn't go on this one because as you
14 can see, it's pretty darned cold, and he was in school
15 and I didn't want to pull him out of school to come out
16 to a gross, muddy farm three and half hours away from
17 our house.

18 But this is great fun. This is great
19 fun. Actually, Adam and I were at the one previous to
20 this. Adam is the gentleman shooting the gun here.
21 We'd been to the one prior to that with my son, the
22 three of us were out there shooting. And it was a lot
23 of fun, as you can see on his face, he's smiling.

24 But I'm not smiling anymore. Awkward.

25 MAIG, Mayors Against Illegal Guns, a lobbying

1 organization to push gun control all across the country
2 and here in Colorado. Adam is the lobbyist for Mayors
3 Against Illegal Guns. Look at the smile. He's taken
4 away me and my son and Senator Brophy and his son's
5 ability to enjoy an afternoon in the mud on a farm in
6 eastern Colorado. Ironic? I ask for a no vote.

7 THE CHAIRWOMAN: Senator Grantham.

8 SENATOR GRANTHAM: Thank you, Madame
9 Chair.

10 Shift gears just a little bit. We've
11 heard lot of testimony from some of those that couldn't
12 speak for themselves the other day. And there's some
13 unique stories that come out of the woodwork on this.
14 When it comes to those that are in our districts and
15 those across the state that are going to be affected
16 directly or indirectly by this legislation. I think
17 we'll all be affected directly in one sense or another.

18 But this one comes from a man by the name
19 of Mitali Korichic (phonetic), and I know you're
20 watching tonight, Mitali, and I hope I do this justice.
21 But he says that, My message to us, to all of us here,
22 my message would be this: My family emigrated to this
23 country from USSR Russia in 1996. I was still young.

24 This country gave us all opportunity to
25 grow and live. We came with a few bags of clothes,

1 some pictures, had to start life anew. My parents
2 worked hard. My mom worked three jobs, and worked for
3 us.

4 I was a bit young to understand and
5 appreciate all of it. This country was founded upon
6 the notion that the person is free to make choices, and
7 their lives reflect those choices. The Constitution
8 puts limits on government so they do not take away our
9 rights and put us back to Russia-like times.

10 I served my country because I believe in
11 giving back. The part of the oath that every enlisted
12 member goes -- when taking the oath goes something like
13 this: I, state your name, do solemnly swear or affirm
14 that I will support and defend the Constitution of the
15 United States against all enemies, foreign and
16 domestic; that I will bear true faith and allegiance to
17 the same.

18 The Army, Marines, Air Force, Navy, Coast
19 Guard protect the Constitution of the United States.
20 The document that places restrictions and limits on
21 government, they don't protect our government, they
22 protect the people.

23 Coming from someone who has been in those
24 other countries, seen what it's like, seen where we're
25 heading, he also says that, The First Amendment gives

1 us the right to speak, believe, and publish what we
2 want, that is human nature to us. But many countries
3 do or did not have this right, my family included.

4 The Second Amendment protects this
5 fundamental human right or God-given right and protects
6 those that follow. The first 10 are inalienable
7 rights. Look the term up, bill of rights, not needs.
8 This being said, all of the laws being proposed are
9 limits on law-abiding free people.

10 Some very important remarks also come
11 from John Arndt. And John, I know you're listening
12 tonight, too. It says, I had prepared testimony to
13 speak, and the limited time for testimony of opponents
14 did not allow for me to speak.

15 My testimony follows: Please let me know
16 if there's any other way in which I can assist. He
17 says, the Department of Homeland Security currently has
18 a request for proposal for self-defense weapons.
19 Self-defense weapons in quotes. Even though DHS is not
20 in a theatre of war. DHS agents are not soldiers.

21 The RF P describes these weapons as,
22 quote, personal defense weapons, unquote, and states
23 they are, quote, suitable for personal defense used in
24 close quarters, unquote.

25 The weapon being purchased under those

1 guidelines contains a magazine capable of holding
2 30 rounds, personal defense weapon, personal defense
3 used in close quarters, that's how DHS defines it.

4 He continues: On January 20th of this
5 year, college students stopped two armed intruders when
6 the attacker saw one resident had a rifle which had a
7 30-round magazine. The gun and included magazine is a
8 tool. Tools are used properly or improperly.

9 Individuals deciding to break laws harm
10 people, rape, and still do not follow laws. Banning
11 magazines with a capacity larger than 10 rounds will
12 not stop criminals from using them illegally.

13 On January 4th a Georgia mother defending
14 her children shot an attacker using a six-shot handgun
15 her husband had trained her to use, hitting the
16 attacker five times out of six. But if there are
17 multiple intruders, as is increasingly common in home
18 invasion attacks, the mother would not have been able
19 to continue to defend herself and her young children.
20 She likely would have been beaten or worse. He goes on
21 and on with similar stories. Thank you, John , for
22 sharing all of your testimony.

23 Another one comes from a Chris Gonzalez
24 from right here in Denver. It says, I've been a
25 lifelong democrat, and I am deeply disappointed in the

1 party's gun control package. Yes, national polls
2 suggest Americans may want it, but these polls ask very
3 broad questions.

4 National polls don't reflect Coloradoans'
5 positions on specific policy proposals, like a 15-round
6 magazine limit. 15 rounds have banned many types of
7 nonassault weapons which I wish to protect my family
8 with. Coloradans deserve more than an arbitrary
9 policy.

10 Reverend Tracy Hinkel. 1224 --
11 House Bill 1224 to limit the number of rounds in a
12 magazine is ridiculous. First, there's no such thing
13 as a high-capacity magazine. A magazine is built to
14 hold a certain number of bullets and that is it. The
15 use of the term is only meant to cause an emotional
16 reaction by people who are not familiar with guns.

17 Second, if someone has to use a weapon
18 for self-defense, they need all the rounds they can
19 shoot. If a fire-fight law enforcement officer's
20 average accuracy -- they average an accuracy rate of
21 about 40 percent. That rate would probably be lower
22 for the average citizen, with training, possibly maybe
23 around 30 percent, he speculates.

24 If a legally-armed citizen has fewer
25 rounds, they are more likely to suffer injury or be

1 killed by their assailant. Recently a mother in
2 Georgia protected herself and her daughter -- and this
3 is the same story that was relayed by Mr. Arndt in the
4 previous, the five shots -- or the six shots and the
5 five hits for one person.

6 He was still able to follow her
7 downstairs and next door to a neighbor's house after
8 being shot five times. He finally collapsed and then
9 was taken into custody. What if there had been more
10 than one? What if there had been more than one?

11 There are many more letters such as this.
12 David Smith is from Canon City, where I live, draws the
13 analogy between these magazines and vehicles. The
14 madman can kill with one or the other, why are we
15 focussing on these particular tools?

16 Gary Griego (phonetic) says: I have been
17 in corrections at -- it's home for those of us down in
18 my neck of the woods. I've been in corrections for
19 22 years, and I'm currently a case manager. And I
20 don't see how limiting the number of rounds or type of
21 guns I can possess as a law-abiding citizen will stop
22 criminals or the mentally ill from committing crimes.

23 I exercise my Second Amendment rights
24 responsibly, as does the majority of the gun owners in
25 the country, yet, my elected officials want to punish

1 me and ban the weapons I have, which are not assault
2 weapons, but semiautomatic rifles. Assault weapons are
3 military weapons with a selector switch that allow for
4 full automatic operation or three-round spurts.

5 As a corrections officer I see violent
6 offenders enter the system all the time. These
7 offenders victimized others, other law-abiding citizens
8 that they saw as weak and as easy prey.

9 There are as many laws in place now that
10 tell all citizens they cannot commit violent acts
11 against other citizens, yet, they do. For the
12 criminal, the laws do not apply. For the mentally ill,
13 the laws do not apply. So how is banning my weapons
14 and magazine capabilities going to stop a criminal or
15 mentally ill person from committing crimes against
16 another?

17 Laws are just words on paper that don't
18 apply to these criminals. And taking or banning my
19 weapons only makes me a better and less resistant
20 target for criminals. Criminals will find weapons and
21 ways to victimize the weak regardless of what laws are
22 in place. And punishing me and taking my rights is not
23 the answer.

24 In my profession, when I have to carry a
25 Glock, I am issued a handgun and three 15-round

1 magazines. And I've been trained to stand and fight to
2 protect myself or a third party. And while I've never
3 been in a fire fight, and hope to never be, I can tell
4 you that 15 rounds can go very quickly. And I'm sure
5 even quicker when fighting for your life.

6 Why shouldn't I have the same
7 capabilities as a citizen to protect myself or my
8 family. As for my M4 AR-style rifle and automatic
9 rifle, I use this rifle for hunting prairie dogs and
10 recreational target practice, fun shooting. Some
11 people golf, I shoot my M4, and I do so responsibly.

12 So to say that there's no legitimate use
13 for this rifle is just like saying I don't need a
14 14-inch kitchen knife. It is also one of the first
15 go-to rifles in my safe, as well as a Glock 9
16 millimeter should I need it for home defense.

17 The vice president goes to his dove
18 hunting shotgun -- well, I won't continue that
19 sentence. I live in a safe community, but a rural
20 community, too. Calling the sheriff has taken as much
21 as 15 to 20 minutes for a deputy to arrive.

22 So while I hope and pray that I would
23 never need to, I know that if I needed it, I have an
24 AR M4 to defend my family should I have to stand my
25 ground waiting for police help. I know some will say

1 it's just a fantasy or something that would never
2 happen, million-to-one odds. My reply, it's no
3 fantasy. Only a -- as Mr. Griego puts it, only a
4 sicko, he says, would fantasize about a horrible
5 scenario like that.

6 And I also say, remember the Stovall
7 brothers. Now, many in here may not remember that
8 name. If you live down in Canon City and Fremont
9 County, you definitely remember the Stovall name. They
10 went on a shooting spree, killed a deputy, severely
11 wounded a Florence police officer, who is now confined
12 to a wheelchair for the rest of his life.

13 They went through the country -- the
14 county on a shooting spree, and nobody knew where they
15 were or where they might strike next. I stood ready to
16 defend my family this night alongside my neighbors.
17 The police were horribly outgunned by these criminals,
18 and it cost our law enforcement community dearly. I
19 was not outgunned had they attempted to victimize my
20 family. Again, thank God they didn't come down my
21 street looking for victims to shoot.

22 He just wants to protect his own family,
23 folks. How many rounds does it take? More than the
24 bad guy. And who are we limiting? We're limiting the
25 good guy. We're limiting the law abiding. The bad

1 guys, the Stovall brothers, many of these others that
2 are committing these home invasions, are they checking
3 state statute to make sure that they don't have too
4 many rounds in their magazines? Of course they're not.

5 But we are. The law abiding, we're the
6 ones that make sure that we're compliant, make sure
7 we're doing things right. The family down the street
8 that enjoys their weekend shooting trips, that enjoys
9 target shooting, but also is aware that they need these
10 for self-defense, why, why would we purposefully put
11 them at a disadvantage?

12 Why would we do that? It's unfathomable
13 to me that someone else is making the choice for me
14 what is necessary to defend my home, my family, my
15 property.

16 THE CHAIRMAN: Senator Scheffel.

17 SENATOR SCHEFFEL: Thank you,
18 Mr. Chairman.

19 I wanted to thank PJ for taking the time
20 to contact me, specifically with respect to this bill.
21 He starts by saying he's against the current battery of
22 anti-Second Amendment bills, and then specifically
23 discusses that the magazine ban is unenforceable, does
24 not contribute to public safety and restricts
25 law-abiding citizens who have done nothing wrong.

1 We've certainly heard about that.

2 This bill is directed at disarming
3 Americans and is diminishing our freedoms. In
4 addition, the bill will destroy competitive, something
5 I was not aware of, competitive IPSC/USPSA shooting in
6 Colorado. Not only does it limit the state shooters
7 entering the sport, but restricts shooters from other
8 states coming to Colorado for major matches and state
9 championships.

10 PJ believes that that, alone, would cost
11 somewhere around \$4 million a year in tourist revenue.
12 In addition, it will drive Magpul and most of the
13 molded injection plastics industry out of the state.
14 This will lower state corporate income tax revenue by
15 over 15 percent, he believes. The Colorado economy is
16 not large enough to sustain this blow.

17 Most other small firearm manufacturers
18 will at least consider leaving the state, and PJ
19 states, he's one of them. He states that, I own a
20 specialty equipment company, a small shop, a licensed
21 FFL 07 class 2 SOT manufacturer, and he employs five
22 people.

23 He states that he builds USPSA and IPSC
24 specific match pistols, rifles, and shotguns. And if
25 the bill passes, he will leave. He states that

1 South Dakota is a much better environment for business.

2 Thank you, PJ, for taking the time to
3 contact me. Your argument resonates, as does that of
4 Tom, who commented on the various bills. He stated
5 that the following is a summary -- Dear Senator
6 Scheffel, the following is a summary of my views on the
7 six bills now before the state senate.

8 I'll skip specifically to 1224, the
9 magazine limitation. Tom states that this bill is a
10 red herring. The bad guys will have all the magazines
11 they want at whatever capacity they want. The good
12 guys, the law-abiding citizens, will be relatively
13 disarmed.

14 Most 9-millimeter pistols are designed
15 for -- and sold with magazines larger than 15 rounds.
16 Pass this law and Magpul leaves, a sad result for a
17 bill that will have absolutely no effect on reducing
18 gun violence.

19 To those who know little or nothing about
20 firearms, this bill feels good, but in Tom's views, it
21 is bogus. In any event, what right does the government
22 have to tell me how many rounds I need. This is purely
23 an emotion-based arbitrary bill.

24 Thank you, Tom, for taking the time to
25 contact me, as well. In the case of PJ, who's a small

1 business, he didn't even make -- glad this map is still
2 up here with the dots, PJ doesn't have a dot up here,
3 he didn't even make this map. He employs five people,
4 but he states he'll be out of here.

5 Worked on many business bills since I
6 came to this place. I remember when I first came, I
7 was appointed with some of my colleagues to something
8 called the joint select committee on jobs in the
9 economy. We heard from business after business after
10 business after business in a suffering economy that
11 what they wanted most was an elusive thing called
12 regulatory certainty.

13 Tell us the rules of the game and we will
14 try to make lemonade out of lemons. This bill injects,
15 infuses a huge amount of regulatory uncertainty into
16 the business environment. We've heard colleague after
17 colleague after colleague read testimony after
18 testimony after testimony which only delivered on top
19 of the testimony that was delivered on Monday that
20 says, this bill is unpredictable.

21 We've seen magazines and springs and caps
22 and tops and all the different things, the end result
23 seems to be it's all illegal. It's all adjustable,
24 it's all kind of fungible, and so it's all going to be
25 illegal, notwithstanding what the bill sponsors

1 indirectly are saying, that it's limited.

2 Besides that, there is no evidentiary
3 proof that this will reduce crime, that this will have
4 a public safety effect. We've heard that over and over
5 again. And thanks again to PJ and Tom for contacting
6 me. Your arguments resonate. This bill misses the
7 mark on what it intends to accomplish. I urge a no
8 vote.

9 THE CHAIRMAN: Senator Marble.

10 SENATOR MARBLE: Thank you, Mr. Chair.

11 I know all of you are looking at your
12 e-mails and scrolling through and seeing what's coming
13 in. And I want to read you something that I think is
14 very important. Remember that little amendment, that
15 little equalizer on this that we were trying to get
16 passed here?

17 Well, I just got an e-mail, and it is
18 signed by around 15 manufacturers of guns and ammo, and
19 also, magazines. And I'm going to read you a little
20 bit of what they said. And then I'm going to read off
21 all of them who believe that this is fair for
22 restricting the Second Amendment rights of the people
23 of Colorado.

24 It's just amazing. Here we go, I'll
25 start with this one. Recently companies such as

1 LaRue Tactical and Olympic Arms announced they will no
2 longer sell prohibited items to government agencies and
3 personnel in states denying civilians to own those same
4 items. I guess we do have an equalizer, and it's
5 called small business.

6 I think you better look and listen to
7 what they're saying. This isn't just in Colorado, this
8 is around our nation. I'm going to read you the names
9 of these companies. Maybe you'll recognize them,
10 probably a lot of you won't. 2A Armament,
11 Ryan Jacobson, co-owner, operator; American Spirit
12 Arms; BCM; Bravo Company USA; Bowater Enterprise, LLC;
13 Cheaper Than Dirt; CMMG, Incorporated; Doublestar and
14 Doublestar Training Academy, they're in -- in a letter
15 to us, republicans, be victorious. Extreme Firepower;
16 Hunteertown Arms; J & G Sales; LaRue Tactical; Lauer
17 Custom Weaponry; Liberty Suppressors; Midway USA; OFA
18 Tactical; Quality Arms; Tier One Arms; Top Gun Supply;
19 and Top Gun Police; Trident Armory; West Fork Armory,
20 York Arms. It's pretty sad.

21 THE CHAIRMAN: Is there any further
22 discussion? Senator Renfroe.

23 SENATOR RENFROE: Thank you, Mr. Chair.

24 I know we talked a little bit about it
25 earlier, but I wanted to bring it up again, because I

1 think it is such an important part of this bill and the
2 absolute absurdity of the bill to rationally believe
3 that this bill will do anything.

4 This right here was made on a three 3-D
5 printer. If you don't know what a 3-D printer is
6 today, Google it right now. Everybody's got their
7 computer out doing something. A three 3-D printer.
8 And we're allowing people to keep every magazine that
9 they already have.

10 I realize I'm saying that someone could
11 illegally make this in the future and you would never
12 know when it was made. But that's what you're doing
13 with this bill if you vote yes, is you're taking
14 honest, law-abiding citizens and making them choose
15 between the choice of breaking the law or potentially
16 protecting themselves, defending themselves with what
17 this and other magazines, the standard-capacity ones
18 that hold 30 rounds, are meant to do.

19 Senator Grantham brought it up, the
20 senator from Canon City, about Department of Homeland
21 Security and their recent request for firearms. And
22 they were wanting the AR 15, and their definition of it
23 was the defense, for the defensive qualities of the
24 gun.

25 I talked a little earlier about Supreme

1 Court Justice Joseph Story. Let me just end with a
2 couple things from him again. There can be no freedom
3 where there is no safety to property or personal
4 rights. Whenever legislation breaks in upon personal
5 liberty or compels a surrender of personal privileges,
6 it is, in its essence, tyranny.

7 That's what you're forcing honest
8 law-abiding citizens to choose between. There can be
9 no freedom where there is no safety to property or
10 personal rights. This bill takes my property and
11 allows me to not pass it on to my children, therefore,
12 it takes my freedom, it takes our liberty. And when
13 that happens, tyranny can't be far behind.

14 THE CHAIRMAN: Is there any further
15 discussion? Seeing none, the motion before the body is
16 the adoption of house bill -- Senator Hodge.

17 SENATOR HODGE: Thank you.

18 THE CHAIRMAN: Senator Hodge.

19 SENATOR HODGE: Thank you, Mr. Chair.

20 It stopped before I was ready. I'd like
21 to thank you all, all my colleagues, for your passion,
22 your commitment, and your perseverance. I appreciate
23 the courteous discourse that has happened here tonight.

24 To reiterate what House Bill 1224 does,
25 is it bans high-capacity magazines of over 15 rounds or

1 28 inches of shotgun shells. It grandfathers in all of
2 these items currently owned.

3 We had an amendment added that says that
4 those that manufacture these items can continue to do
5 so legally, they just can't sell over 15-round
6 magazines and 28-inch shotgun shells in the state of
7 Colorado. We heard a lot of talk about how this will
8 hurt hunters.

9 Hunters in Colorado are allowed
10 three shots for water fowl, six shots for big game.
11 This bill doesn't touch hunters. And there is at least
12 a fourth story to be told tonight. We've heard a lot
13 of stories. Fox 31 Denver has confirmed that Magpul --
14 this is an item posted last night. Eli Stokols, Fox 31
15 Denver, has confirmed that Magpul had discussions last
16 year with the state's Office of Economic Development
17 and International Trade in which they asked about tax
18 incentives and credits that might be available to them
19 as they looked to consolidate their two facilities into
20 a single space at North Park in Broomfield.

21 They wanted some state support, said
22 Kathy Green, OEDIT's spokeswoman. We had some job
23 training tax credits, but there was never any
24 follow-up. According to Green, job training incentives
25 would have been available only if the company was

1 adding new jobs.

2 Last summer, Fitzpatrick reportedly told
3 the governor's office and Sam Bailey, the business
4 development manager for OEDIT, who toured Magpul's
5 facility, that Texas and Wyoming had lots of incentives
6 for them should the company decide to relocate.

7 That was not a threat. We never made any
8 threat to leave, Doug Smith, Magpul's chief operating
9 officer, told Fox 31 Denver late Thursday afternoon.
10 We were just mentioning, Hey, these other states have
11 approached us, they have something to offer.

12 According to Smith and Fitzpatrick, the
13 conversations with the state started at a business
14 roundtable lunch hosted by the Governor's office where
15 companies were asked about how the state can be more
16 supportive and help them grow.

17 Bailey's visit to Magpul's Erie
18 manufacturing plant followed the initial meeting at the
19 capitol. We were planning to move forward with the
20 developer at North Park, but we put those plans on hold
21 in December based on a change in the legislative
22 environment, Smith said."

23 This bill was not even a concept in
24 December.

25 I would like to read again some of the

1 victims. Shootings involving these types of magazines
2 includes Newtown, Connecticut, December 14th, 2012,
3 26 people killed, including 20 1st-grade children. The
4 shooter had multiple 30-round magazines. Oak Creek
5 Wisconsin, August 5th, 2012, six people killed, three
6 wounded at a Sikh temple. The shooter had three
7 19-round magazines.

8 I'm not going to continue, but I think we
9 need to consider doing -- helping our citizens remain
10 safe. I ask for an aye vote.

11 THE CHAIRMAN: Minority Leader Cadman.

12 Senator Brophy, he was first. Senator
13 Brophy.

14 SENATOR BROPHY: Thank you, Mr. Chairman.

15 You know, I read Eli's article on the
16 Fox 31 website myself today, I also read the whole
17 thing. And my immediate thought was, So it has come
18 down to this: The Governor's office will leak
19 information about a business to try to make that
20 business uncomfortable in the state of Colorado because
21 that business is standing up to that governor.

22 Is that what it's come down to? Is that
23 the abuse of power that we're going to see in the state
24 of Colorado? The people of Colorado and the companies
25 in Colorado deserve better than that. Vote no.

1 THE CHAIRMAN: Minority Leader Cadman.

2 MR. CADMAN: You can't talk about
3 tragedies without getting emotional. They're
4 tragedies, of course we're emotional. But using the
5 deaths of the innocent to take away the rights of the
6 innocent doesn't do anything to bring them back. It
7 doesn't leave us any safer in our homes, in our
8 businesses, in our vehicles.

9 That's real blood really spilled by our
10 innocent neighbors and friends, those of you who had
11 family members. And I think using these tragedies to
12 take away the rights that were protected by the
13 sacrifice of the blood that was shed by veterans who
14 paid the ultimate price is a disservice to them, it's a
15 disservice to all of us.

16 In spite of those tragedies and in spite
17 of the next one that we're going to read about, and God
18 help us that it affects any of us. But we aren't
19 changing the human condition, and we will move forward,
20 and we will face these again in the future. I would
21 much rather take my chances living and dying in a
22 country that's free than living in a country that
23 isn't.

24 We keep hearing that this bill is just
25 one step, one step, one step, the package, one package,

1 bill after bill after bill after bill. We know where
2 this is taking us. We don't want to go there. We
3 don't want to go there.

4 These tactics are being modeled after
5 nations that are ruled by governments that are no
6 longer serving their citizens, but enslaving them.
7 Disarming citizens means we are not being governed, we
8 are being ruled.

9 I like most of you. I enjoy serving with
10 you. I don't want to be ruled by you. It's not
11 personal. I move for a review of the fiscal note on
12 this. We have the signatures, gone, gone, gone, gone,
13 gone, gone, gone, gone, gone; the products that they
14 manufacture and the people that pay for them, the
15 millions of dollars that go into the Department of
16 Natural Resources, gone; licenses, gone; hunters, gone.

17 I just got an e-mail earlier from a group
18 of folks that do tourism in Colorado, gone. Not one
19 reference in the fiscal note to the revenues that are
20 gone. Once they're gone, and now that no new magazines
21 can be sold in Colorado, that's what this bill says.

22 THE CHAIRMAN: Majority Leader Carroll.

23 MS. CARROLL: Thank you, Mr. Chair.

24 Members, in order to give staff a moment
25 to review the request for fiscal note and see what

1 comes of that, I move that we lay over right now
2 Senate (sic) Bill 1224, one bill, and so I'll go ahead
3 and make that motion at this time and then have a
4 second motion.

5 THE CHAIRMAN: Is there any discussion?
6 The motion before the body is to lay over
7 House Bill 1224, one bill. All those in favor, say
8 aye? Those opposed, no. The ayes have it and the
9 motion is adopted.

10 Majority Leader Carroll.

11 MS. CARROLL: Thank you, Mr. Chair.

12 I move that we proceed out of order to
13 take up House Bill 1226 at this time.

14 (Pause in the proceedings.)

15 THE CHAIRMAN: Back to House Bill 1224.
16 Upon review of the fiscal note, the fiscal note is up
17 to date and is valid, so we will continue into our
18 conversation about House Bill 1224.

19 Is there any further discussion?
20 House Bill 1224 concerning -- Minority Leader Cadman.

21 Mr. Majors, will you please read the
22 title to House Bill 1224.

23 MR. MAJORS: House Bill 1224 by
24 Representative Fields and Senator Hodge concerning
25 prohibiting large-capacity ammunition magazines.

1 THE CHAIRMAN: Minority Leader Cadman.

2 MR. CADMAN: Thank you, Mr. Chairman.

3 I'm concerned that the fiscal note has no
4 opportunity for revision. I think there's a pretty
5 clearcut case that this will have an impact in
6 Colorado. An \$800 million industry has been
7 jeopardized or will be jeopardized when this becomes
8 law.

9 A million people from one channel alone
10 across the country are now being told, Don't come here.
11 It will have an impact. I'd ask for a no vote.

12 THE CHAIRMAN: Is there any further
13 discussion for House Bill 1224? Senator Lundberg.

14 SENATOR LUNDBERG: Thank you, Mr. Chair.

15 And I, too, am deeply disappointed that
16 our fiscal note system seems to become just a rote
17 procedure rather than a real statement. The minority
18 leader pointed out some significant financial issues.
19 And I want confidence in my fiscal notes. This doesn't
20 build confidence. This just makes it a process.

21 I find that deeply disappointing because
22 it's quite true, as we've had our debate and
23 discussion, we've actually uncovered a lot of issues
24 that actually I didn't see clearly enough in committee
25 for all the consideration that was given then.

1 And if five members cannot actually
2 request a real review in light of new information, I
3 find that deeply disappointing. But I think the train
4 has already left the station, so let us proceed with
5 the process.

6 THE CHAIRMAN: Senator Hodge.

7 SENATOR HODGE: Thank you, Mr. Chair.

8 I renew my motion for House Bill 1224 and
9 ask for an aye vote.

10 THE CHAIRMAN: Is there any discussion?
11 Seeing none, a division has been requested. All of
12 those in the chamber not entitled to vote, please be
13 seated.

14 The motion before the body is the
15 adoption of House Bill 1224. All those in favor,
16 please stand.

17 Please be seated.

18 All those opposed, please stand.

19 The motion is adopted.

20 (Whereupon, the audio recording was
21 concluded.)

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CERTIFICATE

STATE OF COLORADO)
CITY AND COUNTY OF DENVER) ss.

I, TERESA HART, Registered Professional Reporter and Notary Public for the State of Colorado, do hereby certify that this transcript was taken in shorthand by me from an audio recording and was reduced to typewritten form by computer-aided transcription; that the speakers in this transcript were identified by me to the best of my ability and according to the introductions made and written materials provided; that the foregoing is a true transcript of the proceedings had; that I am not attorney, nor counsel, nor in any way connected with any attorney or counsel for any of the parties to said action or otherwise interested in its event.

IN WITNESS WHEREOF, I have hereunto affixed my hand and notarial seal this 28th day of June, 2013.

My commission expires: January 15, 2016.

TERESA HART
Registered Professional Reporter
and Notary Public
CALDERWOOD-MACKELPRANG, INC.