

1 CITY AND COUNTY OF DENVER
STATE OF COLORADO

2 JUDICIAL COMMITTEE MEETING
Held on March 11, 2013

3 House Bill 13-1224

4 _____

5 REPORTER'S TRANSCRIPT

6 _____

6

7

8 This transcript was taken from an audio
recording by Jodi M. Wagner, Registered Professional
9 Reporter and Notary Public.

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

	SPEAKERS:	PAGES
1		
2	Senator Brophy	5, 65
3	Senator Cadman	9
4	Senator King	16, 50
5	Senator Baumgardner	19
6	Senator Lambert	23
7	Senator Lundberg	27, 55
8	Senator Johnston	31
9	Senator Roberts	42
10	Senator Renfroe	59
11	Senator Crowder	64
12	Senator Scheffel	69
13	Senator Grantham	74
14	Senator Marble	94, 110
15	Senator Ulibarri	97
16	Senator Harvey	102
17	Senator Renfroe	105
18	Senator Hill	112
19		
20		
21		
22		
23		
24		
25		

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

2 * * * * *

3 MR. MAJORS: House Bill 1224 by
4 Representative Fields and Senator Hodge concerning
5 prohibiting large capacity ammunition magazines.

6 Senator Hodge?

7 SENATOR HODGE: Thank you,
8 Mr. President. I move House Bill 1224 on the third
9 reading and final passage.

10 House Bill 1224 prohibits the sale,
11 transfer, or possession of an ammunition-feeding device
12 that is capable of accepting more than 15 rounds of
13 ammunition or a 28-inch tube of shotgun shells.

14 It grandfathers in those currently in
15 one's possession and it allows for manufacturers to
16 remain manufacturing what they have always done.

17 I ask for an aye vote.

18 UNIDENTIFIED SPEAKER: Senator Hodge, I
19 do have an amendment on the desk.

20 Senator King, would you like to ask for
21 permission to offer a third-reading amendment?

22 SENATOR KING: (Inaudible.)

23 UNIDENTIFIED SPEAKER: So at this point,
24 there is not a third-reading amendment being asked for.
25 So then Senator Brophy is in queue.

1 is how this bill actually bans the sale of all Glock
2 handguns and most other semi-automatic handguns in the
3 State of Colorado come July 1st. And that's in the
4 definition part, just as it was with the shotguns.

5 And the important part of the definition
6 that you need to look at is on page 2, starting at
7 line 12, where the bill defines what a large capacity
8 magazine is for the law. And the important words are
9 starting on line 12: "Or that is designed to be
10 readily converted to accept more than 15 rounds."

11 Glock, as an original equipment
12 manufacturer, makes a magazine extension that allows
13 their magazines to hold five more rounds for a
14 9 millimeter and four more rounds for a 40 cal pistol,
15 and it's designed that way.

16 The deck plate at the bottom of the
17 magazine comes off, the extension slips on, and the
18 deck plate goes back in there. That's the way it's
19 designed and, therefore, this bill bans the sale of
20 those magazines in Colorado starting July 1st of this
21 year.

22 So I guess you could say you can still
23 buy the pistol, but it just becomes a paperweight
24 because it takes a magazine to feed it. So just as I
25 pointed out about ten days ago that your bill affected

1 almost every hunter in the State of Colorado by banning
2 the sale of shotguns starting July 1st, it still
3 affects almost every person in the Colorado who owns a
4 handgun or intends to buy the most popular handgun sold
5 in America today, the Glock semi-automatic handgun.

6 Now, I think you can suggest, since it's
7 the most popular handgun sold in the United States of
8 America, it is commonly used by citizens for lawful
9 purposes and, therefore, the bill is clearly
10 unconstitutional. And I will ask for you to vote no
11 for it based on that reason alone.

12 Now, I'll give you a couple of other
13 reasons to vote no for the bill. 1224, unlike the
14 previous bill that we passed, 1229, which was under
15 consideration by the exact same legislature, 1224 makes
16 absolutely no provision for the temporary transfer of
17 any what are defined as high-capacity magazines.

18 That means that, if you take one of your
19 grandfathered magazines to the shooting range that
20 happens to hold more than 15 rounds and hand it to the
21 person beside you to allow them to shoot your firearm
22 or use it in their firearm, you have broke the law and
23 you are both going to go to prison for -- jail for
24 12 months. This is a misdemeanor two on this bill.

25 And the courts will have no other choice

1 than to assume that the legislature did not mean for a
2 temporary transfer to be allowed because the
3 legislature clearly allowed for temporary transfers, if
4 you remember, nine exceptions in another bill under
5 consideration on exactly the same day that this bill
6 passed.

7 So you understand while there is this
8 theoretical grandfather clause for your 15, 16 in a
9 round and above detachable magazine, it doesn't do a
10 lot of good unless you just want to keep your toys and
11 play with them only yourself.

12 If, on the other hand, you want to do
13 like I do, allow my soon-to-be 11-year-old son to fire
14 one of my rifles -- again, blowing up watermelons
15 typically -- the scary black rifles have a slidable
16 stock so that the little guy can actually reach around
17 and avoid the scar that I told you guys about from the
18 scope that I got from my dad's rifle when I was little.

19 This bill makes my handing him the rifle
20 that he's been shooting for about three years now a
21 misdemeanor two, punishable by up to 12 months in
22 prison and a \$5,000 fine.

23 Is that really what you intend to do?
24 If it is, that's pretty disappointing. If it isn't,
25 then I will ask you to vote against this bill. How far

1 -- how far do you want to go pushing gun control in
2 Colorado?

3 MR. PRESIDENT: Senator Cadman.

4 SENATOR CADMAN: Thank you,
5 Mr. President.

6 This bill criminalizes legal products in
7 Colorado. Nobody debated that. Actually, nobody
8 really debated anything. On the other hand, these are
9 so dangerous, so threatening, that we should outlaw
10 their use here; but we have a bill that protects the
11 manufacturing of those items here and ships them out of
12 state. We can go out of state and buy them legally.
13 It sounds a little selfish. It may sound somewhat
14 hypocritical.

15 This bill is about passing something.
16 I've heard the proponents. I've sat through this in
17 the House because you just don't get enough over here.
18 I sat through this in the committees. I kept hearing
19 the sponsor say we have to pass something, we have to
20 pass something. If you don't believe me, I actually
21 have it recorded. I'd be glad to share it with you.
22 It's about passing something and solving nothing,
23 nothing in the way of public safety.

24 There are people outside of this
25 building and even outside the state that want all guns

1 eliminated from private possession, anywhere and
2 everywhere in our country. But there is no appetite
3 for that. So get the mags, get what you can. And as
4 you've already heard, this bill eliminates the use of
5 those weapons because these mags are part of the use of
6 the weapons.

7 This bill tells Colorado citizens that
8 some of their property is legal for them now, but
9 illegal for them later and virtually illegal for anyone
10 but them to use them ever again. That's what the word
11 possess does to ownership of magazines. They've got to
12 be in your possession. Illegal to share with my wife,
13 my kids, my friends, my colleagues. Those aren't
14 always mutually exclusive.

15 What we will get out of this ban in
16 Colorado for public safety is absolutely nothing. I
17 know I've said it before, but it bears repeating.
18 Nothing, zero. What we will get is confusing. There
19 will be a cast of doubt placed on the legal ownership
20 and use of this product that is now legal for some to
21 use, but illegal for others to use after the date of
22 the ban -- a product that if you owned ten before the
23 ban, you purchased them in Colorado, you would be a
24 criminal trying to replace broken or worn out magazines
25 in Colorado after the ban goes into place. It makes no

1 sense.

2 Bear with me a little bit. Let's
3 compare this ban to something that we've already banned
4 in Colorado. We have a ban on most fireworks here. I
5 know we shared a little bit about this in session.

6 Many municipalities allow some sales of
7 some fireworks -- whistles, sparklers, spinners -- but
8 things that leave the ground or explode are illegal
9 everywhere in the state. Everywhere. No firecrackers,
10 no bottle rockets, no skyrockets, you know, the fun
11 stuff.

12 How well is that working? I can tell
13 you it's not. On the 4th of July, there's a 360 degree
14 fireworks show. Now, if I had the Senator's hair from
15 Grand Junction, I would do that spinning thing that he
16 does to show you.

17 There is a 360 degree fireworks show in
18 my neighborhood in the middle of Colorado Springs that
19 can't be matched by anything that the Rockies or the
20 Sky Sox put on. Even the main 4th of July shows at
21 Fort Carson and Memorial Park are no match for the
22 annual Red, White and Boom of the Homestead Trail
23 Amateur Pyrotechnicians. That's what I call them.

24 One of my neighbors actually brings
25 his -- he's a contractor. He pulls his flatbed trailer

1 out, puts it in the middle of the street, blocks it up,
2 pulls his vehicle away so he doesn't light the gas tank
3 on fire, and he starts launching these things from the
4 middle of the street. They light them up, they drop
5 them in the canisters, and boom, a towering ball of
6 fire and thunder explodes over our homes in the middle
7 of the city.

8 On the 5th of July and a garbage day
9 after the 4th, this is what you can find literally
10 strewn about our neighborhood. Boom, these are the big
11 aerials. These are the ones you expect to see at a Sky
12 Sox game. It's unbelievable.

13 You can't buy them here, but they sure
14 are used here. They're everywhere. And when you call
15 the authorities, the Colorado Springs Police
16 Department, they say they can only respond if there's
17 an injury or a fire because there's just too many to
18 handle.

19 We always try to be home on the 4th for
20 two reasons: to keep the hoses ready and to keep the
21 dogs in the basement. One year we weren't home on the
22 4th. We were in Pueblo, Lake Pueblo State Park. Great
23 place. They were launching these things, these exact
24 canisters right in the campground next to us.

25 And we're in tents, in tents right in

1 the campground next to us. They're banned. They're
2 illegal border to border, but you can drive to any of
3 our neighboring states and just toss them in your car.
4 And it's my understanding that several of the big
5 warehouses for these things up in Cheyenne belong to
6 people that live in Denver. It's ironic, isn't it?

7 So now we will have a ban on this
8 plastic or metal part and we will have the same result.
9 Except there won't be any way to distinguish that they
10 are pre-ban or post-ban. And unlike the fireworks,
11 it's obvious when they leave the ground and they
12 explode, they're illegal.

13 No one will be able to identify whether
14 they were legally obtained or not legally obtained.
15 Again, casting a shadow of illegality on hundreds of
16 thousands of people who have these magazines already
17 and use them legally.

18 For what? Will we be safer? No. Will
19 criminals heed this ban? Of course not. That's why
20 they're criminals. Kind of goes like that, doesn't it?
21 And frankly, from our own Justice Department under
22 President Barack Obama, the statistics are not on your
23 side on this one. We were told that some of our debate
24 was unfair, that some of the photos weren't fair, they
25 were too personal, that the assertions about economic

1 impact and loss of revenue were unfair or exaggerated.

2 Well, the debate, if you could call it
3 that, was based on facts, on history, on knowledge.
4 The photos were real with real people legally using
5 normal capacity magazines firing weapons with not one
6 person getting hurt, not one. The economic impact and
7 the revenue lost to families is going to be real.

8 We heard true stories from genuine
9 people who are about to lose their livelihoods as
10 businesses across the front range relocate out of
11 Colorado. For those Colorado citizens and business
12 owners who shared their personal stories, they were
13 berated in our committees. And I apologize. The
14 treatment you received by this body was unfair.

15 Let me tell you what else was unfair.
16 It's unfair that this law casts thousands of
17 law-abiding citizens, including many of us in this
18 chamber, into the same lot as criminals, killers, mass
19 murderers.

20 Actually, it's despicable. It's unfair
21 that hundreds of people came from all over the state
22 and were shut out of the process that is supposed to be
23 open and accessible. It's unfair that many who did get
24 a chance to testify were maligned in the public
25 hearings by the very legislators who represent them.

1 It's unfair that this assembly is using
2 horrific tragedies to push a national agenda on gun
3 control, in spite of the fact that the statistics
4 already prove that this bill will do nothing for public
5 safety.

6 It's unfair that elected law enforcement
7 officials from across our state were virtually
8 dismissed out of hand and denied an opportunity to
9 testify on this bill and others. It's unfair that with
10 the passage of this package of bills, the de facto
11 Governor of Colorado is New York Mayor Michael
12 Bloomberg.

13 MR. PRESIDENT: Senator Cadman,
14 30 seconds.

15 SENATOR CADMAN: May I continue my time
16 into my next segment?

17 MR. PRESIDENT: You may.

18 SENATOR CADMAN: Thank you,
19 Mr. President.

20 Many proponents of this legislation,
21 when asked why, have said we must do something, we have
22 to do something. They claim this Bill 1224 is just the
23 first step in a long journey. Wow. A first step.
24 Seven bills. Second step. Third step. Fourth step.
25 Seven steps. Now you're on a roll, on a long journey.

1 A long journey to government confiscation, a journey to
2 eliminating the Second Amendment Rights altogether.

3 You know, I would much rather take my
4 chances out on the street. I'd much rather -- I'd
5 rather take my chances of dying in a country where men
6 and women are free than living in a country that isn't.

7 I believe the Founders felt that way
8 when they put the Second Amendment in place and we
9 swore to uphold that on opening day.

10 This is our chance to uphold that solemn
11 promise that we made to the people that elected us.
12 And do that today by voting no.

13 MR. PRESIDENT: Senator King?

14 SENATOR KING: Thank you, Mr. President.

15 This is an emotional event for many. I
16 want to start by apologizing to my friends on this side
17 of the aisle. Friday, I read some research. I read
18 that as a part of the 1994 and badly named assault
19 weapons ban, the production of high-capacity magazines
20 was halted.

21 A comprehensive study by the Center for
22 Disease Control nine years later looked at 51 studies
23 covering the full review of gun control measures,
24 including this ban, and concluded that none could be
25 proven to reduce crime. The American Journal of

1 Preventative Medicine did a similar survey and came up
2 with much the same conclusion.

3 I know it's hard to believe,
4 Mr. President, as stoic as I am and unemotional, but I
5 got pretty fired up and challenged my friends to a
6 debate about that. And we voted and we were done at
7 11:30 on Friday night. I got into my car and drove
8 254 miles in a snowstorm, got home at about 4:00 in the
9 morning and was wide awake, trying to answer a
10 question.

11 And the question was: Why did I want my
12 red-headed friend and adversary from Aurora to come
13 down to the well and do what we do best, which is fight
14 in public about policy?

15 Why did I want my friend who is a
16 principal to come down to the well and educate me, to
17 school me on this information?

18 Why did I want my friend, who is a
19 doctor, to come to the well and tell me where these 51
20 studies that the Center for Disease Control were wrong,
21 that they had bad information?

22 The reason is -- the reason that I
23 wanted to have that debate was because I wanted to be
24 wrong. I wanted you to convince me that all of this
25 information is wrong. I prayed that it was nothing

1 more than plastic and springs. I wanted it to be that
2 simple. I wanted it to be simple.

3 My whole life has been studying violence
4 and that simple answer would have been key. I did not
5 want it to be about neurotransmitter pathways. I did
6 not want it to be about serotonin or norepinephrine or
7 adrenaline or dopamine or any natural chemical
8 imbalance. I did not want it to be about those
9 complicated chemical computers that we all have on our
10 shoulders.

11 Saturday morning, when I got up, I
12 looked at our local newspaper and the headline was
13 "Guns used in more suicides than any other weapon."
14 And I thought, Well, there's the answer. We just get
15 rid of the guns and we won't ever have suicides again.

16 It is not that simple. That is the
17 problem. It is not that simple. And I'm reminded of
18 that saying about insanity is doing something over and
19 over and over and over again and expecting a different
20 result.

21 I try and figure out why someone would
22 kill their mother and then kill innocent children, and
23 I want it to be as simple as plastic and springs. I
24 wonder why someone would dress up like a Joker and go
25 into a theater and kill innocent people and I want it

1 to be as simple as plastic and springs, but it is not.
2 It is much more complex than that. That is violence.
3 We are complex organisms, and springs and plastic is
4 not going to cover it.

5 I want us to make good decisions,
6 decisions based on evidence, decisions based on
7 information like, for example, the American Journal of
8 Preventative Medicine, or, for example, the Center for
9 Disease Control, 51 studies. And 51 studies said it is
10 not as simple as plastic and springs, so let's move on.

11 I would ask for a no vote on this
12 (inaudible) legislation. Thank you, Mr. President.

13 MR. PRESIDENT: Senator Baumgardner.

14 SENATOR BAUMGARDNER: Thank you,
15 Mr. President.

16 Well, that raised a lot of questions,
17 didn't it? Mine are not as complex as that. One of
18 the things that I wanted to talk about, one of them. I
19 should be done within the next, oh, ten minutes or so.

20 And I've come up to speak on almost
21 every one of these bills, and maybe there's several
22 members here that is tired of me coming up and speaking
23 on these bills. But my constituents, as we all have
24 constituents, continue to call me and e-mail me and
25 say, Don't stop the fight. Stay in there. Protect my

1 rights. Make sure we're represented.

2 Last Friday, 10:30, 11:00, when I came
3 up and I had all these cards from constituents -- and
4 not only mine, but people from all over the state --
5 begging the legislature to not pass any of these gun
6 laws.

7 The one that was most on their mind was
8 this piece of legislation. Mainly because they felt
9 whether we feel here, whether we feel it's not part of
10 it, they felt that it was an infringement, again, on
11 their Second Amendment Rights. And again, whether we
12 believe it or not, they believe, I believe it's an
13 infringement on their rights.

14 We talked for hours and hours on the
15 jobs. And we come down here and that's all we tout
16 most of the time -- jobs and the economy, jobs and the
17 economy, and what we're going to do down here in the
18 State of Colorado to make sure that we keep people
19 working.

20 We talked about businesses that have
21 said we will leave. And when we leave, they'll be
22 hundreds of people, possibly over a thousand people
23 because of the satellite businesses, that will be
24 affected by this piece of legislation. Those people
25 will now be out of work.

1 We talked about unemployment, that we
2 seemed to be recovering right now. So what do we want
3 to do? We want to drive more business out of the State
4 of Colorado and our unemployment rates will go back up.

5 And when those unemployment rates go
6 back up, then there's more people on unemployment.
7 Then we have to pay for it. And again, where's that
8 money going to come from?

9 Limiting the size of a magazine is not
10 going to stop bad people from doing bad things. You
11 heard from a retired state patrolman through me that in
12 a short order of time he can teach people and does
13 train people on self-defense. And in a matter of
14 seconds, you can change those magazines out. Many of
15 the atrocities that we've seen throughout this state
16 and throughout the country, ten-round clips, ten-round
17 magazines -- excuse me.

18 And right now, 15 rounds. We want to
19 set that magic number at 15 rounds. And let's hope
20 nothing ever happens again, but chances are it might.
21 So now, we're going, Well, 15 is not the number. Let's
22 do ten. Let's do five or one. And it was said
23 earlier, is this just one of many steps to disarm the
24 citizens of the United States?

25 We've remained a free country for over

1 two centuries because law-abiding citizens are armed.
2 Criminals, by definition, they don't follow the law.
3 If we limit the law-abiding citizen, the type of
4 firearm, the type of magazine that they can own, how
5 will they defend themselves? How will they defend
6 their family?

7 How will we defend our livestock from
8 the people that live in rural Colorado that do sling
9 their AR-15 over their shoulder when they go out, when
10 they do sling that AK-47 over their shoulder when they
11 go out to make sure that their calves are okay, to make
12 sure their sheep are okay, to make sure that the
13 mountain lion or the bear or the coyote hasn't
14 decimated their herd? Drastically affect rural
15 Colorado.

16 I, like anybody else in this state, have
17 the right to defend myself and my family from
18 criminals, and the Constitution also says from foreign
19 and domestic enemies. Limiting the size of a magazine
20 is not going to stop someone that is mean, someone that
21 suffers from mental illness, someone that, if their gun
22 does not have a large-capacity magazine or a
23 standard-capacity magazine, which many of these
24 firearms have -- many firearms that people have, have
25 17, 19 rounds. That's in a handgun. These would now

1 be outlawed. That's a standard-capacity magazine that
2 comes with that firearm.

3 A law-abiding citizen that has not
4 broken any laws should have the right guaranteed to
5 them by a Constitution that I believe should not be
6 limited.

7 Vote no on House Bill 1224, not because
8 I ask for it, but because a large group of Coloradans
9 who showed up here during testimony, who showed up here
10 in the chambers, the ones that were heard, the ones
11 that were not heard.

12 MR. PRESIDENT: Senator Baumgardner,
13 30 seconds.

14 SENATOR BAUMGARDNER: Thank you,
15 Mr. President. I'll finish up.

16 Please. I'm asking for those people.
17 Vote no on this piece of legislation. Thank you,
18 members. Thank you, Mr. President.

19 MR. PRESIDENT: Senator Lambert. I'm
20 not starting the close yet, Senator Lambert.

21 SENATOR LAMBERT: Thank you,
22 Mr. President.

23 It was my pleasure to serve, as you
24 know, in foreign service overseas. I was the defense
25 attache in Stockholm, Sweden. I was able to travel to

1 France, Germany, England, Denmark, a lot of European
2 countries. I spent about -- I think it was about two
3 weeks in Switzerland.

4 We are told in this bill that having
5 high -- so-called high-capacity magazines and having
6 rifles in our society is somehow unsafe. I was very
7 impressed by the Homeland Security and probably most
8 impressed of any country in the world with the Homeland
9 Security of the Swiss. They have a very, very well
10 planned out system of deterrence.

11 And as far as I know, as far as I
12 recall, it's about the only country in Europe that
13 hasn't been successfully invaded, at least for hundreds
14 of years. They buy some of our products. I think they
15 buy American F-18 fighters. They put them inside of
16 revetments, inside of mountains in case they are bombed
17 and they roll out onto a runway and take off with
18 high-performance aircraft. But one of the reasons that
19 the Swiss are not invaded is because they have a
20 citizen army.

21 Now, I've been told that their sergeants
22 show up at their door and put a tape measure on the
23 handle of the door and stretch it out I think it's 15
24 feet or whatever it is, ten meters. And if you don't
25 have your assault rifle within that distance from your

1 front door, you'll be on report. And oh, by the way,
2 the 300 rounds of ammunition that every citizen in
3 Switzerland, every home, has to have within ten feet of
4 their front door.

5 Isn't it interesting that the model
6 we're looking at today is patterned after New York City
7 or maybe Washington D.C. or maybe Chicago, where guns
8 are banned and yet have the highest crime rates and
9 murder rates in this country? Shouldn't we be looking
10 at another model, maybe like Switzerland, that has the
11 lowest crime rate in the world? There are no drive-by
12 shootings. Are you kidding?

13 A lot of people put their money in Swiss
14 banks. I don't -- I don't have enough money. But
15 there are not a lot of bank robberies. It's generally
16 what we would call a civil society because people know
17 their limits. People don't commit violent crimes in
18 Switzerland. It's a great place to visit.

19 We have trusted people in the United
20 States that should be defending our liberties. Here in
21 Colorado, our National Guard, our six military bases,
22 plus all the National Guard bases we have. We have
23 hundreds of thousands of veterans who have served our
24 country with the training to protect us here at home as
25 well.

1 And yet when I offered an amendment on
2 Friday without comment, it was turned down to have a
3 waiver of this incredibly dangerous law for active duty
4 military, for active -- for reservists, for our
5 National Guard members and their families, who they
6 might just have to leave the gun around the home to
7 protect. I don't know if we have background
8 investigations or not when you leave on a deployment.

9 But shouldn't we be relying upon our law
10 enforcement officers, our veterans, our active duty
11 military and National Guard members to know what the
12 right thing is to do instead of taking away their
13 rights to defend themselves and to defend our country?
14 This bill does not do this. This bill creates a moral
15 hazard of extreme proportions of higher crime for this
16 state.

17 And yet, we have an alternative and I
18 would implore my fellow members to vote against this
19 bill, to at least recognize that there is another way.
20 There is a model. It is not confiscating weapons. It
21 is not confiscating magazines.

22 Let's look at the Swiss. Let's look at
23 a lot of other places that have well-trained and that
24 case sort of a well-regulated militia, which is what
25 was contemplated by our Constitution, and yet they are

1 citizens. We have the same model here in the United
2 States successfully throughout our American history
3 where our citizens were expected to have the freedom to
4 be able to defend our own country and our own
5 communities. And yet, now we're passing that threshold
6 of freedom of self defense into an impractical,
7 unenforceable world which we've seen in other models
8 just lead to more crime, more violence.

9 Please vote no on this bill.

10 MR. PRESIDENT: Senator Lundberg.

11 SENATOR LUNDBERG: Thank you,
12 Mr. President.

13 It was George Orwell who coined the term
14 "double speak." And if you recall, in that book,
15 "1984," the big issue was the tyrannical government
16 that found ways to manipulate the population by taking
17 a term or a phrase or a word and turning its meaning on
18 its head. I want to start with that concept with the
19 1224 because I believe that 1224 is employing that
20 technique of double speak, because it says banning
21 high-capacity magazines.

22 Now, we've been over this before, but we
23 need to go over it again until everyone in Colorado
24 understands that this is double speak. It's banning
25 magazines that can hold more than 15 rounds of

1 ammunition or can be readily converted to do that. You
2 saw this before, but this is the PMAG 10, holds 10
3 rounds. Is it banned? Yes. Why? Because here's what
4 it takes to convert it. Put the spring in and you have
5 much more than 15-round capacity from a PMAG 10.

6 Now, what does that make this part?
7 Illegal. Because it doesn't -- the law doesn't state
8 that it has been converted. It just is designed to be
9 converted. Well, it is. And that's the way these
10 magazines function. So this is a ban on any capacity
11 magazines, any capacity. That's the first point.
12 House Bill 1224 is a ban on magazines of any capacity.
13 That's one point.

14 Here's the next one. This is an
15 anti-jobs bill. You've heard of the direct
16 implications, that being that the manufacturer Magpul
17 that does produce these units employs about 200 people.
18 They have suppliers that they have intentionally drawn
19 from the State of Colorado and we've heard many, many
20 testimonies from those suppliers, how grateful they are
21 that PMAG intentionally kept their business at home.
22 This is not just built in the USA, but built in a
23 Colorado company.

24 They're all leaving the State and it's
25 not out of spite. It's out of the economic necessity

1 of producing a product that's legal in its state of
2 origin. The gun owners of our country and probably
3 around the world know better than to support a business
4 that has capitulated to the gun control measures of its
5 local state. It makes every bit of sense for them to
6 leave if they're to stay in business. So anything we
7 put in this bill that says oh no, you can still come
8 and build your product here, you just can't sell it
9 here falls on deaf ears that know better. That's a
10 false hope that's let out.

11 So it's jobs, jobs, jobs, but that's
12 just the first part of the jobs. Because I've been
13 assured by people from around this country that they
14 will not support Colorado's hunting industry either.
15 This is a destination state. This is a big business
16 for Colorado. It's not just a few hundred jobs. It's
17 a significant portion of our state's economy. House
18 Bill 1224 tells those people stay away because you're
19 second-class citizens in our state.

20 That's another point, but that's not the
21 most important point. Because the most important point
22 is the ability of citizens to defend themselves and
23 their family, to defend their property. In my District
24 up in Larimer County, that's -- there are a lot of
25 people who live a long way away and I still remember

1 the gentleman from Livermore up in the northwest corner
2 of the county telling me I'll tell you how big the
3 capacity magazine I need and that's one more than the
4 guy that comes up against me because I'm -- you know,
5 the police, the sheriff's department can show up and
6 fill out the report, but they can't fix the problem.

7 He understands and it's his
8 Constitutional God-given right to defend himself. But
9 we're saying only with one hand tied behind your back.
10 Now, that's even assuming that I buy into the double
11 speak of this one's legal. No, it's not. It's not
12 legal. If this is the magazine for your firearm, you
13 can keep the gun, but you can't keep what feeds it.
14 And you know, we've had discussion on other bills where
15 we've discussed, well, can you legally transfer it here
16 or there or does it have to have a background check?

17 Well, that discussion is off the table
18 with 1224 because you can't transfer it, period. You
19 can't pass it on to your children. You can't give it
20 to someone. You can't sell it to someone. You can't
21 transfer it. It's illegal. And it's not just this,
22 it's this. This is illegal by the standards of House
23 Bill 1224.

24 This bill is the gun ban bill of 2013.
25 And we've had a few others that have not made it

1 through the system for which I am grateful, but it
2 doesn't really matter much because -- because this
3 still seems to be the end game. And I've been down
4 here long enough to know that there's a little bit of
5 shuffle that you do when you go through the process.
6 If what you want at the end of the day is a pretty
7 substantial gun control measure that bans a lot of
8 what's out there, this is it, 1224.

9 Some of the other bills have some
10 long-term consequences that will potentially leap that
11 direction, but you don't need to go any further than --
12 what is it? -- July 1st of 2013 and suddenly, all of
13 these are at least called into question because you can
14 say well, wait a minute. I owned this before that
15 date, but you're going to have to prove that to a Judge
16 in order to maintain that authority. And otherwise,
17 they take it away and charge you with the crime of
18 merely possessing it.

19 House Bill 1224, the gun ban bill of the
20 2013 session. The people of Colorado have spoken very
21 clearly and each one in this room knows that very well.
22 Vote no.

23 MR. PRESIDENT: Senator Johnston.

24 SENATOR JOHNSTON: Thank you,
25 Mr. President. I'm going to go ahead and pay my fine

1 proactively, Mr. President, because I plan to break the
2 rules.

3 Senator King, I also couldn't sleep
4 Friday night. And I had a much shorter drive than you
5 did, it was only about ten miles. But I got home and
6 couldn't go to sleep either. And it was because I felt
7 that I owed you an answer on Friday.

8 I felt like it is easy in issues this
9 tense and this closely held to avoid the conflict
10 rather than to walk into it. But I feel like if our
11 friendship means anything, it means on the issues most
12 deeply held to you I ought to owe you an answer if we
13 disagree. And so -- so I want to say a few words about
14 some of the points that you made and others have made.

15 And the first is I do want to say
16 something about the people involved in this debate, and
17 particularly about the folks on this side of the
18 chamber who have opposed this measure. I want to say
19 that -- and apologies to Senator Roberts and Senator
20 Marble -- I may use the phrase "guys" because it
21 describes the majority of you.

22 I want to say that one of the things
23 that makes me proud to serve in this body is that you
24 are the type of men that escort the women members of
25 our caucus out of the committee hearing on this bill to

1 ensure their safety, even for a policy they've just
2 voted for that you believe deeply against.

3 You are the kind of people that if I
4 ever find myself on Flight 93 or in Theater 9 or in
5 Sandy Hook, I hope I look up and see these faces in
6 that room. Yeah, I read the great essay from Colonel
7 Grossman and you, my friends, are in a world of sheep
8 and wolves, you are sheepdogs and I want to say thank
9 you for that.

10 And so what is the question that we are
11 asking here? I think the truth is that any society
12 that holds more than one value, holds no value
13 absolutely. And that means that the sacred right to
14 bear arms, just like the sacred right to freedom of
15 speech, just like the sacred right to freedom of
16 privacy, has limits. Liberty curbs equality, equality
17 curbs liberty, just in the way that these rights are
18 balanced against each other.

19 And I think our lives and our laws now
20 reflect that truth. We're not here debating today
21 whether or not we have the right to bear an RPG or an
22 M-1 tank or a Black Hawk helicopter or a bazooka or the
23 arms that might reasonably be required if we were going
24 to require a well regulated militia today to defend
25 ourselves against foreign invasion.

1 We made that decision when we
2 established a professionalized Army in this country.
3 We made that decision when we supported policies that
4 had America wage and win an arms race that made us the
5 single superpower in the world, I think policies that
6 made this country safer. But it means that it's no
7 longer personally possible or fiscally possible for us
8 to believe that every household in America can win an
9 arms race against every foe.

10 But I believe there is a different war
11 that we are talking about today that is deeply
12 important. And that is a war fought by the hollow men
13 in this country, fought by the people whose emptiness
14 is so deep that they try to fill it by finding
15 senseless ways to cause pain in lives of the innocent.
16 That's the war we're talking about here.

17 And let's make no mistake. The defining
18 characteristic of this war is that it is a war fought
19 by cowards, which means, Senator Brophy, they will
20 never post on the website that they'd like to challenge
21 us and meet us in the town square of Wray. Because
22 they know that the number of Americans that would show
23 up to fight that battle would be so vast, even the
24 great eastern plains of Colorado probably couldn't fit
25 them all.

1 They may be cowards, but they aren't
2 fools, which means they will never fight this war in a
3 place where we're ready or we're prepared. And the
4 irony is if they did, none of us would probably need
5 more than a musket from the 18th Century, because a
6 hundred-million Americans standing arm to arm shooting
7 one round each would be plenty to mow down whichever
8 cowards would show up at that fight.

9 But that's not the way they're going to
10 fight this. They're going to fight this not on the
11 battlefields of America, but on the playing fields of
12 America. They're going to fight this not in the times
13 when we have an AR-15 and a couple of 60-round
14 magazines in our pocket. They're going to fight it
15 when we have a box of popcorn and a movie ticket in our
16 hands or when we have a library book or a Disneyland
17 pass. Those are the moments they're going to fight.

18 And that's a hard reality to face,
19 because that means in those moments, we are going to be
20 outgunned. Because let me tell you, there was one
21 debate that was heated around this issue, which is what
22 if there were an SRO at Sandy Hook?

23 Well, I can tell you we had an SRO at
24 our school for five years and that SRO carries a gun.
25 He carries one gun. But the task of taking lives and

1 the task of saving lives are fundamentally different
2 endeavors and they require different tools, which is
3 why on that SRO's belt, he also has a radio. He has
4 tools of communication. He has tools of peace. He has
5 a telephone. He has handcuffs.

6 And you know what? He'd never have
7 space to carry an AR-15 with him because he is going to
8 spend 99 percent of his time doing what every adult in
9 an elementary school does every day, which is putting
10 Band-Aids on kids' knees and asking them how their day
11 was and carrying them to class if their leg's broken
12 and ruffling their hair and (inaudible) and pick up
13 basketball. The cost of living and loving is that it
14 takes up so much space in our lives. It fills our
15 hands. It fills our pockets. It fills our hearts.

16 The hollow men have no such burden.
17 Think of the man that walked into Theater 9 or into
18 Sandy Hook. Every single ounce of his being is filled
19 with hate. Every pocket is filled with ammo. Every
20 shoulder is filled with a gun. Every hand is filled
21 with another one.

22 And unless we plan to put down all of
23 the rest of things that we value to compete with him,
24 unless we plan to hollow ourselves out so much that we
25 also are that empty and have nothing else to carry, we

1 will never walk into that battle as prepared as he is.

2 Because when I walk into the Aurora
3 theater and I do often, I have about seven pockets in
4 my coats. And one of them's got a bottle and one of
5 them's got a pacifier and one of them's got a snake
6 book and one of them's got a half-eaten fruit bar and
7 one of them's got a cell phone and one's got my wife's
8 car keys. And I hope that the next time I'm in one of
9 those theaters that there is someone sitting next to me
10 with a concealed carry permit. I do.

11 That's why I had concerns about the bill
12 on Friday. But even that man, even one of us in this
13 chamber sitting next to me in Theater 9 with a
14 concealed carry permit, when I walk into that theater,
15 I'm hopefully holding two things. I'm holding a Coke
16 and I'm holding my wife's hand.

17 I might drop that Coke for a concealed
18 carry permit to pick up my gun. I'm never dropping my
19 wife's hand, which means I always only got one hand to
20 fight with and he's always got at least two. Because
21 he's got nothing to hold that's nearly as valuable as
22 my wife's hand is.

23 And so the bad news is, in that moment,
24 we are going to be outgunned. The good news is in
25 America, that never means we're going to be outfought.

1 Todd Beamer was outgunned on Flight 93. He won that
2 battle. Jean Hassam at the New Life Church in Colorado
3 Springs was outgunned. She had a simple 15-round
4 magazine against a guy with an AR-15. She only needed
5 ten of those rounds to hit him and knock him down.

6 You take -- my favorite story, the
7 74-year-old Lieutenant Colonel Badger at Gabby
8 Gifford's shooting. He was outgunned, didn't even have
9 a gun. But it didn't stop him from tackling the
10 shooter and ending that massacre. Actually, he was --
11 he was joined by a man, (inaudible), who actually had a
12 concealed carry permit, but didn't use it. Why?
13 Because in the incident, he responded as fast as he
14 could and just tackled him. He never got the gun out
15 of the holster.

16 In those moments, being outgunned
17 doesn't mean being outfought. It just means we need a
18 chance to let American people be heroes. It means we
19 need the chance. Because I think those folks that are
20 willing to fight for their families are always going to
21 fight harder than those that are willing to die for
22 fame.

23 So what I find the most shocking about
24 the Newtown story, what broke my heart the most on that
25 is when the story broke at the end of the day, I

1 couldn't believe it. There were no survivors. There
2 has never been a mass shooting in America where there
3 were no survivors. And you know the story no one wants
4 to tell about that? Do you know why? It's because
5 every single bullet mattered. Because he put the gun
6 to the head of a five-year-old execution style one
7 after another and made sure he never missed.

8 MR. PRESIDENT: Senator Johnston, 30
9 seconds.

10 SENATOR JOHNSTON: Can I use,
11 Mr. President, my next ten?

12 MR. PRESIDENT: You may.

13 SENATOR JOHNSTON: And so here's why
14 that matters. We lost 26 people that day.
15 Mr. Sherlock, whose wife died that day, the school
16 psychologist, testified that when he reloaded his
17 30-round mag, in that 11 seconds that he reloaded, 11
18 kids got away. You gave us that 11 seconds and we
19 prevented a body count of 26 from being 37. All we
20 needed was that 11 seconds. And so the hard question
21 to ask is what if that were a 15-round mag? We could
22 have picked 11 of those little five-foot coffins and
23 chosen not to fill them in that 11 seconds.

24 Senator Brophy, I was invited to your
25 party last year and I plan to come this year. And when

1 I come, I want to bring my boys. And I think there is
2 no place safer or more enjoyable frankly for them to
3 shoot than with you on your farm. I think they'd love
4 it. And I will be happy when this bill passes to make
5 two stops on the way to that party. I will stop and
6 buy Mrs. Brophy a bottle of wine, which I should,
7 because I have at least a little bit of good home
8 training. And I will be happy to stop on the way to
9 buy my own ten-round mag for my kids to use in your
10 guns.

11 And I have every bit of confidence that
12 there will be on the market that magazine for me to buy
13 in July in the same way that there is right now because
14 I too like to search online, Senator Brophy.
15 (inaudible) right now online a Glock 17, 9 millimeter.
16 You can buy it right now, \$499. It says right here at
17 the bottom choose your options, California, Hawaii,
18 Massachusetts, New Jersey, New York models come with
19 ten-round magazines.

20 I believe in capitalism. It's a fierce
21 thing, which means I'm sure you will have that option
22 on here to buy in Colorado a 15-round magazine. But
23 what matters more than that is that when they get there
24 and they get to shoot that gun and I am sure the first
25 ten rounds that they shoot nothing will come within a

1 country mile of a watermelon. But then they for the
2 first time unpack that first clip and in the 11
3 seconds, if I've trained them well, they'll look up and
4 they'll give you a big smile and they will say thank
5 you for letting them have this great fun experience for
6 teaching them how to do it safely. About 11 seconds.

7 All I'm saying is if in that same 11
8 seconds, somewhere else in this State, that buys a man
9 like Steve King enough time to clear his holster and
10 take a shot at somebody, if that buys him enough time
11 to even clear his head and take a swing at somebody,
12 then that means we put 11 fewer kids in boxes in the
13 next year or two years. That is an 11 seconds that I
14 will trade.

15 You're right, we can't get the kids back
16 that we've already lost, but we can sure refuse to send
17 them more. We can right now fight the increase in
18 class sizes in heaven. We can do that. But it's going
19 to take our ability to make a commitment on values.
20 Because this is a true dilemma. Dilemmas are when you
21 have competing values on both sides. I am willing to
22 trade the 11 seconds of that inconvenience for the 11
23 kids we don't have to bury.

24 If we just one time give someone in this
25 chamber or the next theater or baseball game or public

1 gathering enough time to be a hero, we have seen over
2 and over and over in this country, if you give the
3 American people a chance, they will fight for us and
4 they will keep us safe. We're not asking for it all.
5 We're just asking for 11 seconds to give them a chance.
6 I ask for an aye vote.

7 MR. PRESIDENT: Senator King?

8 SENATOR KING: (Inaudible.)

9 MR. PRESIDENT: So to Senator Roberts.

10 Okay.

11 SENATOR ROBERTS: Thank you,

12 Mr. President.

13 Well, and I want to thank our esteemed
14 colleague from Denver, because I know there's a lot of
15 passion and thought in there and a lot of good points.
16 It will take me a while to unpack some of them and I'm
17 not sure I followed all of them. But I want to talk
18 about this bill, House Bill 1224 and why I'm opposed to
19 it.

20 I brought this up on Friday and I ask
21 you if you haven't looked at your fiscal note, because
22 that's the best Reader's Digest version I see for this
23 bill. I want to remind you what this bill does. So
24 beginning on July 1st, 2013, the following actions are
25 subject to criminal penalties:

1 Sale, transfer or possession of a
2 large-capacity magazine is a class two misdemeanor.
3 Second and future violations of the prohibition of the
4 sale, transfer or possession of a large-capacity
5 magazine is a class one misdemeanor. And use of a
6 large-capacity magazine in the commission of a felony
7 or crime of violence is a class six felony.

8 If you go to the second page of our
9 fiscal note, it will talk to you about the four new
10 crimes that are created. And I would tell you that a
11 number of my constituents -- and I have heard from
12 many, many of those constituents, they'd probably be
13 okay with that one new felony charge for those who are
14 already committing crimes. Where the big issue comes
15 is creating three new misdemeanor crimes for my
16 currently law-abiding citizens who come July 1 will no
17 longer be law-abiding citizens, but under this bill
18 will become criminals.

19 So who will this bill affect? If only
20 it would make our children more safe, if only it would
21 make going to a movie a safe experience, but who will
22 this actually affect? It's going to affect my
23 constituents. And when they go to court the first time
24 for a violation of this, whether it was knowing or
25 unknowing, then they'll go again a second time and

1 perhaps there will be a Judge there that says well gee,
2 you didn't get it the first time, let's up the ante.
3 Well actually, the ante is upped by this bill.

4 And then what happens the next time? So
5 do you actually put them in jail? Yeah, basically as I
6 read the bill, that is what it does. It puts them in
7 jail. Who else is going to be impacted by this bill?
8 Well, I think criminal defense attorneys are going to
9 have a real windfall with this. I think the public
10 defenders probably ought to look at adding some public
11 defenders because they'll be defending my constituents.

12 Who else is impact by this bill is my
13 sheriffs. And I've tried to tell you repeatedly I have
14 eight sheriffs. I've now spoken with seven of them.
15 They each let me know how unenforceable this is. It's
16 unenforceable particularly in my district because I
17 live in the four corners, because Utah, Arizona and New
18 Mexico are way, way closer to us than Denver.

19 They are very concerned because when we
20 create a new law, there's an expectation that they're
21 going to go out there and they're going to enforce that
22 law. What they're telling us is they can't do it. Not
23 because they don't want to do it, but because how in
24 the world do you actually make this work? To me, this
25 is a Metro Denver solution for an entire state that

1 does not work.

2 Now, who won't this bill affect? It's
3 not going to affect the criminals. It's not going to
4 -- it's not going to affect those people you're trying
5 to catch for the felony and it isn't going to affect
6 the determined, violent and mentally ill person who are
7 the people who are walking into the theaters and the
8 classrooms and mowing people down. They're not going
9 to be deterred by this.

10 I get frustrated sometimes here. I feel
11 like the urban rural divide of Colorado shows up in
12 many ways. In no way does it show up more than in this
13 bill. I've talked before about how many Coloradans are
14 incredibly proud and rightfully proud of the western
15 slope and rural Colorado and the fact that your
16 calendars have our lands on them.

17 The fact that the Colorado State map has
18 six out of its ten pictures come from my District
19 because we're all very proud of the rural area. Well,
20 you know, the rural area doesn't take care of itself by
21 itself. It's the people who live in it who actually
22 take care of it.

23 I want to talk about the sheriffs and
24 what their position was on this bill in particular, the
25 ban on high-capacity magazine. And this is a letter

1 that the sheriffs had sent out explaining their
2 opposition to this bill.

3 Law enforcement officers carry
4 high-capacity magazines because there are times when
5 ten rounds might not be enough to end the threat.
6 County sheriffs of Colorado believe the same should
7 hold true for civilians who wish to defend themselves,
8 especially if attacked by multiple assailants.

9 Recently, a young mother in Georgia
10 defending herself and her two children, needed all six
11 bullets in her 38 caliber handgun to stop one intruder.
12 She hit him five times and still he was able to get
13 into his car and drive away. Fortunately, the young
14 mother prevailed. Had there been more than one
15 assailant, the outcome may not have been the same
16 because she would have been out of ammunition.

17 Also -- and this is the county sheriff
18 speaking. Also, we know that in high pressure, high
19 adrenaline situations, people may not be as accurate
20 with their shots. Thus, they may need more ammunition
21 to neutralize a threat. When seconds matter, county
22 sheriffs of Colorado do not want to deny a law-abiding
23 citizen the ability to defend himself and his family
24 based on an arbitrary limit on how many bullets should
25 be in one magazine clip.

1 There are studies -- and they've been
2 brought up this morning even -- that would dispute that
3 this will make any public safety difference. I have
4 had the opportunity to go to some foreign countries
5 with the national conference of state legislatures to
6 do town hall meetings, working with legislators in
7 Algeria and in South Africa. When my friends and
8 neighbors are called by those, including some in this
9 chamber, lunatic fringe or right-wing wackos because
10 they care about their Second Amendment Right, it is
11 deeply offensive.

12 Having been to these countries where
13 today real time 2013, people are sitting on a powder
14 keg or, in fact, fights in their street, it is not
15 being a wacko to be concerned about caring for your
16 citizenry and for the rights guaranteed to us under our
17 Constitution. I look at Syria today. I look at Egypt
18 today. Again, I don't think it's lunatic fringe to
19 have concerns for that.

20 Who I see this bill impacting is the
21 grandmother who lives down the long, dirt road, 40
22 minutes if she's lucky from law enforcement when she
23 has that intruder. And yes, we do have intruders who
24 come into our homes and want to cause harm. I see this
25 bill impacting the rancher who's up against a bear or a

1 mountain lion. And again, it's not just on the
2 calendars. It's not just on our state map. These are
3 the caretakers of our land. They're the caretakers of
4 the beef you like to eat in your restaurants or at your
5 dinner table.

6 And probably most emotionally to me, the
7 person who this will impact is the veteran in the
8 wheelchair, who I told some of you who were actually in
9 the room last week about, but I'll tell it now. Some
10 of you might not have been here. Tyler Wilson, the
11 young man who served in Afghanistan, who took four
12 shots and is forever paralyzed in a wheelchair, who now
13 lives here in Metro Denver.

14 He's the young man who tried to testify
15 a week ago today, who showed up at 7:30 in the morning
16 and finally had to leave at 4:00 unable to testify
17 despite having signed up for that because nobody could
18 get around to hearing from him. That is a disgrace and
19 it hurts my heart.

20 Tyler wanted to tell you how he needs a
21 right to defend himself now that he will spend the rest
22 of his life in a wheelchair. He feels handicapped, not
23 just by the wheelchair, but by this bill and the
24 inability to defend himself as he lives in the streets
25 of Metro Denver. And I can tell you that the people

1 who will be impacted the most are the people who are
2 not going to comply with this law.

3 We talk down here about emptying our
4 prisons and the jails and the appropriateness of
5 criminal penalties and I will tell you that my people
6 will not do this. They will not give up their rights
7 under the Second Amendment. They will not accept an
8 arbitrary ten, as if that is going to save somebody in
9 particular. If you are motivated, you will mow down
10 people with whatever you have.

11 MR. PRESIDENT: Senator Roberts, 20
12 seconds.

13 SENATOR ROBERTS: That's fine, and I'll
14 go into my next ten minutes if I'm not done.

15 MR. PRESIDENT: Okay.

16 SENATOR ROBERTS: Thank you,
17 Mr. President.

18 MR. PRESIDENT: Okay.

19 SENATOR ROBERTS: So I would suggest
20 that you be prepared to jail the grandmother who lives
21 down the dirt road. You be prepared to go after the
22 rancher, who is actually using it as a tool on his tool
23 belt, no different than a wire cutter or the shovel he
24 needs to use on his job on his daily rounds around the
25 ranch.

1 And you be prepared to jail people like
2 Tyler Wilson, because I do not believe they will comply
3 with this. And I for one cannot support a bill that is
4 asking people, law-abiding citizens, to become
5 criminals. It is just wrong.

6 MR. PRESIDENT: Senator King.

7 SENATOR KING: Thank you, Mr. President.

8 Though defensive violence will always be
9 a sad necessity, in the eyes of men of principle, it
10 would be even still more unfortunate if wrongdoers
11 should dominate just men, St. Augustine. Sir Johnstone,
12 I would gladly fight the good fight for you so you
13 don't have to let go of your wife's hand.

14 Government should never put law-abiding
15 citizens under the boot of violent criminals.

16 Government should never allow law-abiding citizens to
17 be outgunned by criminals. The first law of nature is
18 every creature's right to self defense.

19 My friends, on a somewhat different
20 topic, please do not be confused that the goals and
21 objectives of Barack Hussein Obama, of Joe Biden, of
22 Michael Bloomberg are the same goals and objectives as
23 the majority of your constituents.

24 Mr. President, I look forward to the
25 vice president of the United States coming to Colorado

1 and going to Durango to help the representative on his
2 recall election. He owes him that. He does. He owes
3 him that. The man was in office for two months as a
4 state representative when he gets a call from the vice
5 president of the United States lobbying him. Joe Biden
6 and Michael Bloomberg do not know what's important for
7 Colorado.

8 MR. PRESIDENT: Senator King, stay on
9 the bill.

10 SENATOR KING: Thank you, Mr. President.

11 Compelling interest. We have a
12 compelling interest for the people we represent. If
13 someone should call and say hey, we think it's in the
14 best interest that we send all our water to California,
15 we have a compelling interest to say no, that is not
16 good for the people that I represent. Colorado is a
17 very diverse State. You know that. We are more
18 diverse than the City of Chicago, than the City of New
19 York, than Washington D.C.

20 Yes, Denver has its inner city violence
21 issues and they're doing their best to deal with that.
22 But those issues are not in Wray, Colorado. Those
23 issues are not in Loma, Colorado. Those issues are not
24 in Snowmass, Colorado. Those issues are not in
25 Durango, Colorado. Just like the wonderful hunting and

1 fishing are not in Downtown Denver. We have people
2 coming here from all over the world to enjoy our
3 quality of life.

4 We want our sportsmen who come here from
5 all parts to be able to go to Sportsman's Warehouse, to
6 (inaudible), to local sporting shops and get the things
7 that they need to get to have a successful hunt or
8 fishing expedition in Colorado. We have a compelling
9 interest here to realize that we are a diversified
10 state with many issues. We have inner city violence
11 problems. But we also have urban areas where that
12 ability to be able to find a magazine, that ability to
13 not have to drive to Green River, Utah.

14 And if I thought for one second the 11
15 seconds would functionally save 11 lives, that those
16 bad guys and the millions of magazines out there could
17 not find what they are looking for, if we could
18 functionally do that, okay. Sure. But that's not the
19 world that we live in. And the world that we live in,
20 we've done studies on this and it doesn't change
21 violence. Good people going to the breach change
22 violence. Good people standing up in the theater with
23 a concealed carry permit and maybe not just one prevent
24 violence.

25 Why don't these cowards ever go to the

1 cop bars? Why? Because we know that as soon as they
2 pull out a gun, there's going to be 10 or 15 cops there
3 with guns. That's why they go to schools.

4 And I totally agree with you, Senator
5 Johnston. School resource officers spend a good
6 percentage of their time loving and taking care of
7 kids, just like the teachers that are teaching there,
8 that would gladly take a bullet for their kids. But
9 those school resource officers there are there to put
10 up and give the good fight, outgunned or not. That's
11 what they're going to do. Because they'd rather expend
12 a round than take one, because doing that saves lives.

13 This is a complicated issue and that --
14 when I first started talking about I'd love it to be
15 just plastic and springs. We haven't done any studies
16 of this in Colorado. None, zero. We haven't had the
17 ability -- and that's why I wanted to debate and thank
18 you. Thank you so much. I would love to have done
19 that on Friday, back and forth for as long as we wanted
20 to talk about that stuff because that's how you solve
21 problems. And I appreciate your courage in coming up
22 and just saying.

23 We need to find solutions, but it's not,
24 ladies and gentlemen, always going to be the easiest
25 question. The easiest question would be springs and

1 plastic. It's not. It's humans, very sick humans,
2 chemically-challenged humans, humans that will kill
3 their own mother and innocent children. Humans that
4 would dress up like the Joker and go into a theater
5 that's a no gun zone.

6 MR. PRESIDENT: Senator King, 30 seconds
7 on your second take.

8 SENATOR KING: This is a more complex
9 answer to this question for our State. Our state is
10 diversified enough -- our state is talented enough to
11 figure this out. But it isn't the simple answer of
12 plastic and springs. I would ask for a no vote.

13 MR. PRESIDENT: Very quickly to those
14 watching from the gallery and on the camera. You've
15 seen two of the three of the last senators lay money on
16 the table and that may be of interest to you.

17 It is the custom and practice here that
18 senators are fined for rule violations and Senator
19 Johnston and Senator King were prepaying their fine
20 because it is a violation of the rules to address
21 senators by name as opposed to addressing them as the
22 gentleman or gentle lady from whatever District they're
23 from or from whatever community live in. That's how we
24 normally do it.

25 Senator Johnston knew he was going to

1 call Senator King and Senator Brophy by name and that's
2 why he paid the fine ahead of time. And Senator King
3 knew he was going to react to Senator Johnston for his
4 comments and that's why they put that money on the
5 table. Senator Lundberg won't be violating any rules
6 and he now has the floor for the second time.

7 SENATOR LUNDBERG: Thank you,
8 Mr. President. I appreciate your confidence in my
9 abilities to stay within the rules, which I will, one
10 of which is to acknowledge that it's not in the rules.
11 It's actually in the Mason's Rules by some
12 interpretations, but the senate rules are really silent
13 on that particular point, but I won't violate any of
14 the assumed rules either.

15 I will make reference to the senator
16 from Denver who did have some comments that I believe
17 were not -- well, they were curious actually, because
18 in listening to most of his -- the discussion, it would
19 sound like the counsel and advice is to vote against
20 this bill because this bill takes away some of the
21 abilities of the citizens of Colorado to have the
22 firearms that they see are appropriate for themselves.
23 And you know, there's another element on this too.

24 There seems to be this disconnect on
25 what this bill even says. Now, I've said this before,

1 but I repeat it again. It's not about some concept of
2 high-capacity magazines, because it captures virtually
3 all magazines that are out there today. Sure, there
4 may be some production in the future of some magazine
5 that could not be converted, but it will be at the
6 compromising of the actual ability to field strip the
7 magazine. And so it will be an inferior product from
8 that perspective.

9 But this is not about limiting the
10 high-capacity magazines in the hands of the bad guys.
11 This is about banning all mag -- essentially banning
12 all magazines that are out there today, from future
13 sale or transfer of any sort, putting in question those
14 that are actually in possession of people today simply
15 because of the mechanics of all that.

16 This bill does not cure any problems as
17 we've been -- as some have tried to lead us to believe.
18 In fact, it strikes me that double speak still reigns
19 supreme in some of the arguments and debates we hear
20 down here. Because this bill bans magazines that are
21 necessary for the function of many firearms that the
22 citizens of Colorado own today. And this bill won't
23 fix the problem when some lunatic shows up in some
24 gun-free zone and thinks they've got a free-fire shot
25 at everyone.

1 By the way, 11 seconds was used as an
2 example of what it -- what time it takes to change out
3 a magazine. Now, that's a painfully long time and
4 they're not designed to take 11 seconds. Here's what
5 11 seconds is. I yield 11 of my precious seconds up
6 here to the clock.

7 There we go. 11 seconds. It's probably
8 time to change the magazine four times out. As a
9 matter of fact, that's about what it takes if you're
10 kind of fumbling a bit and don't quite have everything
11 at your fingertips. We're not buying 11 seconds for
12 anybody. What we're doing is we're holding one arm
13 behind the back of the honest citizen from being able
14 to defend themselves and their family when they really
15 need it the most.

16 If there's anything hollow about the
17 arguments we've heard, it's the hollow false hope that
18 this bill puts before people that it will somehow fix
19 something. It won't. It makes it more difficult for
20 the honest citizen to defend themselves. It
21 criminalizes what should be a common practice of being
22 able to transfer the ownership of a -- of a small
23 magazine to somebody else. It defeats the principle of
24 safety.

25 You know, if individual citizens are to

1 be commended for their responsibility to look after the
2 well-being of others, should we be getting in the way
3 of them being able to do that? Because that's what
4 1224 is doing. It's -- it's, as I said earlier, it's
5 the gun ban bill. Oh, it doesn't ban them all. We've
6 seen some legislation here this year that tried to go
7 further down that road and -- and that seemed to be an
8 impossible path. So this is as much of the, you know,
9 the elephant you can bite off at this point in time.

10 Well, it's -- it's not fixing the
11 problem. It's making it worse. House Bill 1224 is a
12 -- a -- a bill that defeats the real purpose of
13 defense. And remember one other thing too, that
14 defense for the citizen doesn't mean unloading, you
15 know, everything with both barrels. It means having
16 that ability of deterrence. And each one of these
17 steps that we take in this bill that's before us today
18 is the biggest step before us now, just limits that
19 ability a little bit more. And it sends that message,
20 don't worry, we're in charge, you're not.

21 And, you know, there's a reason why the
22 Second Amendment was written and put as the very Second
23 Amendment. They understood the necessity for a free
24 society to have citizens who can defend themselves and
25 their families and their communities. We must not go

1 down this road. I implore you to reconsider what would
2 appear to be a vote set in concrete right now. Is
3 there no better way than disarming the people of
4 Colorado? I say there is. Senator Lambert -- oh, no.
5 He didn't notice.

6 And the good senator from Colorado
7 Springs, and a lot of you there, noted that Switzerland
8 has found a better way for centuries. Why oh why do we
9 have to rush down the hollow promise of somehow
10 somebody else is going to do it for you? And I believe
11 there is a best way and it's the American way. It's
12 the -- it's the path of responsible citizens, capable
13 and allowed to defend themselves and everything within
14 this bill says no, you don't. We're going to stop you
15 first and foremost. Please, please don't go down this
16 road. Vote no on 1224.

17 MR. PRESIDENT: Senator Renfroe?

18 SENATOR RENFROE: Thank you,
19 Mr. President.

20 Members, I rise in opposition of this
21 bill also and I think many of the reasons have been
22 brought up. I'll start I guess -- I think it does fall
23 into three categories again. You have Constitutional
24 reasons, you have flaws in the bill that I think cannot
25 be reconciled and then you have safety reasons also

1 that I don't think matter. And the one that does -- we
2 talked a lot on seconds about, which I don't think is
3 -- well, I guess it is important also is the loss of
4 businesses to our State.

5 I think the senator from Wray was very
6 right when he stated and correct in the concerns with
7 this bill on page two, lines 12 through 14, talking
8 about a detachable magazine, box drum, fed strip or
9 similar device capable of accepting or that is designed
10 to be readily converted to accept more than 15 rounds
11 of ammunition. That does cover almost every handgun
12 that is commonly used by law-abiding citizens for
13 lawful purposes. So I think that does bring in the
14 Constitutional issues with this bill.

15 One area that -- you know, we talked
16 earlier on other bills about loopholes and loopholes
17 and loopholes. Well, there's been a group that's
18 formed across this country that's called the police
19 loophole and they have a website on it. And what it
20 is, it's actually gun companies that have started not
21 selling their product to law enforcement until that
22 product is allowed by law-abiding citizens. That list
23 is pretty long.

24 And my concern when we start looking at
25 that is look what that does to innovation. When you

1 start restricting where a product's going to go, the
2 innovation of that product is probably not going to be
3 as sound and as solid as it was when you have the free
4 market and you have the competition for that product
5 everywhere.

6 A senator came up and talked -- from
7 Denver came up and talked and I thank him for those
8 words, his eloquent words, about a war with hollow men.
9 When I've talked on these issues, I've used a little
10 bit different words I guess. I've talked -- I've said
11 that until we change the evil that is in a person's
12 heart, until we change a person's heart, you're going
13 to have evil in the world. And that is something that
14 we can't reconcile with this bill.

15 The senator from Denver talked about 11
16 seconds and it's tragic to think of somebody standing
17 there reloading over a group of unarmed people or
18 children anywhere and I wish we would have addressed
19 that in other measures that were before us, but we
20 defeated those to allow protection to happen in that
21 case.

22 But here's my question to not only the
23 senator from Denver, but to every single one of you
24 that will vote on this. 11 seconds within that. So
25 because that 11 seconds, you want to reduce the size of

1 a magazine. Can you guarantee me that the criminal is
2 going to obey? Is he going to only have a ten-round
3 magazine from now on? Can you guarantee me that? Can
4 you guarantee the next person that has a criminal break
5 into their home, break into their business or the next
6 parents who send their kids off to school or a movie
7 and that hollow man comes in, can you guarantee that he
8 will have less than a 15-round magazine?

9 Because if you can't guarantee me that,
10 what you're doing is you're making me or whoever is
11 there that obeys the law at a disadvantage, tactically
12 from a firepower standpoint to whoever it is that is
13 that evil person that wants to inflict harm. Can you
14 guarantee me that they will obey this law?

15 Look at -- and that's what we -- that's
16 my frustration with this entire gun debate. I don't
17 feel like anybody listens to that question right there.
18 Law-abiding citizens will obey this. Unless they don't
19 know what our -- the loopholes and how we've crafted
20 our law and they just happen to by their ignorance
21 break the law.

22 But can you guarantee me that that
23 criminal, that thug, that evil person, that wolf,
24 whatever designation, that hollow man, whatever
25 definition you want to give me, that they're not going

1 to get one of the -- I've heard numbers of 180 million
2 magazines that are out there -- that are standard
3 capacity 30-round magazines?

4 I think that's the question you have to
5 ask yourself if you're going to vote yes on this bill.
6 Because that's what you're telling your constituents.
7 That's what you're telling the people of Colorado.

8 Otherwise, what you should be doing is
9 you should vote no on this bill and you should bring
10 another bill to confiscate and ban everything. Because
11 until you can collect them all, you can't guarantee me
12 that that hollow man, that criminal, that wolf, that
13 thug, or we could say even at some point maybe even
14 just a mentally-deranged person that needs help, isn't
15 going to have a 30-round magazine.

16 Can you guarantee that to your
17 constituents? To Colorado? That's why I'm voting no
18 on this bill, because I know for a fact that criminals
19 don't obey the law. They break the law. They look for
20 every advantage they can. They don't volunteer -- they
21 don't go into a place they know that they're going to
22 be outmatched, outmanned. They're going to look for
23 the easiest target. They're going to look for the
24 place to go that they will guarantee as much disaster,
25 tragedy or probably in their minds success, however you

1 want to word it. You can't guarantee me or the people
2 of Colorado they won't use what's available out there.

3 Law-abiding citizens will obey the law.
4 You will put them at a disadvantage with this bill.
5 You will make them less safe. That is a fact. And
6 that's not even getting into what businesses will or
7 will not leave the State, the other side of it.

8 That's not even talking about the 238
9 people that came to testify in committee on this bill
10 in opposition to it and only three were allotted time
11 to testify or out of the 34 that came in support that
12 only 16 of them were able to testify, because we rammed
13 these bills through. We didn't think of the unintended
14 consequences. We didn't really debate this bill. We
15 didn't listen to the citizens.

16 So again, I just want to leave you --
17 can you guarantee the people of Colorado that that next
18 evil person will not have one of these magazines?

19 MR. PRESIDENT: Senator Renfroe, 30
20 seconds.

21 SENATOR RENFROE: Vote no on this bill.
22 Protect the people of Colorado.

23 MR. PRESIDENT: Senator Crowder?

24 SENATOR CROWDER: Thank you,
25 Mr. President.

1 We should never succumb to terrorism at
2 the expense of our God-given rights. Southern Colorado
3 does not and will not adhere to the very idea of
4 lessening our rights for the purpose of a solution that
5 does not exist. Vote no on this. Thank you.

6 MR. PRESIDENT: Senator Brophy?

7 SENATOR BROPHY: Thank you,
8 Mr. President.

9 And Senator Johnston so much for coming
10 down and having the courage of your convictions to
11 state why it is that you believe this bill is the
12 appropriate course for the people of the State of
13 Colorado. I hope I can earn your no vote.

14 For those of you who don't know, the
15 senator was talking about an essay that I had shared
16 with him Friday night by Lieutenant Colonel Dan -- Dan
17 or Dave? Dave Grossman. Brilliant man. And the essay
18 is called "Of sheep, Wolves and Sheepdogs," and if any
19 of you want it, I have it on my iPad. You can read it
20 or I can e-mail it to you. It is telling. It tells
21 you a lot about the kind of people that you will find
22 who rush to the sound of the gunfire. I don't know if
23 I qualify, but I'd like to think that I do.

24 And we've heard that there are in the
25 hundreds of millions of detachable magazines, in the

1 mid teens of millions of standard-capacity 30-round
2 magazines in existence in this country. We heard the
3 discussion about whether or not it would be appropriate
4 to have RPGs or M-1 Abram tanks or Black Hawk
5 helicopters.

6 Well, let me remind you on the latter
7 three there, there is, as far as I know, no example of
8 criminal use of that type of weaponry in this country.
9 So it's a fair argument to say that we don't need to
10 have those under the Second Amendment. We can have
11 that discussion at some point if we really wanted to.

12 But we know that the wolves use
13 standard-capacity 30-round magazines. We know that.
14 And this bill denies to the sheepdogs the opportunity
15 to meet the wolves with the same amount of force.
16 Tying an arm behind the back of the men that rush to
17 the sound of danger, instead of giving them equal
18 footing. That is the wrong way to go.

19 Now, one of the greatest things that the
20 Founding Fathers of this country gave us besides the
21 founding documents is the Constitution that sets the
22 framework of this country, the Bill of Rights that
23 protects our rights, is that they took the time to --
24 in the Federalist Papers and in other writings --
25 explain to us what these natural rights mean that the

1 senator from Grand Junction was talking about.

2 As a -- as a person, you have the right
3 to protect yourself and your family and your property
4 against those who want to do you harm or take it from
5 you. That's a natural right. You have that as
6 individuals. You're born with it and that's what it
7 means to have a natural right that comes from nature's
8 God.

9 And the Founding Fathers told us that it
10 was unacceptable for a government to take that natural
11 right away from you without due process. This isn't --
12 this doesn't constitute what they considered due
13 process. That was a court of law when you have proven
14 that you no longer deserve that right or can't be
15 trusted with it.

16 One of the other Founding Fathers wrote
17 about this saying that it wasn't just that you had the
18 right to protect yourself, your family and your
19 property, you actually have a duty. It was Joe Storey
20 who wrote that. You have a duty to protect your
21 family.

22 And so while one of the senators have
23 said this bill would only affect law-abiding citizens
24 because the wolves, the hollow men, the criminals
25 wouldn't follow this law, they would still find a way

1 to access those 30-some-odd million standard-capacity
2 rifle magazines or 150-some-odd million detachable
3 magazines, you know they will. They do it all the
4 time. They do it now, illegally in many cases.

5 It puts the rest of us into a difficult
6 position and I do not like saying this, but I'm going
7 to tell you right now. I will not obey this law.

8 MR. PRESIDENT: No displays. No public
9 displays. This is a legislative hearing, not a rally.

10 SENATOR BROPHY: Some day when I need
11 one or when my son needs one, a standard-capacity
12 Magpul magazine, a company that you guys are running
13 out of the State of Colorado, some day I will hop in my
14 Prius and I will drive to Sidney, Nebraska to the
15 Cabela store and I will buy what I or he needs to be
16 the sheepdog of the family, to protect against the
17 wolves.

18 I imagine when I get up there, I will
19 see a lot of Colorado license plates. Because I really
20 doubt that very many people are going to be willing to
21 give up their right and to forgo their duty to protect
22 their families and their property against the wolves.

23 We talked a lot on Friday about the
24 economic consequences of this, but the personal
25 consequence of this legislation is that I will

1 willfully and purposefully and civilly disobey this
2 law. Vote no.

3 MR. PRESIDENT: Senator Scheffel?

4 SENATOR SCHEFFEL: Thank you,
5 Mr. President.

6 Colleagues, as we've been discussing and
7 debating this, I couldn't help but think again of a
8 time given the seriousness of this discussion and
9 what's obviously at stake on occasion when this aisle
10 once again disappeared. With my colleagues, this side
11 and this side, there's no aisle. My colleagues had the
12 privilege of attending the reopening of the Aurora
13 Theater. There was no aisle that night. The profound
14 experience was really more like walking into a
15 cathedral.

16 I didn't stay for the movie because I
17 couldn't. That's not something I could do that night,
18 but I was there for the ceremonial part and was proud
19 to serve in this body and be there, was proud to be a
20 citizen of Colorado and be there, proud of the speakers
21 and was particularly proud of our governor. I thought
22 his words were very appropriate that night. There was
23 no aisle that night.

24 And again, in the face of unspeakable
25 hurt and harm, there were families there that night and

1 I referred to them earlier, there are people affected
2 by criminals in our society that have done harm that we
3 will never recover from. Families will always have a
4 hole. People will always have injuries. And in this
5 topic, we must never lose sight of that. I must never
6 lose sight of that.

7 And the desire to reach out and do
8 something is so strong, you can taste it. You can feel
9 it. It screams out from within we must do something.
10 And as hard as it is to weigh that unspeakable hurt and
11 the seriousness and gravity of those crimes against the
12 attempt of 1224, I must conclude that it's not an
13 appropriate match. We look at the crime. We look at
14 the criminal. We look at the tools that they use and
15 we settle in on magazine capacity prohibitions and then
16 it gets bizarre from there.

17 We're once again finding ourselves
18 firmly in the grasp of confusion and -- and -- and lack
19 of clarity. These bills are confusing. Who's going to
20 get caught up in this net? We're once again talking
21 about families and relatives and sons and daughters and
22 wives and protections and self defense, things that go
23 to the very core of our history and our being and our
24 Constitution and we can't seem to figure it out.

25 I sat through the demonstrations.

1 They've been sitting up here. They've been brought up
2 to this podium many times. If you touch this stuff,
3 you can't figure it out. Springs and attenuators and
4 base plates that pop in and pop off and sometimes pop
5 up and sometimes hit you in the face, it makes no
6 sense. A 15 becomes a 10, becomes a 30.

7 The bad guys are not going to take the
8 time to figure this stuff out. I would love it if as a
9 result of this, we could get 11 seconds for the good
10 guys like the senator from Grand Junction to jump into
11 the fray. We're not going to get 11 seconds. We're
12 going to get 11 more rounds. The bad guys are not
13 going to obey this. They're not going to figure this
14 out. They're not going to slip out the base plate and
15 do this, that or other thing.

16 What's the word in here; readily
17 convertible, readily converted. They're not going to
18 take the time to figure out what that means. And if we
19 get it right here in Colorado and we get -- you know,
20 start manufacturing these things and assume that's even
21 do-able, they're not going to waste time with that.
22 They're going to go across the border.

23 The minority leader's example of
24 fireworks was dead-on and we know that. That's
25 something we tangibly experience every year. And we

1 all kind of laugh about it and we all kind of smirk
2 about it. A bunch of us probably even participate in
3 it. But it's not funny when it comes to this. The bad
4 guys aren't going to listen to this.

5 I love -- I didn't love -- I -- the
6 testimony was so clear during committee, I didn't hear
7 -- I heard this in the committee I sat in. I wasn't on
8 the committee. But the discussion that took place
9 about how many rounds is the right answer? 15, 10, 5,
10 30, a drum, who knows, right?

11 The conclusion was crystal clear; one
12 more than the bad guy. Assume when there's trouble,
13 when there's good guys and bad guys, it's foolhardy to
14 assume anything other than they're going to be coming
15 at you with everything they've got and you better plan
16 on being able to respond plus one.

17 I said it in a different body and I have
18 to say it again here. Our work isn't done. There's no
19 evidence that this is going to increase public safety.
20 This is not going to work and I hate to say that.
21 People are still going to look at this body to figure
22 it out because I don't think this is going to do it.

23 What it will do is infringe on the
24 rights of law-abiding citizens. Those are the folks
25 that are going to try to fare through this. Those are

1 the folks that are going to get caught up in the net
2 and find themselves on the wrong side of the law and
3 have to try to figure that out and hire lawyers and
4 handle that and it's going to be -- it's going to be
5 unfortunate. The bad guys are going to care less.
6 These things are going to be as available as ever.

7 During the second reading, you saw the
8 cartoon up here, and it was funny; but it was frankly
9 kind of sad, because it's true. And who's going to get
10 caught in the crossfire, not initially, but probably
11 eventually it's going to be all these companies.
12 Remember the (inaudible) and they're not just
13 companies. They're people. They're people that are
14 citizens of this State that are working hard and
15 raising families and planning for futures and sending
16 people to college and they're leaving. I was looking
17 back at my notes.

18 It was at a minimum 15 letters were
19 read. I know because we had each member read one of
20 them, but each member probably read two or three other
21 ones, of companies that are saying -- I remember the
22 littlest one I think was five employees, the big one
23 obviously Magpul, we know that. People that are going
24 to be affected by this.

25 The conclusion. If you discount the

1 business, if you discount law-abiding citizens getting
2 caught in the fray. We can't get past the fact that
3 the bad guys aren't going to do this. They're going to
4 ignore this. They're going to be well-armed,
5 well-equipped. They're going to have as many magazines
6 as they can get their hands on. They're going to be
7 intent on doing harm.

8 But for me it begins and ends back at
9 the basics. The right of the people to keep and bear
10 arms shall not be infringed. 1224 is an infringement.
11 I'm voting no and I think you should too.

12 MR. PRESIDENT: Senator Grantham.

13 SENATOR GRANTHAM: Thank you,
14 Mr. President.

15 I'd like to thank the senator from
16 Denver for his comments earlier and his description of,
17 you know, the possible events and I share the sentiment
18 that if I was in that situation, I would not want to
19 let go of my wife's hand either. Try as I might, she
20 would insist on letting go because she likes to use two
21 hands when she takes aim.

22 In all seriousness, folks, I do ask for
23 a no vote on this. We look at our -- at our own
24 Colorado Constitution, there are no words that are
25 unfamiliar to us in the last few days. We've heard

1 them many times here at this podium. Article 2,
2 Section 13, the right of no person to keep and bear
3 arms in defense of his home, person and property or in
4 aid of the civil power when thereto legally summoned
5 shall be called into question.

6 Even when we look back a few sections
7 earlier, we look at inalienable rights in Section 3.
8 All persons have certain natural, essential and
9 inalienable rights among which may be reckoned; the
10 right of enjoying and defending their lives and
11 liberties. The right to self defense, to self
12 preservation. And of course, the Second Amendment to
13 our US Constitution, a well-regulated militia being
14 necessary to the security of a free state, the right of
15 the people to keep and bear arms shall not be
16 infringed.

17 With apologies to my friend from Wray, I
18 will probably be trying to make that constitutional
19 case, even if it is like a Christian and a Buddhist
20 trying to have a theological argument.

21 When we look back in history and we look
22 at our Founders when they wrote those words, context I
23 think is important. We look at what they were going
24 through when they said the right of the people, the
25 right of the people to keep and bear arms shall not be

1 infringed. You know, we could fast -- we could fast
2 forward through most of our history, through the
3 history of the world, even since the founding of this
4 country and we can find examples of many different
5 types of acts of aggression by dictators, by other
6 forms of government in the attempt to take arms from
7 the people. But just looking at that over-arching
8 theme, what would the attempted subjugation of a -- of
9 another otherwise free people, what would that look
10 like?

11 Would it include the restricting of a
12 free law-abiding citizen? Would it restrict their
13 access to firearms? Would it restrict their access to
14 equipment necessary to operate those arms? When that
15 attempt at restricting one's access to those things is
16 unsuccessful, as history tells us it is, when the
17 law-abiding citizens are forced into lawlessness. When
18 the black market activity in those arms and equipment
19 stores, when the cross-border activity commences, what
20 is the next step in controlling these items?

21 If these items are truly as bad as some
22 believe, as some believe that they are, if they are so
23 evil that they must be contained, then the only recourse
24 is to remove them from the possession of the populace.
25 There's a word for that. It's called confiscation.

1 But that is the logical end, isn't it? If these items
2 are that bad and we cannot contain them, even by this
3 law, the activity will continue, the demand for them
4 will continue, the existence of those that are already
5 on the market is still real, it leads to one
6 conclusion.

7 Now, imagine, imagine this otherwise
8 free people, who have only exercised their natural
9 right, the natural right to self defense, the natural
10 right and freedom of commerce, but they are now because
11 of a law considered lawless. They are considered law
12 breakers, but only because of the edict of the ruling
13 authority, only because of the fiat of legislative
14 bodies.

15 In your mind, what would their natural
16 reaction be? What would their reaction be for these
17 free people to such an intrusion, such an invasion of
18 their rights, of their freedoms, of their liberty?
19 What would it be? Would it be to just roll over?
20 Would it be to roll over and accept this violation?
21 Well, that would be one option. And you can see many
22 examples of that option in this world. You can see it
23 across this country. You can see this example across
24 time where those who were once free rolled over.

25 Or perhaps the reaction that you would

1 hope for is that these free people would stand. They
2 would stand up for themselves. They would use whatever
3 means are available to them to prevent such abridgments
4 of their liberties. And when those were exhausted,
5 then and only then, would they go to their option of
6 last resort, revolt. Not because they want to, because
7 they have to.

8 Now, while we may hope for this
9 response, it is atypical. This is not what you would
10 commonly see, history proves that. Isn't the typical
11 that we see for people in this situation just to roll
12 over and take it like the good little citizens they
13 are? Yes, that's typical.

14 In fact, there is only one example in
15 history of a free people doing the atypical and that's
16 us. That is our Forefathers. The Sons of Liberty in
17 1773 through the most famous party ever in the Boston
18 Harbor and the reaction by Parliament was to pass the
19 Coercive Acts of 1774.

20 One of the provisions of those acts was
21 the import ban on firearms and gunpowder. When that
22 failed and it was bound to fail, the confiscations
23 begin 1774-1775. What's the out workings of that? I
24 think we know the answer to that; revolution and
25 independence. It was these men who experienced this,

1 the slow legislative creep of infringements on our
2 natural rights; the right of self defense and to keep
3 and bear arms. These men gave us the words of the
4 Second Amendment; the right of the people to keep and
5 bear arms shall not be infringed.

6 MR. PRESIDENT: Senator Grantham, 30
7 seconds.

8 SENATOR GRANTHAM: I will continue into
9 my second one, sir.

10 MR. PRESIDENT: Okay. Continue.

11 SENATOR GRANTHAM: It is our Colorado
12 Forefathers in 1876, who in the spirit of the Founders,
13 gave us Article 2, Section 13; the right of no person
14 to keep and bear arms in defense of his home, person
15 and property or in aid of the civil power when thereto
16 legally summoned shall be called into question.

17 Just words? Just words? Not to the
18 Founders. What about for us? If this legislation
19 effectively bans this equipment and several senators
20 have come up here and shown you exactly how that is
21 going to happen, regardless of this number, this
22 arbitrary number we have in this legislation, it
23 effectively bans this equipment and subsequently bans
24 specific weapons and that is not an infringement?
25 Then, what in the world does "shall not be infringed"

1 mean?

2 And forcing Colorado's law-abiding
3 citizens to the black market or across State lines to
4 by an otherwise constitutionally legal product, allowed
5 product, guaranteed right product, if that is not
6 calling our rights into question, then what in the
7 world does "the right of no person . . . shall be
8 called into question" actually mean? Just words? Are
9 we or are we not in this body, the guardians of the
10 plain reading of our Constitution? If not, then what?
11 Are we the lap dogs of the judiciary? I'd rather be a
12 sheepdog.

13 Are we the lap dogs of the Mayor of New
14 York City? Do we sit in dark corners waiting for the
15 next phone call for instructions? Do we wring our
16 hands waiting for the next Supreme Court ruling so that
17 we know what we have permission to legislate?

18 Well, of course not. We have the right.
19 As the senator from Wray said, we have the duty. We
20 have the responsibility to legislate to the plain
21 reading of the text of our founding documents. And
22 folks, that plain reading says "shall not be
23 infringed."

24 The plain reading of our Colorado
25 Constitution says the right of no person shall be

1 called into question. The plain reading. Are we the
2 guardians of these words or not? That plain reading
3 says that 1224 is a violation. That plain reading says
4 vote no on 1224.

5 MR. PRESIDENT: There is an amendment on
6 the desk. Mr. Majors, would you please read
7 Amendment 35 by Senator King. Oh, I'm so sorry.
8 You're right.

9 Senator King, do you want to come up and
10 address the body and ask for permission to run it
11 through a reading amendment? Senator King?

12 SENATOR KING: Thank you, Mr. President.
13 I move for permission to offer a third reading
14 amendment to House Bill 1224.

15 MR. PRESIDENT: Okay. Can you tell us
16 briefly why you need to offer an amendment on third
17 reading?

18 SENATOR KING: Thank you, Mr. President.

19 We have had some long discussions about
20 this legislation. It is more complicated than I think
21 we tend to want to believe. I think everyone in this
22 room would agree that the number one compelling
23 interest in our State in reference to violence is
24 mental health. Yet, we have done nothing in these
25 seven bills that we have seen to address that. We have

1 done no studies in reference to this legislation for
2 Colorado. We talked about --

3 MR. PRESIDENT: Senator King, you have
4 to state why you want to do this right now. So I mean
5 -- and my sense is because this is the final reading
6 and the final House and the only opportunity you're
7 going to have to offer an amendment. Because there's
8 not much more than that as to why you would ask for
9 permission and then if permission is granted, then you
10 can make the argument that I think you're making now.

11 SENATOR KING: Thank you, Mr. President.

12 This body has been accused of being
13 reactionary. I think that this is of compelling
14 interest to the people of Colorado to ask the
15 commission to look at this, to research this, to take a
16 step back and make decisions based on evidence rather
17 than hysteria. And therefore, Mr. President, I would
18 ask for permission to be able to have this amendment
19 and present this amendment to you.

20 MR. PRESIDENT: So you've heard the
21 motion asking for permission to offer a third reading
22 amendment. So all those that are in favor of giving
23 permission say aye.

24 (Senators respond.)

25 MR. PRESIDENT: Opposed, no?

1 (No Senators respond.)

2 MR. PRESIDENT: The ayes have it.

3 Senator King, you have permission so move it and on to
4 your points.

5 SENATOR KING: Thank you, Mr. President.

6 I move --

7 MR. PRESIDENT: I'm sorry. Hang on.

8 Let me have Mr. Majors read it first. I'm sorry.

9 Mr. Majors, would you please read

10 Amendment L-35 to House Bill 1224?

11 MR. MAJORS: Amendment L035 to House

12 Bill 1224 by Senators King, Roberts, Balmer,

13 Baumgardner, Brophy, Cadman, Crowder, Grantham, Harvey,

14 Hill, Lambert, Lundberg, Marble, Renfroe and Scheffel.

15 Amend revised bill page 2 --

16 MR. PRESIDENT: Senator King?

17 SENATOR KING: Thank you, Mr. President.

18 I move L-35 to House Bill 1224.

19 MR. PRESIDENT: Please continue.

20 SENATOR KING: Like I had said a few

21 moments ago, this body at times has been accused of

22 being reactionary. This is of such compelling interest

23 to the people of the State of Colorado, to our

24 children, that I think that the ability to take a step

25 back, to use evidence-based decision making, the

1 ability to see what has worked and what does not work,
2 the ability to present this to the right people in the
3 room, and the right people in the room are people with
4 experience of dealing with violence, of dealing with
5 mental health issues, of dealing with the things that
6 we have charged the Juvenile and Criminal Justice
7 Commission to look at.

8 Those are the right people to look at
9 this issue. Director Davis, in charge of the
10 Department of Public Safety, was also in charge of the
11 Aurora shooting. Retired FBI, a long history of law
12 enforcement, a long history of evidence-based decision
13 making. I won't go through who was on the commission.
14 Suffice it to say, it is people that have life
15 experience in not only prosecution of criminals,
16 investigation of criminals, but also in the defense of
17 criminals. Also, in judgment of criminals. In other
18 words, DAs, public defenders, judges, law enforcement
19 officers, members of the Senate, members of the House
20 to look intensely focusing on issues of compelling
21 interest to the people of the State of Colorado.

22 This issue has not been researched by
23 the State of Colorado and these people have the life
24 experience, have the work experience to do that. And I
25 would ask that we send this legislation to them, we

1 send this issue to them and ask for their research,
2 their input and their recommendations and would ask for
3 an aye vote on this amendment.

4 MR. PRESIDENT: Senator Roberts?

5 SENATOR ROBERTS: Thank you,
6 Mr. President. I rise in support of this amendment and
7 here's why. While we haven't had Colorado studies, we
8 have had national-level studies on this particular
9 issue. And if you look at Greg Ridgeway, PhD, Deputy
10 Director of the National Institute of Justice, he had
11 come out on January 4th, 2013 -- and for those that
12 don't know, the National Institute of Justice is the
13 law enforcement agency which is the research and
14 development branch of the Department of Justice, part
15 of the Obama Administration.

16 Mr. Ridgeway, in looking at
17 large-capacity magazine restrictions, came to the
18 conclusion in order to have an impact, large-capacity
19 magazine regulation needs to sharply curtail their
20 availability to include restrictions on importation,
21 manufacture, sale and possession. An exemption for
22 previously owned magazines would nearly eliminate any
23 impact.

24 If you go to the bill that's before us,
25 on page 3, lines 19 through 23, specifically have a

1 grandfather clause in here. So the national-level
2 studies suggests that this bill will have nearly -- any
3 impact has been nearly eliminated by this grandfather
4 clause.

5 I do agree with Senator King -- or the
6 gentleman from Grand Junction that we should look at
7 this in a Colorado way, a uniquely Colorado way. 80
8 percent of the land of the State of Colorado is on the
9 western slope. 88 percent of the population lives
10 between Fort Collins and Pueblo. There is no easy
11 answer that fits our State of Colorado.

12 We, the legislature, since the Colorado
13 Commission on Criminal and Juvenile Justice was formed,
14 we have sent them numerous issues. In 2008, we sent
15 them House Bill 1119, where we directed the Commission
16 to study the reduction of disparities with the Criminal
17 Justice System.

18 Senate Bill 2009, Number 286, the
19 General Assembly directs the Commission to prioritize
20 the study of sentencing reform while maintaining public
21 safety. House Bill 12-- 1310, just last year, the
22 General Assembly directed the Commission on the
23 development of a comprehensive drug sentencing scheme.

24 Senate Bill 12-20, the General Assembly
25 encouraged the Commission to create and make publicly

1 available, a document describing provisions regarding
2 immunity for persons who suffer or report an emergency
3 drug or alcohol overdose event.

4 If we have sent issues at this level,
5 each one of them important, but if we have sent these
6 to the Commission to study, why not this one? Why not
7 this one that talks about life and death situations,
8 gun violence?

9 Let's let the people who are in the
10 streets trying to deal with these issues, let's let
11 them on a non-partisan basis evidence-based talk as
12 they do -- and I've been a member of the Commission as
13 you Senator -- Senate President, have been a long-time
14 member of the Commission.

15 We all know that the Commission does
16 hard work, lots of hard conversations, debate. There
17 is no rolling over by any one party, diverse
18 stakeholders at a common table and they come back to us
19 with recommendations.

20 Those recommendations come to us as a
21 legislature, as a whole. None of us are committed to
22 those recommendations, but they have done the good,
23 hard work that has not occurred in coming to the
24 legislature with this bill. I strongly support the
25 amendment and would appreciate an aye vote.

1 MR. PRESIDENT: Senator Hodge?

2 SENATOR HODGE: Thank you,
3 Mr. President.

4 And I ask for a no vote. The CCJJ does
5 do incredible work. I absolutely admit that I admire
6 what they do. But the work of the Commission,
7 according to their mission statement, will focus on
8 evidence-based recidivism reduction initiatives and the
9 cost effective expenditure of limited criminal justice
10 funds.

11 They shall have the following duties:
12 An empirical analysis of collect evidence based on
13 sentencing policies and practices, alternatives to
14 incarceration, factors contributing to recidivism, to
15 study the outcomes of the Commission recommendations as
16 they are implemented. Anyway, it's a study of
17 recidivism and how to better use our limited funds. I
18 ask for a no vote.

19 MR. PRESIDENT: Senator Scheffel?

20 SENATOR SCHEFFEL: Thank you,
21 Mr. President.

22 Colleagues, I rise in favor of this
23 amendment. I appreciate the senator from Grand
24 Junction bringing it. I consider it the "slow the
25 wagon train down and keep it in Colorado for a while"

1 amendment.

2 If we feel at all -- and I'm probably
3 speaking mostly to the folks that intended to vote for
4 this bill -- if anything that's been talked about
5 resonates with you at all, if any of the discussion
6 about the effect on business, the effect on crime, the
7 effect on the rights of citizens and the
8 constitutionality, I believe -- and I think
9 procedurally we could get there -- we all respect the
10 work of the CCJJ. And I had the privilege of serving
11 on it for a while with a number of you.

12 They are indeed an extraordinary group
13 of people, very hardworking, very diverse and they
14 don't pull any punches. They roll up their sleeves and
15 really tackle these things. And if we feel at all
16 disquieted about this, which I know I do, and I would
17 -- I think that even resonates with some that are
18 considering voting for it.

19 I think this would be a great
20 opportunity to slow the wagon train down. Let's take a
21 step back. Let's make sure we've got a full handle on
22 the intended and unintended consequences and allow this
23 body to do their work. I think the topic, I think the
24 State, I think we would benefit from this accordingly
25 and urge an aye vote.

1 MR. PRESIDENT: Senator Cadman?

2 SENATOR CADMAN: Thank you,
3 Mr. President.

4 I support this amendment. Talk about
5 getting rid of the six feet here again in the aisle and
6 bringing all the desks together, I think we have found
7 an opportunity to join ranks and submit this to the
8 group that is tasked to evaluate things like this and
9 then present back to this General Assembly their
10 findings.

11 Because without this, I can guarantee
12 you a couple things. No reduction in crime. We
13 already know that. The Department of Justice has
14 already made that clear. No reduction in crime. The
15 second thing we can guarantee is one of our colleagues,
16 at least one, is going to break the law down the road.
17 The third thing we can guarantee is he's either going
18 to need a car pool or a caravan to get the rest of us
19 with him. That's a fact. This is serious stuff.

20 We have mutual goals of stopping the
21 violence. Isn't that the focus? Shouldn't that be the
22 focus? It's getting lost. The focus of what we should
23 be doing is getting lost on this bill, this proposal.
24 Something that was supposed to have a arbitrary number,
25 which we now know includes every magazine. But

1 shouldn't we be focused on stopping the violence?
2 Shouldn't we be focused on evaluating what makes up the
3 violence? Because we know a majority of violence is
4 not even committed with a firearm. It's not. You
5 can't pretend it is because it is not.

6 Violence happens. We just saw in Denver
7 a week or so ago, somebody used their car to mow down
8 innocent people in a parking lot and it wasn't even the
9 people that they had an altercation with. They came
10 back later. They were upset and they just picked three
11 people with a 5,000 pound machine full of fuel and
12 mowed them down.

13 Eight weeks ago, somebody doused people
14 in Denver with lighter fluid and then tried to light
15 them on fire. This happened in an office I worked in
16 with our chief of staff one time. Excuse me, it was
17 attempted. A man walked in with an open can of lighter
18 fluid and told my boss that before she could call 911,
19 that she would be set on fire. Thank God that guy is
20 doing prison time because he went to a congressional
21 office in D.C. with a weapon.

22 Propane, how many were they trying to
23 set up for Columbine? Was it 90 propane tanks that
24 they were trying to make bombs out of, 90? Tell me
25 what wouldn't be violent. Tell me it wouldn't be

1 violent around this building with all the cars parked
2 here and the amount of fuel that's stashed around this
3 building. We have a bigger problem than a piece of
4 plastic and a spring and a part of a firearm. We have
5 a deeper assessment that needs to be made than an
6 arbitrary number that we're picking for what's mostly
7 used as a tool.

8 This is a good amendment. This does say
9 that this General Assembly is making a commitment to
10 taking a real evaluation of something that we all
11 acknowledge is a significant problem and finding real
12 recommendations to address them. Because all you're
13 doing now if you don't adopt this amendment is you're
14 making this little book a little bit thicker. And do
15 you think if you turn back the clock a few months that
16 James Holmes was going to look in here and say oh no, I
17 can't use that. I'm not going to commit murder with
18 something that's been banned. That's ludicrous.
19 That's ludicrous.

20 Making this book thicker with these
21 words does not make us safer. Getting a pure
22 evaluation of all of these things and the people that
23 commit the crimes with these things would. Let's
24 eliminate this aisle, support this amendment. I'd ask
25 for an aye vote.

1 MR. PRESIDENT: Further discussion,
2 Senator King?

3 SENATOR KING: Thank you, Mr. President.
4 I'll be very brief.

5 These are our Judges, our prosecutors,
6 our defense attorneys, our investigators, our law
7 enforcement, our human services workers. These are the
8 people that have the life experience to be able to talk
9 about unintended consequences, to be able to talk about
10 the broad spectrum of how complex this issue is. These
11 are the people that have the life experience to be able
12 to step back and make evidence-based decisions, not
13 hysteria-based decisions.

14 Bad policy is created with hysteria. I
15 would ask that you consider allowing the people that
16 should be in the room, have the life experience to deal
17 with this issue to weigh in on this. Because they're
18 going to see these people anyway. I would ask for your
19 support on this amendment to send this to CCJJ.

20 MR. PRESIDENT: Senator Hodge, then
21 Senator Newell. Okay. Senator Newell and then Senator
22 Hodge.

23 SENATOR NEWELL: Thank you,
24 Mr. President. I just -- I will be very brief.

25 I take offense to the characterization

1 of anyone's vote coming from hysteria and just want to
2 put that on record. Thank you.

3 MR. PRESIDENT: Senator Hodge?

4 SENATOR HODGE: Thank you,
5 Mr. President.

6 I renew my request for a no vote on
7 this. I know the CCJJ does wonderful work. They do
8 wonderful work on recidivism, alternatives to
9 sentencing. They are not a magazine-capacity
10 committee. Please vote no.

11 MR. PRESIDENT: Motion before the body
12 is the adoption of Amendment 35 to House Bill 1224.
13 Are there any no votes?

14 Senator Steadman, Senator Schwartz,
15 Senator Johnston, Senator Guzman, Senator Ulibarri,
16 Senator Hudak, Senator Kefalas, Senator Newell, Senator
17 Todd, Senator Nicholson, Senator Hodge, Senator
18 Aguilar, Senator Kerr, Senator Heath, Senator Carroll,
19 Senator Giron, Senator Jones. Please add the
20 president.

21 With a vote of 17 ayes, 18 noes, zero
22 absent and zero excused, Amendment 35 has lost.

23 Back to the bill. Motion before the
24 body is the adoption of -- okay. Further discussion.
25 So Senator Marble?

1 SENATOR MARBLE: Thank you,
2 Mr. President.

3 It is my hope that you all voted against
4 that amendment because you plan on killing the bill.
5 It's funny how terminology changes to fit an agenda.
6 In the case in point, look at how a standard-capacity
7 magazine is now called a high-capacity magazine. It
8 serves the purpose of shock and awe.

9 I want to say something that I had said
10 last Friday and it's a quote from Vice President Joe
11 Biden. Again, nothing we're going to do is going to
12 fundamentally alter or eliminate the possibility of
13 another mass shooting or guarantee that what we will
14 bring -- that we will bring gun deaths down to a
15 thousand a year from what it is now.

16 We have all heard we must do something,
17 we must do something. But this bill is not the answer.
18 This bill is the wrong thing. We've been discussing
19 here with House Bill 1224 and the others a very
20 misguided focus on plastic and springs instead of the
21 perpetrators of real, true evil acts, the criminal.
22 Yeah, let's concentrate on those hollow, those hollow
23 men, those cowards, who commit these unforgivable
24 crimes that this empty legislation is trying to
25 address.

1 Our neighboring states seem to get it.
2 They get the data and they are responding appropriately
3 with gun protection legislation, not gun control. We
4 have South Dakota and Wyoming, Idaho, Texas, Utah, just
5 to name a few. And I just want to in response to the
6 good senator who said she was offended by hysteria.

7 Let's focus on what has been done to
8 law-abiding citizens in the debate over gun control
9 these last few months. It has been said that anyone
10 who has a 30-round mag has one thing on his or her mind
11 and that is to murder. I think that's pretty offensive
12 and unnecessary. The demonization of law-abiding
13 citizens has to stop. Our rights were not endowed by
14 God in order to be regulated by government and
15 especially a government that has total takeover of our
16 gun rights in mind.

17 I am fortunate, very fortunate, because
18 I am always in the company of concealed carry permit
19 holders. They are responsible and accountable people.
20 They are men and women alike. We've often talked about
21 a woman's right to choose. I choose life. And the
22 freedom to decide how to defend my life and the people
23 I love. I'm not a sheepdog. I'm a little worse. I
24 don't take this bill lightly. I take it as a threat to
25 my safety and security and those of the ones I love.

1 Much of the data that we have seen or
2 that we have been brought forth with today, it's
3 documented and it's true. And when we look at Sandy
4 Hook, another tragedy to mark up to what? A
5 law-abiding citizen carrying a firearm? No. It's
6 another tragedy to mark up to those that this bill is
7 not addressing and that is those hollow cowards. Get
8 the focus right and the bill will be written with
9 responsibility.

10 I have to join with Senator Brophy in
11 saying -- and I can say this with no hesitation -- I
12 will not abide by this law if passed. Neither will my
13 family, my friends and from the judge of the e-mails, I
14 doubt most of the people in my District and I represent
15 them. I do not represent the wishes of Washington, nor
16 that of New York or New Jersey or Chicago. The people
17 of my District are the ones I represent and the ones
18 that I will answer to and the ones that I will back
19 when they refuse to follow such an unconstitutional
20 law.

21 House Bill 1224 is an abomination to our
22 freedoms. And in all good conscience, I can't even
23 understand how it got this far. Vote no on House Bill
24 1224.

25 MR. PRESIDENT: Further discussion.

1 Senator Ulibarri, I'm sorry. I did see you.

2 SENATOR ULIBARRI: Thank you,
3 Mr. President.

4 Today I rise in support of House Bill
5 1224 and I think I've been debating with myself whether
6 or not I should stand here and open myself up about
7 this bill. But first, I want to thank the bill sponsor
8 for bringing this conversation forth, because I think
9 the conversation about preventing gun violence is an
10 important one for us to have. This specific bill, but
11 the issue more broadly, hits me close to my heart as a
12 parent and as someone who cares about community safety.

13 I grew up in Adams County, most of you
14 know that. And I grew up just a mile away from the
15 land where my grandfather used to have horses. And I
16 grew up in a family that had -- that had guns for
17 hunting, for self defense, all of those purposes,
18 locked in a cabinet. So I've watched and listened to
19 the arguments move forward throughout the course of the
20 last few months hoping for and expecting a civil debate
21 where we could talk authentically about our Second
22 Amendment Rights and protections to insure that our
23 families and our kids are safe.

24 You know, the days after Sandy Hook, I
25 drove my son to school every single morning. And we

1 would listen on the radio, the accounts on NPR about
2 what had happened. And I would have to look at my son
3 and hold onto his hand as I was driving him to school.
4 And then when I would show up, I would have to open up
5 the door still grasping to his hand and let him out.
6 And I was hoping for an honest and civil debate about
7 preventing gun violence here in the State of Colorado
8 and I honestly do not feel that that's what we received
9 as the people of Colorado.

10 You know, I -- I -- I'm happy to hear
11 that my senator colleague from Denver feels that there
12 are those who would rise to his defense if his life was
13 threatened. Unfortunately, that has not been the case
14 for me during the course of his debate. I have had my
15 life threatened. I've had rape threats against my
16 two-and-a-half-year-old daughter without one person
17 rising in defense. I've had people on little
18 postcards, those massive postcards we've been receiving
19 saying I own an AR-15 and a high-capacity magazine to
20 keep Mexicans out of Colorado. That is the level of
21 debate that I've been witness to and not one colleague
22 who stands in opposition to this bill has risen in
23 opposition to those comments.

24 So I feel happy for my senate colleague
25 who feels as if folks would rise to his defense. That

1 has not been the case for me. And as threats of
2 violence against me and my kids have been rolling in in
3 e-mails, in tweets, in phone calls, that's the level of
4 discourse we've had. And it's hard for me to stand
5 here and -- and hear folks say, well, this isn't going
6 to solve all of our problems. Guess what? Everything
7 we do here is part of a bigger -- is part of a bigger
8 universe. What we do here in Colorado interacts with
9 what happens in other states. I get that.

10 I don't believe in a silver bullet
11 answer. And what I feel like I'm being sold today is a
12 silver bullet, that one extra bullet is a thing that we
13 need to keep our community safe and I don't buy that.
14 I just fundamentally don't buy that, when the threats
15 of violence have been so high against me and my kids.
16 In one breath someone says, I'm a law-abiding gun owner
17 and the next says I really can't wait until your child
18 is raped. It is very, very difficult -- very, very
19 difficult for me to stand here and say that this debate
20 has been civil or that there are folks who aren't
21 wishing me and my family harm using the tools and
22 implements that we're discussing today.

23 But I've been told this is -- this is a
24 simple matter and I don't think it is. And I hope
25 after -- after we're done today, we can see this aisle

1 disappear and we can sit down and have conversations
2 about bipartisan measures that will get us closer to
3 community safety, to ending community violence.

4 Yes, it is complex. Yes, it is
5 difficult. And yes, it should happen. And I extend my
6 hand across the aisle to talk about what can we do,
7 because the status quo is unacceptable. It is
8 completely unacceptable. And for us to be fighting
9 over one policy without talking about the broader issue
10 makes me very concerned. I wish we would have had a
11 civil debate about this and that is not what I feel
12 like we have gone through.

13 So I stand here today asking for support
14 on this measure for House Bill 1224. It's not a silver
15 bullet, but it's a starting place for us to have a
16 conversation about how we end community violence. How
17 do we make sure that when we drop off our kids at
18 school that they're safe?

19 It's one of the reasons I supported the
20 senator from Grand Junction's bill. When we started
21 talking about school safety, we found common ground and
22 we can do that on all of these issues. But when the
23 level of discourse is don't do this or your kids are
24 going to get raped or you're going to lose your life,
25 that is not -- that is not a civil discourse. It makes

1 it very, very hard for me to have an authentic
2 conversation about my values, about the Second
3 Amendment, but also about the First and the Fourth.

4 I might be giving a different speech
5 today. With my roots, growing up raising animals,
6 using firearms in a rural part of Adams County, this
7 might have been a completely different speech for me.
8 And I might have been standing on this side of the
9 aisle. But that's not the speech I'm giving today.
10 And so today I stand up to ensure that we can start the
11 conversation to end community violence, to make sure
12 our kids are safe. I ask you to support House Bill
13 1224.

14 MR. PRESIDENT: Further discussion,
15 Senator Harvey?

16 SENATOR HARVEY: Thank you,
17 Mr. President.

18 And, Senator from Adams County, I stand
19 appalled at those e-mails that you received and I stand
20 here to defend you against anybody that would come
21 against you or your children. But the civil debate
22 that we're talking about is the civil debate here on --
23 in this chamber, which we really haven't had a debate
24 until the senator from Denver came up here to discuss
25 the debate.

1 I assure you, Senator, you and your
2 family are not the only ones that have received threats
3 this year. I can go back and pull up civil union
4 e-mails or e-mails on this bill. I assure you, you're
5 not the only one that has received threats. And like
6 you, I didn't tell the police about them. To me,
7 that's part of the job. People have the right of First
8 Amendment and my wife certainly wanted me to at least
9 give one of them to the state patrol, but I didn't.

10 But let's have the civil debate here
11 amongst friends. That is what we're paid to do, is
12 have the debate here on the floor. We're talking about
13 how to make our schools safer, how to make Colorado
14 safer, how to make the citizens of Colorado safer. But
15 we keep bringing up the terrible things that have
16 happened around the country. Many people have brought
17 up school violence.

18 Well, how many of you all know Dawn
19 Hochsprung? Dawn Hochsprung was the principal at Sandy
20 Hook Elementary School when a wolf corralled at the
21 door. A wolf that killed his mother, stole her Glock,
22 stole her six hour, went to an elementary school that
23 was a gun-free zone wearing military garb and went to
24 the locked door carrying those guns he just stole from
25 his mother after murdering her, shot his way into the

1 school door that was locked at 9:30 after they let
2 everybody in, and Dawn, the principal, ran to him, ran
3 to him.

4 She didn't sit behind a counter and
5 shoot at him because she was forbidden to do that. She
6 was forbidden to defend herself and her children
7 against that wolf growling at the door. That is what
8 we are talking about here. Evil people will do evil
9 things and we are putting our citizens and our teachers
10 and our children and our principals in harm's way. We
11 are telling them that you have to be not only less
12 armed, but unarmed in the gun-free zones of Colorado.

13 This bill is saying if you're not in one
14 of those gun-free zones, we're going to make you less
15 armed. It is no less bad policy to say to Dawn: Dawn,
16 you can have your guns in a safe zone if you are a
17 resource officer, but all you can do is carry 15
18 rounds. Because the wolf didn't have 15 rounds. The
19 wolf had 60 rounds just in two guns. That's not
20 counting what he had in his military vest.

21 So we're saying to Dawn, Dawn, thank you
22 very much for being there and protecting your kids, but
23 if we pass this law, nobody in the State of Colorado
24 will be able to protect themselves against that wolf.

25 That's what we're talking about today.

1 We're talking about disarming lawful citizens. Not
2 people that will kill their moms, steal their guns,
3 drive across town past multiple schools and go --
4 multiple large areas and go to a place where there is a
5 gun-free zone and use those gun-free zones on little
6 children. We're talking about disarming law-abiding
7 citizens. It's a sad day in Colorado. I ask for a no
8 vote.

9 MR. PRESIDENT: Further discussion,
10 Senator Renfroe.

11 SENATOR RENFROE: Thank you,
12 Mr. President.

13 It's tough sometimes when things happen
14 to us personally in the course of trying to serve down
15 here. My heart does go out to you, Senator, and it is
16 not right. Absolutely wrong, despicable, cowardly for
17 threats or intimidating e-mails to be sent for any
18 reason, any bill. I can -- I'm in the club I guess if
19 you want to call it a club, but I wouldn't want to even
20 say that I guess. It's not right and it's never
21 acceptable.

22 I am thankful for colleagues coming down
23 today and injecting reasons why there are proponents
24 supporting this bill. We haven't had that and that
25 hurts the people of Colorado without debate. Because

1 how do we know if we got it right if we don't stand up
2 and bounce our ideas off each other and try to make
3 them better?

4 When I look at this bill, one thing I
5 can't help but think back to is when I was first
6 married. I married my high school sweetheart. She
7 went to school in LA at the fashion institute out
8 there, and I went to school in the Midwest trying to
9 play baseball. And then I moved out there chasing her
10 and proposed and we got to marry -- got married and
11 lived in West LA, kind of in the Santa Monica area.
12 And I worked downtown as a paralegal in a law firm.
13 And we were young, in love, didn't plan on making Los
14 Angeles and the west coast home. We looked at it as a
15 full-time vacation to spend about everything we need
16 and do what we could.

17 Then along came something that I'll
18 never forget, was the LA riots. My wife was probably
19 six months, seven months pregnant with our first child
20 at the time. We were actually downtown watching
21 Phantom of the Opera and I'll never forget, as soon as
22 it was over, they turned the lights on. They wouldn't
23 even let you clap. And they came on the intercom and
24 they said go to your car in groups, turn your radio on
25 and go home as safe as you can, God bless. And I was

1 like what in the world is going on?

2 And before we got to our car, we
3 realized that things had been taken into the citizens'
4 own hands or the criminals own hands or however you
5 want to place it within what went on through LA for the
6 next three days and then rolling into Las Vegas and
7 other places. So we got in our car, started to drive
8 down Figueroa Boulevard to get to the 10 to head to our
9 place. And nobody's on the road because this was, you
10 know, midnight. The play was over. Green lights the
11 whole way, looked good.

12 So I'm going and all of a sudden out of
13 the blue, I just for some reason I slammed on the
14 brakes in this little sports car I had. And this car
15 came running the red light and sliding sideways and
16 stopped in the middle of the road. And this guy starts
17 to climb out of the backseat and he's get -- he doesn't
18 even open the door, he just climbs out the window.
19 First thing he puts out though is he shows a gun. And
20 we're -- I'm -- we're closer than the door of the
21 Senate to this car that had screeched to a stop in
22 front of us.

23 I'm there with my pregnant wife and her
24 parents in my little sports car. No gun. No way to
25 defend ourselves at the mercy of that guy for whatever

1 he wanted to do. That sort of thing changes you and
2 how you think about protecting your family and the duty
3 that the senator from Wray talked about. Thankfully in
4 that situation, the driver must have had other ideas
5 and he started to take off with that guy hanging out
6 the car and all he could do was hold on, without
7 getting a shot off or whatever he was planning to do
8 with us there in front of him.

9 And so, of course, I stuck it in gear
10 and went behind him. I was going probably at least a
11 hundred down the streets of Los Angeles to get to the
12 freeway to get home. My wife crying in the seat next
13 to us -- next to me. I had no way to protect her, but
14 to ram my car, do something. That changed my life.
15 That really did.

16 The next couple days all you could hear
17 in LA was you could hear explosions. You could see gas
18 stations with flames higher than this room, this
19 beautiful chamber. As we drove home, you could see
20 those and we kind of -- you could see the news. You
21 could hear the stories of people trying to defend their
22 homes, their businesses. We would drive by street
23 after street. I can remember one of the most vivid was
24 a Payless Shoe Store where the parking lot was nothing
25 but empty boxes. You couldn't even see asphalt because

1 of people running in, running out, dropping the box and
2 heading off with their shoes.

3 The duty to protect yourself and your
4 family matters. This bill infringes upon that
5 inalienable right to do that. You might not think so.
6 You might think this is a step, this is a first step,
7 this is doing something. But the fact is, it
8 encroaches on that inalienable right. I pray that none
9 of us ever have to be confronted with somebody pointing
10 a gun at you. I know when the senator the other day
11 asked if someone had been shot at, when we were on
12 seconds, thank God I couldn't raise my hand to that.
13 I'm very thankful. I can say I've had a gun pointed at
14 me at close range. I don't pray that that -- I don't
15 wish that on anybody.

16 This bill makes us less safe. It makes
17 law-abiding citizens less safe. There's even other
18 parts of the bill that talks about possession. Is it
19 going to make us criminals even within the provision --
20 the possession statute within this bill for the ones
21 that were grandfathered and get to keep?

22 I also shared a story the other day when
23 we were debating about my aide who I guess I can give
24 you good news, through the Magpul program, he actually
25 like Saturday he told me his PMAGs came. So he has his

1 30-round magazines that he won't have to fumble to load
2 a 10-round to defend himself if he ever thinks that
3 that is the only option that he has. But that's at
4 least until the day that we decide that what we've done
5 today can't solve the problem, which I think you've
6 heard at least 15 people tell you it can't solve the
7 problem and it won't. So the next thing is you will be
8 coming after David's 30-round PMAGs and mine and every
9 other law-abiding citizen because of what criminals do.

10 And that's wrong. That's not what this
11 country was founded upon. Yes, we need to hold
12 criminals accountable. We need to catch them and we
13 need to make them pay for what they do. But not at the
14 expense of the law-abiding citizen. Vote no on this
15 bill.

16 MR. PRESIDENT: Further discussion,
17 Senator Marble.

18 SENATOR MARBLE: Thank you,
19 Mr. President.

20 And I just wanted to address some of the
21 concerns that the good senator from Adams County had
22 put forth. And in the Marine Corps, they have a
23 saying; front towards enemy. There's a lot to be said
24 for that. Many of us have had those e-mails and
25 threats. I too have had many against my person, my

1 children. Many of my friends have also had that. And
2 what I want to give you is the thought that if anything
3 were to ever happen, I hope I am there because not only
4 me, but my fellow Republicans, everyone, would be there
5 to protect you and your life and your children.

6 It is up to us. It's our responsibility
7 to be the protectors of our lives and our families.
8 And one bit of advice to you all, as I have and many
9 Republican and Democrat senators, the next time you get
10 one of those e-mails, hit delete. I'm still opposed to
11 1224, I always will be. But I am not opposed to
12 helping you defend your family and I know if you chose
13 to carry, you would also be there to defend mine and I
14 thank you.

15 MR. PRESIDENT: Senator Hill?

16 SENATOR HILL: Thank you, Mr. President.

17 May I request now for my 20 minutes
18 instead of being interrupted partway through?

19 MR. PRESIDENT: Certainly, you can.

20 SENATOR HILL: Thank you very much. 40
21 minutes then if that won't work.

22 MR. PRESIDENT: Five.

23 SENATOR HILL: Dang it. Wrong way.

24 We are the hollow men. We are the
25 stuffed men leaning together, headpieces filled with

1 straw. That's how TS Eliot starts his poem and while I
2 won't use any names, my good friend whose initials are
3 Mike Johnston, brought up a fantastic point and I've
4 had to -- I've had to think on this and reflect on it
5 and jotted down a few notes to share.

6 See, TS Eliot wrote this poem as an
7 exposition, as an artful exposition on what happens
8 when society loses their dignity, what happens when
9 they lose their liberty, their collective ability to
10 make their own future, to make their own destiny. So
11 in title, his famous poem, one of my favorites, The
12 Hollow Men, when people watch the political process,
13 they expect dignity, but we have not delivered. See,
14 dignity acknowledges the real heart of an issue.
15 Dignity is our reason for rule of law, protection under
16 the Constitution, process, policy.

17 But unfortunately, my friends, it seems
18 as I watch what we are doing, dignity is missing. The
19 argument here, as I understand it, is that we are
20 trying to protect those who would be future victims in
21 crimes like what happened at Columbine, Virginia Tech,
22 Aurora, Newtown. So I ask you this question: Which of
23 these bills that we've voted on today, this included,
24 would have prevented any of these tragedies?

25 I've heard from dozens of great Colorado

1 citizens who hoped to tell you how it would hurt them,
2 how these bills would hurt them, their business, their
3 ability to protect themselves. But they didn't get the
4 time to testify. Why didn't we give them the dignity
5 to testify on these bills? You see, this process
6 demands that we ask questions, that we answer
7 questions. That we put our emotions aside and answer
8 the call of reason. Reason shouts to us from history,
9 from literature, from science, all around us. But we
10 have put it off, we have closed our ears. We are like
11 those sailors with (inaudible), stopped up our ears
12 with wax so that we may not be drawn off course by the
13 enchantment, the beautiful enchantment of reason.

14 And the tragedy here is that in doing
15 this, we have turned people into pawns to play power
16 politics. We have taken the victims of these tragic
17 shootings and we have paraded them around while arguing
18 for laws that would not have protected them. But it
19 goes deeper. We are a deliberative body. This means
20 we engage in long and contemplative discussion.

21 I think we've got the long taken care
22 of, but have we contemplated anything? Have we
23 contemplated the heart of what we're doing here? And
24 we owe the people of Colorado the dignity of answering
25 questions, of the chance to speak up when laws are

1 being made, but this isn't happening. I ask again,
2 which of these tragedies would have been prevented by
3 the laws we are voting on here today?

4 We look in history, we have many lessons
5 for us; the tragedy of the Dred Scott decision, 1857,
6 was that it did not acknowledge the dignity, the
7 God-given dignity, of quote people of African descent
8 created by God and therefore with inalienable rights to
9 life, liberty and the pursuit of happiness. Somehow
10 they argued the Constitution did not protect them.
11 This pathetic use of government power to protect
12 established interest led in part to the Civil War and
13 ultimately to the 14th Amendment. In 1868,
14 establishing all people born on US soil as US citizens
15 protected by the Constitution.

16 Plessy v. Ferguson, 1896, declaring
17 separate, but equal facilities constitutional. One of
18 my heroes, Justice John Marshall Harlan, nicknamed the
19 Great Dissenter, disagreed with this and said the
20 Constitution was color-blind. It took 58 years for the
21 court to recognize its mistake overturning Plessy v.
22 Ferguson with a landmark decision of Brown vs. Board of
23 Education. Consequently, this is why I enjoy provoking
24 my lawyerly friends by saying that stare decisis is
25 Latin for we refuse to admit past mistakes.

1 Friends, there are many past mistakes in
2 our history; whether it's women's suffrage, civil
3 rights, immigration reform, or even our very own
4 experience with decades of experimenting with gun
5 control. We've learned a lot and we have learned that
6 there's actually no dignity, there's no rational
7 argument for many of these things. Yes. Yes, we can
8 play to emotions, but we cannot appeal to reason. And
9 therefore, we are missing the dignity in these
10 arguments.

11 The tragedy of all of these debates is
12 that the -- some Americans have argued that we can be a
13 better society, that dignity can be bought if we limit
14 the liberty of others. So today we're here to debate
15 guns and there's been little talk about this dignity,
16 but dignity demands that we say when it comes to the
17 tragic epidemic of violence in our society, guns are
18 not the problem.

19 Evil is the problem here, friends, and
20 bureaucracy is not the solution to evil. No amount of
21 economics, statistics, math, social science, politics
22 can ever overcome the original sin within our society.
23 Liberty, freeing the human soul, is the only option we
24 have. It's the only real answer. Alexander
25 Solzhenitsyn said it best in *The Gulag Archipelago*, I

1 quote: Gradually it was disclosed to me that the line
2 separating good and evil passes not through states, nor
3 between classes, nor between political parties, but
4 right through every human heart and through all human
5 hearts. This line shifts inside of us, it oscillates
6 over the years. And even within hearts overwhelmed by
7 evil, one small bridgehead of good is retained. And
8 even in the best of hearts, there remains an uprooted
9 small corner of evil.

10 Since then, I have come to understand
11 the truth -- I continue the quote. Since then I have
12 come to understand the truth of all the religions of
13 the world. They struggle with the evil inside a human
14 being, inside every human being. It is impossible to
15 expel evil from the world in its entirety. But it is
16 possible to constrict it within each person.

17 That's within each person, not outside
18 of each person. And this collection of laws we're
19 voting on here is an external imposition trying to deal
20 with an internal problem. In doing so and putting an
21 external solution, we've abandoned the lessons we've
22 learned from history and said that evil can be solved
23 from the outside. And in doing so, we've taken away
24 the dignity of law-abiding citizens.

25 You see, this country was built on the

1 bedrock that everyone is innocent until proven guilty.
2 But these laws will assume the innocent guilty, while
3 the guilty continue to ignore the law. No, I don't
4 think this is intentional, but it's happening. I don't
5 think liberty and dignity are intended to be sold by
6 parading shooting tragedies that would not have been
7 stopped by this legislation.

8 Friends, the supporters of this bill
9 seem to me in a sad case for their patriotism. For it
10 takes the money of a misguided lobby oiled with the
11 dopamine of political success and undermines the
12 dignity and liberty of all Coloradans. TS Eliot ends
13 his poem saying this is the way the world ends, this is
14 the way the world ends. This is the way the world
15 ends, not with a bang, but a whimper.

16 This legislation seems to be our
17 collective whimper about a problem that's internal to
18 our souls. So in speaking for our constituents, I will
19 choose to speak for my favorite constituent, my wife.
20 I freely admit my bias here. She wrote this to me
21 after some of the unfortunate comments surrounding the
22 gun debate and she -- it was fantastic because she
23 caveated with this: These comments were intended --
24 they were not intended to be what the political
25 process, a 24-hour news cycle makes them out to be.

1 The problem is though, they lack the dignity, the real
2 debate that was going on.

3 And so I finish with this. She writes:
4 My honest response is that one of the goals of a
5 lawmaker is to protect the dignity of those he or she
6 is representing. There is a strength and dignity in
7 having the ability and right to stand up and fight
8 against someone who is doing wrong to my body. I would
9 not say vomiting or urinating as a response is the best
10 way to maintain that self respect and virtue. Of
11 course, if I were in a desperate situation and had
12 absolutely no other choice in order to protect myself
13 from rape, but to follow the suggestions laid out, I
14 would definitely resort to that.

15 But why? Why take away my self respect
16 when that is the very thing I am fighting to keep. By
17 nature, we are not as strong as our male counterparts.
18 So we already have that as our disadvantage. If our
19 government is one that promotes equal rights among his
20 people, why are they taking away one of the only
21 options we have to level the playing field when evil is
22 among us?

23 While it is true that people are more
24 prone to stronger reactions in traumatic situations, I
25 believe that a government that will give each of its

1 people the opportunity to effectively prepare and equip
2 themselves for the possibility of evil and danger is
3 one that offers strength and dignity.

4 Friends, this bill does not give dignity
5 to the people of Colorado. It takes their liberty and
6 offers nothing but a whimper in return. It is the
7 epitome of bad public policy and we have a duty to vote
8 no.

9 MR. PRESIDENT: Further discussion?
10 Seeing none, the motion before the body is the adoption
11 of House Bill 1224.

12 UNIDENTIFIED SPEAKER: Roll call.

13 MR. PRESIDENT: Roll call has been
14 requested. Mr. Majors, would you please poll the
15 senators.

16 MR. MAJORS: Aguilar?

17 SENATOR AGUILAR: Aye.

18 MR. MAJORS: Aguilar, aye. Balmer?

19 SENATOR BALMER: No.

20 MR. MAJORS: Balmer, No. Baumgardner?

21 SENATOR BAUMGARDNER: No.

22 MR. MAJORS: Baumgardner, no. Brophy?

23 SENATOR BROPHY: No.

24 MR. MAJORS: Brophy, no. Cadman?

25 SENATOR CADMAN: No.

1 MR. MAJORS: Cadman, no. Carroll?
2 SENATOR CARROLL: Aye.
3 MR. MAJORS: Carroll, aye. Crowder?
4 SENATOR CROWDER: No.
5 MR. MAJORS: Crowder, no. Giron?
6 SENATOR GIRON: Aye.
7 MR. MAJORS: Giron, aye. Grantham?
8 SENATOR GRANTHAM: No.
9 MR. MAJORS: Grantham, no. Guzman?
10 SENATOR GUZMAN: Aye.
11 MR. MAJORS: Guzman, aye. Harvey?
12 SENATOR HARVEY: No.
13 MR. MAJORS: Harvey, no. Heath?
14 SENATOR HEATH: Aye.
15 MR. MAJORS: Heath, aye. Hill?
16 SENATOR HILL: No.
17 MR. MAJORS: Hill, no. Hodge?
18 SENATOR HODGE: Aye.
19 MR. MAJORS: Hodge, aye. Hudak?
20 SENATOR HUDAK: Aye.
21 MR. MAJORS: Hudak, aye. Jahn?
22 SENATOR JAHN: No.
23 MR. MAJORS: Jahn, no. Johnston?
24 SENATOR JOHNSTON: Aye.
25 MR. MAJORS: Johnston, aye. Jones?

1 SENATOR JONES: Aye.

2 MR. MAJORS: Jones, aye. Kefalas?

3 SENATOR KEFALAS: Aye.

4 MR. MAJORS: Kefalas, aye. Kerr?

5 SENATOR KERR: Aye.

6 MR. MAJORS: Kerr, aye. King?

7 SENATOR KING: No, sir.

8 MR. MAJORS: King, no. Lambert?

9 SENATOR LAMBERT: No.

10 MR. MAJORS: Lambert, no. Lundberg?

11 SENATOR LUNDBERG: No.

12 MR. MAJORS: Lundberg, no. Marble?

13 SENATOR MARBLE: No.

14 MR. MAJORS: Marble, no. Newell?

15 SENATOR NEWELL: Aye.

16 MR. MAJORS: Newell, aye. Nicholson?

17 SENATOR NICHOLSON: Aye.

18 MR. MAJORS: Nicholson, aye. Renfroe?

19 SENATOR RENFROE: No.

20 MR. MAJORS: Renfroe, no. Roberts?

21 SENATOR ROBERTS: No.

22 MR. MAJORS: Roberts, no. Scheffel?

23 SENATOR SCHEFFEL: No.

24 MR. MAJORS: Scheffel, no. Schwartz?

25 SENATOR SCHWARTZ: Aye.

1 MR. MAJORS: Schwartz, aye. Steadman?

2 SENATOR STEADMAN: Aye.

3 MR. MAJORS: Steadman, aye. Tochtrop?

4 SENATOR TOCHTROP: No.

5 MR. MAJORS: Tochtrop, no. Todd?

6 SENATOR TODD: Aye.

7 MR. MAJORS: Todd, aye. Ulibarri?

8 SENATOR ULIBARRI: Aye.

9 MR. MAJORS: Ulibarri, aye.

10 Mr. President?

11 MR. PRESIDENT: Aye.

12 MR. MAJORS: Mr. President, aye.

13 MR. PRESIDENT: With a vote of 18 ayes,
14 17 noes, zero absent and zero excused, House Bill 1224
15 is adopted.

16 Cosponsors Senator Guzman, Senator
17 Ulibarri, Senator Nicholson, Senator Aguilar, Senator
18 Heath, please add the president.

19 Majority leader Carroll.

20 MAJORITY LEADER CARROLL: Thank you,
21 Mr. President.

22 I move that we lay over general orders
23 consent calendar.

24 MR. PRESIDENT: For the motion, all
25 those in favor say aye.

1 (Senators respond aye.)

2 MR. PRESIDENT: Opposed, no?

3 (No senators respond.)

4 MR. PRESIDENT: The ayes have it.

5 Second reading consent calendar will lay over.

6 Majority Leader Carroll?

7 MAJORITY LEADER CARROLL: Thank you,

8 Mr. President. And just to clarify, that's tomorrow,

9 March 12th.

10 I also move to lay over general orders

11 second reading of bills until tomorrow, March 12th.

12 MR. PRESIDENT: For the motion, all

13 those in favor say aye.

14 (Senators respond aye.)

15 MR. PRESIDENT: Opposed, no?

16 (No senators respond.)

17 MR. PRESIDENT: The ayes have it.

18 Second reading will lay over until --

19 (Whereupon the audio recording was

20 concluded.)

21

22

23

24

25

CERTIFICATE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

STATE OF COLORADO)

) ss.

CITY AND COUNTY OF DENVER)

I, Jodi M. Wagner, Registered Professional Reporter and Notary Public for the State of Colorado, do hereby certify that said proceedings were taken from an audio recording and 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;

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 hereunto affix my hand on June 28, 2013. My commission expires March 6, 2017.

Jodi M. Wagner
Registered Professional Reporter
Notary ID: 20094006861
Calderwood-Mackelprang, Inc.