CITY AND COUNTY OF DENVER
STATE OF COLORADO
JUDICIAL COMMITTEE MEETING
Held on March 13, 2013
HOUSE BILL 13-1224

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REPORTER'S TRANSCRIPT
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This transcript was taken from an audio recording by Jana Mackelprang, Certified Realtime Reporter, Registered Professional Reporter, and Notary Public.
MR. SPEAKER: ... prohibiting large capacity ammunition magazines.

Representative Fields.

REPRESENTATIVE FIELDS: Thank you, Mr. Speaker. I move that the House concur with senate amendments to House Bill 1224.

MR. SPEAKER: Please proceed, Representative Fields.

REPRESENTATIVE FIELDS: Members, basically what the Senate did was they added some clarity around this whole ability to have this attachable magazine, ready, convertible unit to be able to hold 15 rounds. And they also adopted an amendment that was drafted by David Kopel as relates to making sure that shotguns could also carry the appropriate gauge.

It also addressed the ability for manufacturers to have a one stamp on the magazine that would be created to identify that this magazine was created after the ban was put in place.

MR. SPEAKER: Representative Joshi.

REPRESENTATIVE JOSHI: Thank you, Mr. Speaker.

Senate did some good things to this bill
with the amendment, but I think this bill still needs some more work. So I move to reject the House Bill 13-20 -- 1224 as amended by the Senate and to form a conference committee to offer an amendment that goes beyond the scope of this bill.

MR. SPEAKER: The motion -- any further discussion to form a conference committee?

MADAM MAJORITY LEADER: Thank you, Mr. Speaker.

I ask for a no vote on this substitute amendment. I believe this bill has been thoroughly discussed and appropriately amended in the Senate. I think we should move forward.

MR. SPEAKER: Representative Joshi.

REPRESENTATIVE JOSHI: Thank you, Mr. Speaker.

The reason that I'm asking for this motion is this bill still needs some more work, as I mentioned. On the exemptions, I would like to allow an active duty reserve national guard or coast guard member, or honorably discharged veteran of the United States armed forces, reserves, the national guard or coast guard, or the members of their family.

Now, the reason for this exemption is we
do extensive training to the members of the military for
the use of these magazines. We are really proud of the
training that we are giving to these members. So,
therefore, they should be considered capable of handling
these high-capacity magazines.

So I again ask yes vote on this motion.

MADAM SPEAKER: Representative Gardner.

And note the gender change up here.

REPRESENTATIVE GARDNER: Thank you, Madam
Speaker Pro Tem.

To this motion, with respect to my friend
Representative Fields, she's already used the phrase
"the Senate" and "clarity" in the same sentence, I
think. And that points out that we need to go to a
conference committee and try to achieve some clarity on
this. I think when this bill went to the Senate, a lot
of things were done, as with the previous bill, that
probably need to be discussed and a conference
committee. While this is a procedural vote, and I
recognize it, nevertheless, I think a conference
committee could be useful here.

MADAM SPEAKER: Representative Navarro.

REPRESENTATIVE NAVARRO: Thank you, Madam
Chair. I would agree that a conference committee could
be very beneficial.
Another entity that's been left out of this bill are security companies. And one of the concerns that we have are -- is the fact that we have violence in our malls and our public places. No where in the bill are those security companies that are hired permitted to carry a standard-capacity firearm.

Also, another issue that we've just sort of been noodling is a temporary transfer so that if Senator Brophy has his watermelon fest and has legal 30-round magazines and he allows someone else to use that -- that weapon, is that legal? Temporary transfers were in 1229, but they do not permit temporary transfers in this particular case.

So I think there's a long list of issues that we can continue to talk about and make sure that we've thought of all the unintended consequences that might happen from this bill and try to come out with a clean bill, at least to vote no on.

MADAM SPEAKER: Representative Landgraf.

REPRESENTATIVE LANDGRAF: Thank you, Madam Chairman.

MR. SPEAKER: It's Speaker Pro Tem. We're meeting as the House.

REPRESENTATIVE LANDGRAF: I'm sorry. I'm sorry. Thank you, Madam Speaker Pro Tem, and thank you
for correcting me.

I forgot what I came up here -- oh, I rise
in support of Representative Joshi's recommendations. I
think it's very, very important that we recognize the
training and commitment our military have made to our
community and that we do exempt them, we add them to the
list. Thank you.

MADAM SPEAKER: Representative Lawrence.

REPRESENTATIVE LAWRENCE: Thank you, Madam
Speaker Pro Tem.

I rise in support of the idea of a
conference committee. I think we still have issues with
this bill, even with the amendments from the Senate.

I cued you up for that one.

I just -- you know there are still issues
with this bill. I don't see any statistics that show
that this is going to improve public safety. I think
our friends in the other house made a slight improvement
to a bad bill, but we still have work to do on this.
This still does not improve public safety, which is what
it's supposed to do. But when you look at statistics
from the ban that was placed during the Clinton
administration, that ban did not improve public safety.
During the 10 years it was in effect, it was never shown
that the ban had any impact on criminal misuse of
members.

This is a feel-good measure, and I think we still have a lot of work to do, because we're talking about standard-capacity magazines that obviously security companies need to use, law enforcement needs to use. These are standard-platform magazines, and I just think this bill still requires a lot of work and a lot of thought before we finalize this. Thank you.

MADAM SPEAKER: Mr. Minority Leader.

MR. MINORITY LEADER: Thank you, Madam Speaker Pro Tem.

I haven't had a chance to say this, so can I say it's a pleasure to serve with you?

MADAM SPEAKER: You're more than welcome to say that any time.

MR. MINORITY LEADER: It's a pleasure to serve with you, Madam Speaker Pro Tem.

MADAM SPEAKER: And that is always in order.

MR. MINORITY LEADER: I'm waiting for a response.

MADAM SPEAKER: And with you.

MR. MINORITY LEADER: Thank you. Oh, I feel so much better now.

Members, again, we're trying to make bad
legislation better here. And we do need this conference committee to go forward, to go beyond the scope of differences because this consideration needs to happen. You know, we just had two previous bills down here where we talked pretty significantly about support for our veterans and how we, in this chamber, want to support our veterans and our active duty service members.

And here's why this is so necessary for us to be able to actually truly walk out of here and say we're supporting our active duty service members and our veterans. The issue here is -- the magazines that are issued by the federal government to the military service members are many times considered by those service members to be inadequate. And they want to purchase their own magazines so when they go back to Iraq or they go back to Afghanistan, they can have this more reliable product. In fact, that's why so many folks actually purchase privately on the market. For their use in the theater of war, they purchase on the private market these magazines from companies like Magpul, Magpul that we have talked so much about.

But these service members purchase them on their own for use in the theater of war. But by not having this exemption for the active duty service members, we are now going to criminalize active duty
service members from Fort Carson who go out and purchase these magazines after the date at which this bill is enacted. They're going to be criminals, just like any other private citizen would be a criminal. However, they're doing exactly what Representative Fields said is the necessary requirement of this bill. These magazines belong in a theater of war.

Well, that's exactly what these active duty service members use these magazines for. They use them in the theater of war, but they purchase them privately. They purchase them on their own. Their unit does not purchase them.

This is a really simple fix for us. We can truly show our support for active duty service members and show not only our support for those members, but show support for their safety in the theater of war by going beyond the scope of differences between the House and the Senate, or having this conference committee formed and going beyond the scope of differences and then fixing this very necessary issue that Representative Joshi brought up.

It's an easy fix for us. Let's show our support for active duty service members by voting to reject the senate amendments and go beyond the scope of differences and form a conference committee, a very easy
fix so we can avoid unintended consequences. I ask for
an aye vote on Representative Joshi's motion.

MADAM SPEAKER: Representative Buck.

REPRESENTATIVE BUCK: Thank you, Madam Pro

Tem Speaker.

I agree wholeheartedly with what
Representative Waller did because that's exactly what
our son did when he came home. And it was for
Christmas. And he needed, he felt, a better gun. And
so why on earth would I try to deny him a better gun,
because he will be deployed soon, shortly, and I would
not be able to sleep at night if I knew that he didn't
feel that he was safe in the field of war.

So I absolutely agree with Representative
Joshi that we also have this conference committee.
Thank you.

MR. SPEAKER: Representative McCann.

REPRESENTATIVE McCANN: Thank you

Mr. Speaker.

The way I read the bill, there's an
exemption for an employee of any of the following
agencies who bear a firearm in the course of his or her
official duties: A branch of the armed forces of the
United States. So if someone is on active duty, they
are exempted from the prohibition against large-capacity
MR. SPEAKER: Further discussion?

Representative Fields.

REPRESENTATIVE FIELDS: Thank you, Mr. Speaker, and I urge a no vote on the conference committee.

MR. SPEAKER: Any further discussion?

Representative Wright.

REPRESENTATIVE WRIGHT: Thank you, Mr. Speaker.

I appreciate Representative Joshi bringing this motion. I would concur in the motion and ask for a yes vote.

You know, we've pointed out in prior legislation from the other side of the aisle that we feel not only that our veterans and our active duty service members of the armed forces are important, but also that retired police officers are important. We've extended special privileges to our police officers in this state, passing legislation out of this house, saying that they should be able to carry weapons concealed in places where other citizens in this state can't carry them. So why are we not including retired police officers in this bill?

I think they should be exempted. These
are officers who have handled standard-capacity
magazines on a regular basis in the performance of their
duties for 20, 25, 30 years, and we're telling these
individuals who have worked in law enforcement that they
will now be violating the law, breaking the law in the
state of Colorado, if they go out after retirement and
purchase a standard-capacity magazine. This doesn't
make sense to me.

I think there's -- I think we're
missing -- this legislation, this amendment, shows, I
think, that this legislation has so many holes in it.
This is a Swiss cheese -- this is a piece of Swiss
cheese. This is Swiss cheese legislation. I mean, we
have so many holes in this to fill. We send it to the
other body. They've decided that they needed to amend
it substantially, and we're still missing the vote, not
only with our active duty service members, but with
retired police officers.

And I'd also like to point out, if you
would think back to the Hollywood shooting years ago, we
had police officers who were not armed with the proper
equipment that they needed to counteract those acts of
violence. Now, you might argue today our police
departments are better armed, and I would agree. Well,
what happens when the next mass shooting comes along and
our officers need more magazines?

The way that this bill reads now, what happened in the Hollywood shooting where officers had to run into gun shops and purchase more magazines, they had to purchase more weaponry. They wouldn't be able to do that under this piece of legislation, because we talk about a department, an agency or political subdivision of the state of Colorado, but we don't talk about the individual members that might be serving under that department or that political branch of state government.

So what happens when that individual runs into a store in an emergency situation and attempts to buy a magazine so they can go out and protect our citizens? Are they going to be turned down because these magazines are illegal to sell to an individual? Because, let me tell you, the way things work in a police department is you have to have a sergeant or higher sign off on equipment purchases in order for those purchases to be applied to the department. That's not going to happen in an emergency situation on the street.

I would support Representative Joshi's motion to send this to a conference committee to allow us to sit down and further discuss in detail what's missing in this bill. Thank you.
MR. SPEAKER: Representative Nordberg.

REPRESENTATIVE NORDBERG: Thank you, Mr. Speaker.

Members, I want to thank Representative Joshi for bringing forth this motion. And I think it's really important because, being from Colorado Springs, I have several friends who serve at Fort Carson, and I want to give a shout out to my guys at the fourth infantry division because they are listening today. They have been following this debate, because they go out and independently purchase these magazines so that they're ready to deploy to Afghanistan and Iraq.

So, Members, please, let's send this to conference, let's try and rectify some of the problems that have been very much identified in this. I please ask for that. Thank you.

MR. SPEAKER: Representative Waller, senate minority leader.

REPRESENTATIVE WALLER: Thank you, Mr. Speaker.

Representative McCann, I appreciate the discussion we've had sort of off-line here, off to the side, about whether or not active duty service members are acting within the scope of their official duties when they're purchasing these things back on leave. And
I think we've had a fairly robust discussion that --
that leaves this question in doubt as to whether or not
an active duty service member, because they are exempted
just like Representative McCann said on page 5, starting
at line 3, that they are exempted when they're acting
within the scope of their official duties.

So the discussion becomes what is the
scope of an active duty service member's official
duties? And I think we've had some agreement here as to
say we're not really sure exactly what that means. And
it means when a service member is back on leave -- I
think I could make a great argument, you know, as an
attorney that they're not acting within the scope of
their official duties when they are back on leave,
making purchases for a future use within the scope of
their official duties.

But I think that illustrates, the
discussion that we've had here illustrates the need to
send this to a conference committee, because if we don't
know what we're doing here -- and we have agreement that
we don't fully, truly know what this means -- that means
we need to do our very best on our due diligence to make
sure that we're fixing this issue. And the way to fix
this issue is to not rush this through today, not vote
this out today, but to do exactly what Representative
Joshi has asked us to do, and that's to reject the
senate amendments, form a conference committee, and move
beyond the scope of our differences.

We have an opportunity to make this right.
We have an opportunity to truly protect our active duty
service members. We all understand -- all 65 members of
this body understand how very crucially important it is
for us as legislators to do every single thing we can to
protect our active duty service members, especially when
our active duty service members go over to that theater
of war.

You might ask yourself: Well, what does a
state legislator -- what can they do? What impact does
a state legislator have on protection of our troops as
they go into the theater of war? Here it is right here.
We have the ability to say we're going to allow you to
go over and be as well equipped as possible when you go
into that theater of war, if we choose Representative
Joshi's option.

If we don't choose Representative Joshi's
option -- that's kind of hard to say -- if we don't
choose Representative Joshi's option, we're saying to
our active duty service members, you know what? We're
not really sure what impact this will have on you. And
you may end up deploying to the theater -- you either
may criminalize yourself, if you purchase these
magazines not in the scope of your official duties, or
you may, if you don't purchase them, if you choose not
to be a criminal and don't purchase them, you're going
to go back into the theater of the war with less than
optimal equipment.

I don't understand why we can't just
simply try to resolve this issue in a conference
committee. It's a simple thing to do. And it's a
necessary thing to do. And if we agree, once we get to
a conference committee, it's unnecessary, no harm, no
foul. We have done nothing wrong. But to say, no,
we're going to reject the possibility of a conference
committee for all time because we want to rush this
legislation through, in my mind, it's incredibly
irresponsible. We need to be doing everything,
everything we can to protect our active duty service
members.

And let me tell you, Members, what we do
matters for our active duty service members. When I
deployed to Iraq in 2006, we were constantly looking
back at home, looking back at what people were doing at
home. And it does so much for the morale of the troops
to know the people back at home support them and have
support for them moving forward, accomplishing their
mission in that theater of war.

This is one way we can show that support, by going to this conference committee. I ask for an aye vote.

MADAM SPEAKER: Representative McCann.

REPRESENTATIVE McCANN: Thank you, Madam Speaker Pro Tem.

The bill actually exempts a branch of the armed forces of the United States from the offenses described in this section. So if you look on page 4, line 19, the bill -- the -- sorry -- the offenses do not apply to a branch of the armed forces. So the bill is quite clear that this would not apply to members of the armed forces.

Also, on page 5, lines 3 through 5 refer to an employee of a branch of the armed forces of the United States. So either way, active military officers are not subject to the requirements of this bill.

MADAM SPEAKER: Representative Saine. Oh, Representative Wright. And, Representative Wright, this is your second time at the mic.

REPRESENTATIVE WRIGHT: Thank you, Madam Speaker Pro Tem.

I just want to point out that there is a clear distinction between talking about a department or
a political subdivision or an agency of the state or, in this case, specifically dealing with active service members, and stating on line 19, page 4, a branch of the armed forces of the United States. There's a distinction between a branch of the armed forces of the United States and an individual member serving in his or her capacity under that branch. There's certainly a distinct difference there.

You know, we, on a regular basis, go through legislation and committee and tweak these bills and make substantive amendments, no matter how minor that tweaks the language, to make sure that legislation is not misconstrued once it becomes law. And that's what we're asking for here. We're asking for this bill to go back to conference committee so then we can appropriately insert language that makes it clear to those who are enforcing this law, to those who are trying cases under this law, that it is applying in fact to current active duty members of our armed forces, not just a branch of the armed forces.

Now, I'm not an attorney; however, I think that this applies even more so to attorneys who look at language, statutory language, and base their challenges of cases on the language in these bills. We need to be clear. Why don't we want to send out a piece of
legislation out of this body that is clear? And right now it simply isn't. I think it's completely reasonable for us to ask this to go to conference committee to make these small changes that could have very much substantive differences and make this a better piece of legislation.

Don't misconstrue the fact that I'm a yes vote on this bill; I think it's completely unnecessary. But if we're going to pass this bill out of this house, let's make sure that it's a whole bill. Thank you.

MADAM SPEAKER: Is there any other discussion? Okay, Representative Saine.

REPRESENTATIVE SAINE: Thank you, Madam Chair.

I rise in support of going to this conference. What really is the harm in making sure that the intent is clear? We celebrate our veterans. We celebrate what they've done for our country, the service they provided for us. They put their lives on the line for us. Why can't we trust them? That's what we're asking. Why can't we trust these veterans?

Why not go to this conference and just make sure that intent is clear. I think we need to send a very clear message to our veterans. It is as Minority Leader Waller said: When you're serving your country
and you look back and see what your state is doing and saying, I don't trust you with these magazines, I don't trust you with this equipment, it's very demoralizing.

So let's just make sure -- let's go to this conference. There can be no harm in this, and then having some extra discussion. I'd appreciate it. I urge a yes on this. Thank you.

MADAM SPEAKER: Senator Holbert.

REPRESENTATIVE HOLBERT: Thank you, Madam Speaker Pro Tem.

Members, I do support going to conference committee. And three of my years in the capitol, I've been a part, not a member of, but had the opportunity to sit in on conference committees. And I think it's worth understanding that this would very likely be, if it is approved, six members, three from this chamber and three from the other, two from the majority from each chamber and one each of the minority. So there's no opportunity in that conference committee for the minority to somehow pull a fast one.

This is an opportunity to just take a moment, a day -- I think it would even be possible to go and do this in 24 hours and just talk through these issues, have the drafters in the room, be able to make sure that we know exactly what we're doing.
I commend Representative Joshi for standing up for many of his constituents, other military, whether active or retired. This was a point that was debated in the Senate. The amendment didn't get on the bill. But it doesn't cause any harm, it causes no risk to the passage of the bill, but it does allow the majority time to just step back and think. I'm sorry if that sounded as though there has been a lack of thought, but to pause and think through these options.

I believe that Representative Sonnenberg has raised a completely legitimate concern that I believe is outside the intent of the scope of the bill. So what harm is there? The answer is none, in taking the time to have four from the majority and two from the minority sit down in a room and talk through these issues to make sure that this bill is properly addressing the concerns that Representative Joshi and, I believe, Representative Sonnenberg have raised. There's no harm. We're not under any mandate to move this bill through and in a hurry.

A lot of constituents -- just look at the e-mail from constituents who are asking us to step back, be thoughtful, do this right. Certainly a lot of them like me are saying, Don't do this at all. But if it's
going to be done, why push this through in a hurry? Why
not step back -- you would have complete control in the
majority of that conference committee -- and address
these issues thoughtfully, give it a few -- a few hours,
a day, a couple of days. Just be thoughtful. There's
no hurry.

I believe the effective date, if the
governor were to sign this, is July 1st. We're not
close to July 1st. We have time to sit down in a
conference committee and address these concerns. And if
a conference committee was formed, I would certainly
like to see Representative Sonnenberg or Representative
Joshi -- but both of them could be there. Only one of
them.

So let's be thoughtful. Let's take our
time. I ask for an aye vote on forming a conference
committee and going beyond the scope.

MADAM SPEAKER: Representative Duran.

REPRESENTATIVE DURAN: Thank you, Madam
Speaker Pro Tem.

Members, this bill is crystal clear. We
have had debate on this issue in this chamber and the
senate chamber for hours upon hours, upon hours. If you
look at page 4, it is very specific when it talks about
employees of a branch of the armed forces of the United
States, and pointing out once again page 5 that Representative McCann referenced with regards to individuals that are in the course of his or her official duties.

We have sent a very strong message to the people that serve this country that, when they are working in the capacity of their official duties, then they will be -- this does not apply to them. It's been crystal clear. So to say that we haven't had hours and hours of debate on this issue, I think that's not reflective of what's actually happened in this chamber and the other chamber as well.

And, further, when we debated this bill, I talked a little bit about how we have more protections in Colorado's law right now for pheasants than we do for human beings. Right now, a hunter who is hunting pheasants has a shell limit. And the reason why they have a shell limit is so that there is a fair chase, so there is an opportunity --

MADAM SPEAKER: Representative Duran, is this to the motion to send this to conference committee?

REPRESENTATIVE DURAN: Madam Speaker Pro Tem, yes, it is, because it specifically looks at the amendments that the Senate put on this bill.

And I ask for a no vote on this. We
should put protections in law that protect human beings as much as we do pheasants. And if you look at the language of the bill, it is crystal clear. To say it is not clear is just not representative of all of the work that has been put forward in this effort.

Thank you.

MADAM SPEAKER: Representative McNulty.

REPRESENTATIVE McNULTY: Thank you, Madam Speaker Pro Tem.

Representative Duran, your continued comparison between pheasants and people are absolutely offensive. Absolutely offensive. I have no idea where you're going with it. I don't know why you continue to choose that obscene analogy, but it is offensive.

That said, that said, one of my first lessons that I learned when I joined the general assembly many years ago -- seven -- it seems like more -- was regardless if you support or oppose a bill, you want the bill to be written with clarity and to be written correctly.

I worked for Russ George, Former Speaker Russ George, at the time I ran for legislator, and I was blessed and honored to have his good advice as I started my legislative career. And one of the things that he constantly came back to was this, whether he supported
or opposed a bill, if a member came to him and said, I need clarity in your bill, or a member came to him and said, How do I write this better, how do I make this provision more clear, he said, Whether they were with me or against me, I helped them provide clarity, because clarity in the law leads to more efficient enforcement of the law, leads to better law, decreases ambiguity for the courts when these are challenged.

And so when we talk about bringing clarity, even if you are opposed to a bill, the obligation is to seek that level of clarity, to seek the best language possible so that there is not ambiguity. And if we are not doing that, we're attempting to muddle, confuse, and obfuscate. That is an improper use of our time. So seeking that clarity is a direct and legitimate purpose. And I hope, I hope, that we use this opportunity to send House Bill 1224 to a conference committee to accomplish a level of clarity in some of these more ambiguous provisions of the bill.

MADAM SPEAKER: Representative Holbert.

REPRESENTATIVE HOLBERT: Thank you, Madam Chair.

Members, I think a conference committee is merited, and going beyond the scope is also merited because we continue to hear argument from the majority
that people who use large-capacity magazines in their employment are exempted, and I have struggled to find that. I've heard reference to pages 4 or 5. And I ask you to turn there with me if you are concerned about this issue. And if you look at page 4, line 12: An entity or an employee thereof, engaged in his or her employment duties, that manufactures large-capacity magazines within Colorado. Anyone -- any entity that manufactures, or to any licensed gun dealer, as defined in statute, or any employee thereof engaged in his or her official employment duties that sells -- so we have manufacture and sell -- large-capacity magazines. And then it says: To whom those magazines would be sold, a branch of the armed forces of the United States, a department agency, or a political subdivision of the State of Colorado or any other state, or of the United States Government, a firearms retailer, for the purpose of firearms sales conducted outside the state, a foreign national government that has been approved for such transfers by the United States Government, an out-of-state transferee who may legally possess a large-capacity magazine or an employee of any of the following agencies: A branch of the armed services of the United States, a department agency, or a political subdivision.
There's no where in here that we get away from the manufacture or sale. And I think that's an absolutely legitimate point and something, again, that could be raised in a conference committee to say: Is the intent to exempt the people who would use these as a member of the military, as a law enforcement officer? If that's the intent, I think the language fails to make that clear, because the condition here, if you go back to page 4, is manufacture or sale. And then we get into this long list of people to whom we would sell those, but it doesn't, in my opinion, give those people some exemption.

There's a flaw in this bill, I'm confident of that. This is another reason we should ask for a conference committee and go beyond the scope and make sure that the intentions of the sponsors are truly met in this legislation as amended.

MADAM SPEAKER: Now, I have seen Representative Everett and Representative Nordberg. Do either of you wish to speak to this motion? Okay.

Representative Fields.

REPRESENTATIVE FIELDS: Thank you, Speaker Pro Tem.

Members, I believe that the bill is very clear as it relates to those who serve in all of our
branches. And I see that on page 5, and it starts on line 3. And so this bill does recognize the service and the sacrifice that our military folks do and perform for us. So I think that that's really clear.

So, once again, I vote no, ask for a no vote on a conference committee on House Bill 1224.

MADAM SPEAKER: Representative Nordberg.

REPRESENTATIVE NORDBERG: Thank you, Madam Speaker Pro Tem.

And, Members, I just need some clarity on this because this is concerning, especially for my community, but we have language on page 4, line 19, and also on page 5, line 4 -- or excuse me, page 5, line 5, which talks about a branch of the armed forces of the United States.

Now, that's pretty broad. And I don't know if that permits a soldier of the U.S. Army or of the U.S. Navy to purchase in their own private capacity, for their own purposes, in order to deploy and practice for deploying and start that training. Will that permit them to purchase that magazine? Or does this just permit the branch of the military to purchase that? And if I can get some clarification, it would be much appreciated. Thank you.

MADAM SPEAKER: Representative Fields, is
this your second time on this motion?

UNIDENTIFIED SPEAKER: (Inaudible.)

MADAM SPEAKER: Well, she's on the underlying -- I don't know, it doesn't show up here.

UNIDENTIFIED SPEAKER: (Inaudible.)

MADAM SPEAKER: The House will be in recess for just a moment.

(A recess was taken.)

MADAM SPEAKER: The House will come back to order. Is there any additional discussion on Representative Joshi's motion to reject senate amendments to House Bill 1224 and send this to a conference committee?

Representative Nordberg.

REPRESENTATIVE NORDBERG: Thank you, Madam Speaker Pro Tem.

Then I would just point out, I think there's still a need for clarification in this. What's the harm in taking this to a conference committee?

MADAM SPEAKER: Representative Nordberg, I'm sorry, you've already spoken twice, and I just --

REPRESENTATIVE NORDBERG: Thank you, Madam Speaker Pro Tem.

MADAM SPEAKER: Final comments.

Representative Joshi.
REPRESENTATIVE JOSHI: Thank you, Madam Speaker Pro Tem.

Members, as we have heard now from several of our other members that this bill is still very confusing. It's not very clear about a lot of issues, as we heard from our different members. It's not just the active duty or the veterans. We also heard about police officers and some of the other law officers here.

So I think it is very important that we say yes on my motion to send it to a conference committee, because that's where we will get a lot of clarification. We will have a lot of time to figure out a lot of issues that have remained unclear in both chambers. So I ask for a yes vote on this motion.

MADAM SPEAKER: Seeing no further discussion, the question before the House is to reject the amendments of the Senate and send this House Bill 1224 to a conference committee. Members, this is a recorded vote.

Mr. Kolar, open the machine and, Members, proceed to vote.

UNIDENTIFIED SPEAKER: (Inaudible.)

MADAM SPEAKER: He's modeling your behavior, Mr. Minority Leader.

Representative Mitsch Bush.
Okay, close the machine with 28 aye votes -- excuse me -- 36 no votes, and one excused, Representative Joshi's motion to form a conference committee is lost.

That brings us to the underlying motion, which is to accept senate amendments to house bill.

Representative McNulty.

REPRESENTATIVE McNULTY: Thank you, Madam Speaker Pro Tem.

I think it's unfortunate that we didn't take Representative Joshi's offer to help provide clarity to this bill by going beyond the scope of the senate amendments. That said, I continue with my original argument that I made during the debate of Representative Joshi's motion. And that is, when you have an opportunity to make a bill better, you take that opportunity, whether you support or oppose the bill. And in that line of reasoning, senate amendments make a bad bill better. I doubt that there are any number of amendments that we would be able to talk about that would find strong bipartisan compromise on 1224, but I do hope that we are able to support the senate amendments to House Bill 1224, and I do ask for a house bill for senate amendments to House Bill 1224.

MADAM SPEAKER: Representative Fields.
REPRESENTATIVE FIELDS: Thank you, Madam Speaker Pro Tem.

I urge a yes vote on approving the senate amendments on House Bill 1224.

MADAM SPEAKER: Mr. Minority Leader.

MR. MINORITY LEADER: Thank you, Madam Speaker Pro Tem.

Well, Members, we just had the huge debate over what would have made this better, but the reality is that, even though the idea to protect the military was rejected, these amendments still do make the bill better. And, once again, it makes a bad bill better. So I think we should vote to approve these amendments made by the Senate. You can hiss me now if you want. So I'd ask for an aye vote.

MADAM SPEAKER: Is there any other discussion on the motion to concur with senate amendments to House Bill 1224?

Seeing none, Mr. Kolar, please open the machine and, Members, please proceed to vote.

Representative Pabon. Mr. Assistant Majority Leader. Representative Tyler.

Close the machine with 64 aye votes, zero no, and one excused, the House concurs with senate amendments to House Bill 1224.
Madam Majority Leader.

MADAM MAJORITY LEADER: Thank you, Speaker Pro Tem.

I move for the repassage of House Bill 1224 as amended.

MADAM SPEAKER: And the motion before the house is the repassage of House Bill 1224.

Mr. Kolar, open the machine.

UNIDENTIFIED SPEAKER: (Inaudible.)

MADAM SPEAKER: Sorry?

UNIDENTIFIED SPEAKERS: (Inaudible.)

MADAM SPEAKER: Okay, then let's come on down. Raise your hand. Who wants to talk?

Representative Holbert.

REPRESENTATIVE HOLBERT: Thank you, Madam Speaker Pro Tem.

Even when we lose, we have a sense of humor, don't we?

Members, I do rise, continue to rise, in opposition to House Bill 1224. I've said before, what we are doing here is restricting law-abiding citizens access, restricting permission for people who obey the law to have access and use metal or plastic boxes with a spring inside. That's all it is. Mechanically, it's similar to a PEZ dispenser or a little clicker pen.
Does it hold ammunition and can it be joined with a weapon? Yes, but a magazine is not a weapon.

Over the past few months, I've heard comments referenced to high-capacity, rapid-fire magazines, when what these are, are standard capacity. The normal-capacity magazine, for instance, an AR-15, is either 20 rounds or 30 rounds. I don't recall ever seeing one that wasn't one of those two numbers, 20 or 30. Those are the standard capacity.

We've heard reference back to the Aurora theater shooting and what an incredible tragedy. What can we do to help prevent such things from happening in our society?

The shooter, as I understand, there used 100-round drum magazine. I've seen these in magazines, something like a dual drum. If you want to call that a high-capacity magazine, that might make sense to me. I understand these weapons and these magazines. When you say high capacity, 20 or 30 doesn't come to mind, but certainly these ridiculous hundred-round drum magazines that don't work -- then I could understand, oh, that's what you mean. But when we say high-capacity, large-capacity ammunition magazines, in my vernacular, that's not something that holds 20 or 30 rounds, because
that's normal, that's standard. That's what you can go buy off the shelf. That's what 99.999 percent of them are. Because if we talked about these drum magazines, my goodness, I would never, ever encourage anyone to buy any of those because they are so unreliable, which I believe played a factor at Aurora, but I certainly don't understand all the details there.

It seems inappropriate for us, it seems heavy-handed for us as a legislature to reach out to people, for instance, like me. I strive to live within the law. I'm not perfect, but I strive to obey the law. And now you're telling me in this legislation that it's okay that I continue to have the standard-capacity, run-of-the-mill, normal magazines that hold 20 or 30 rounds that can be associated with an AR-15 or similar rifle.

But then we get into the conversation of easily converted. And Senator Lundberg offered a great demonstration in the Senate. I wish I had one. But he took a 10-round magazine, slipped the base plate out of -- because, again, all a magazine is is a box with a base plate, a little thin metal plate, a spring inside that pushes the ammunition up, and then what's called a little follower plate. It's a little thicker, but it has the shape of the roundness of a bullet in it. And
as the bullets are pushed in, the spring compresses.

But easily converted.

You take the base plate out of any of these magazines, and take an extension and put it on the bottom and put the base plate on the bottom of the extension, you have a 10-round magazine that grows to 20 or 30. So any 10-round magazine with a detachable base plate can almost certainly be converted, easily converted, in seconds into something that holds more than 15 rounds, which is not standard.

I'm sure that there are 15-round magazines made for an AR-15, but I don't remember ever seeing one. They're 20 or 30. It's kind of like saying the standard shoe size is a 14. Well, what about all of us that are less than a 14? Is this -- or to match up the numbers of 15. Wait a minute, why did we come up with that arbitrary number? And on second reading, we had conversation about the arbitrary and capricious nature of 15. Where did that come from? It's more than 10, yes. But go out to a gun shop, go to a catalog, go online and look -- Google, search for a retailer that sells magazines, detachable magazines, and you will find for the AR-15 or similar weapons, 20- and 30-round magazines. Those are the normal. That's the standard size.
And, again, we are reacting, I think in part -- and I think, Representative Fields, rightly so -- to the Aurora shooting. What can we do to address that problem? But are we addressing the hundred-round magazine? No. We're defining large capacity as anything more than 15.

Then we get into handguns. Handguns that are, say, in the 38 caliber or 9 millimeter. Very common to find something that would hold 15 or more rounds just in our normal handgun, semiautomatic handgun that you can buy over the counter right now, today, and many, many people have.

Can those be easily converted? Yes, I'm sure they can. Is that really the intent of this bill? I hope it isn't.

And it's for those reasons that I would ask for a no vote on House Bill 1224, because all we're doing is telling people who obey the law that they won't be able to buy or sell or trade a plastic or metal box with a spring in it. Is that really going to protect people? No. It's just a box with a spring in it. It's not a weapon. They don't fire rapidly or slowly. They don't fire at all. It's just a box with a spring in it. We're pretending that we're improving the public safety. This bill doesn't improve public safety.
It puts restrictions, unnecessary restrictions, on law-abiding citizens.

I also believe that it will create a market, black or not, for people would want to buy these, to acquire these. You think that they won't be able to. Have you seen the cartoon -- this isn't black market -- but have you seen the cartoon that shows the Wyoming-Colorado border with fireworks and normal-capacity, standard-capacity magazines on the Wyoming side of the border and marijuana on the side of Colorado?

Is that what we really want to tell the citizens of our state, that we think so lowly of you that we will not trust you with a plastic or metal box with a spring in it?

I ask for a no vote.

MADAM SPEAKER: Representative Rankin.

REPRESENTATIVE RANKIN: Thank you, Madam Speaker Pro Tem.

Members, I know that we disagree on interpretation of the Second Amendment and we also agree on the effectiveness of this particular bill, buying that split-second between magazine changes and those instances where a mentally deranged person tries to commit mass murder. And we hope that that split-second
buys us time to react.

I know that we disagree, but I want to talk to you about a different area. I want to talk to you about an area where we do agree, and I know we do, and that's jobs, that's jobs and our economic base and the taxes that people pay in our state.

There's a really troubling trend that's developed for me since we started to debate these issues, and it comes from a lot of e-mails and it comes from talking to my constituents, a lot of whom are outfitters and guides.

I honestly believe that next year I'll be standing in front of you and reporting that about 25 percent of our hunting revenue and visitors has ceased, no longer come here, and about 10 percent of our tourism revenue overall.

Certainly those are not accurate statistical numbers yet, but I really do believe that a year from now, I'll be talking to you about that. And this affects a lot of us. It affects some of you. My constituents on the other side of the aisle in Eagle County and Routt County and southwest Colorado, your citizens, your tax base is going to be affected dramatically by this bill. And I really believe that, you know, this bill buys us very little, but costs us
much. And I think we need to consider that. It's not
too late.

We talked about Magpul, even put an
amendment in the bill. But we're talking about perhaps
a couple of thousand jobs here that are related to
tourism and the sporting industry. This is -- and I
wish I could quantify it as well as we did Magpul, but
this is so much more impactful, so much more important
to those jobs on the Western Slope. And this one bill,
this magazine bill could send a signal that we're
willing to reconsider, that we're willing to think about
the jobs and the taxes and our own small towns in
western Colorado -- so important to our heritage, so
important to the image of Colorado -- reconsidering this
one bill out of all the others that we're insisting that
we have to pass. We'll send a signal that we do care,
that we can -- that we're willing to reconsider based on
jobs in the economy, but not based on how long it takes
to change a magazine, not on the details of what a
magazine is, but the welfare of our economy and our
people.

So I urge you to change your minds and
vote against this bill. Let's send a signal. Thank
you.

MADAM SPEAKER: Representative Saine.
REPRESENTATIVE SAINÉ: Thank you, Madam Chair.

MADAM SPEAKER: It's Speaker Pro Tem.

REPRESENTATIVE SAINÉ: Thank you, Speaker -- Madam Speaker Pro Tem.

MADAM SPEAKER: Thank you.

REPRESENTATIVE SAINÉ: Well, we've had some discussions about why -- why is it necessary for folks to own a standard-capacity magazine, to own something that has more than 15 rounds. I would like to read a letter from a very good friend of mine. He said he was not allowed time to testify last week. And this is really important to hear. Why would you need to have a magazine with more than 15 rounds? So let me read this to you.

He said: Had I had the chance, this is what I would have said about this bill. He would have said: Thank you, Senators, for listening to me. My name is Karl Schwales (phonetic), and I work with disabled Coloradans. I try to help them engage in activities that will help them normalize their lives. I help find ways for my friends to adapt to hobbies, sports, and interests in such a way as to eliminate or minimize their disability. Some of my clients or friends have chosen to engage in shooting, both as a
sport, much like what the president enjoys, and as a means of self-defense.

For some disabled Coloradans, HB 1224 has huge negative ramifications. Imagine, if you will, trying to replace a magazine without the use of one of your hands or arms. It is a tedious and difficult task at best and nearly impossible in a chaotic and stressful situation.

I heard the representatives around the floor, representatives say we aren't restricting how many magazines you can have, just how many bullets can be in each magazine. But if life restricts you from how many magazines one can use? It isn't practical for a young, disabled person to ask a home invader for a few minutes' break so that he and she can sit at a table, because that's the only way they can reload.

HB 1224, unfortunately, places hundreds, perhaps thousands, of Coloradans that are most vulnerable at greater risk and unfairly. And Karl says he begs you for a no vote on their behalf.

I'd also like to tell you another story. And, again, I would like you to think about this: Victims don't get to choose when they're going to be attacked. I can go stand in a dark alley and yell oli, oli, oxen free, and I
won't be attacked -- well, maybe I won't be attacked --
because the criminal chooses when they're going to
attack. The criminal chooses. He will use every
advantage to do so. He will try advantage, strength,
and outnumbering you. And for a victim to stop a
violent attack, they will need a balance of the playing
field. Otherwise, the right to self-defense is
worthless, if you cannot balance the playing field, if
you can't meet force with force.

Currently, we seem to think that 15 rounds
is sufficient, but shouldn't we be more concerned with
how many rounds it actually takes to defeat an attacker?

I'd like to read you something that I
found about gunshot wounds. The only gunshot wound that
can reliably cause immediate incapacitation is a hit to
the brain or the upper spinal cord. Even after being
shot through the heart, a suspect, a criminal still has
enough oxygen in his blood to shoot back for 15 seconds.

Additionally, consider this -- and if
you've taken a firearms class, you will know this --
bullets do not have enough energy to knock down humans.
You only see them on movie screens. Because if that
were the case, any energy traveling in the opposite
direction would also knock down the shooter.

The FBI purports mentioning the number of
reasons why suspects like this are able to take multiple bullet hits and fight on. Examples include adrenaline, extreme anger, painkillers, stimulants like cocaine, crack, methamphetamine. All these can keep a shooter -- a criminal from feeling pain or even realize they've been shot.

Here's a real life example of a gunshot.

In 1986, in Miami, FBI agents were involved in a shootout. Despite being shot six times, suspect Michael Platt was still able to gun down two FBI agents and injure three others. Platt was hit by four more gunshots, but he continued to be a threat by pointing the gun at responding officers. It wasn't until he was hit by bullet No. 12 that he was incapacitated.

And there are similar examples of suspects being shot five to six more times beyond 12 before they're incapacitated. And this is examples that happened in Philadelphia and Georgia. In a self-defense situation, you may have to inflict more than 15 rounds on your attackers. Especially consider if there are multiple attackers on methamphetamine or cocaine.

Again, the criminal gets to pick when they attack you and they will try to outnumber you or outarm you.

This is why, especially women, need to have standard-capacity magazines. You don't know how
many folks are coming after you, even in your own home.

There are many examples of self-defense that aren't reported by the media because the folks that fought back didn't consider themselves to be victims. They stopped the attack.

I'd also like you to consider Magpul one more time. We heard yesterday: It's civil unions' jobs. So I'd like to ask you, these Magpul employees who are soon to be out of work, is there a job program for them to prepare them for civil union jobs?

I urge a no vote on this bill. It doesn't increase public safety and it kills jobs. Thank you.

MADAM SPEAKER: Representative Lawrence.

REPRESENTATIVE LAWRENCE: Thank you, Madam Speaker Pro Tem.

I just feel compelled to come down here and just remind you all about some testimony that we heard in the judiciary committee from a Mr. Robles, who actually experienced an attack in his business. He was alone in his business on a Memorial Day when three armed men came in to rob him and murder him. It was a pretty compelling story to hear someone tell you that they were shot five times by armed intruders, and because he had a firearm in his business with a standard capacity of 16 rounds, he was able to defend himself. And he lived so
that he could come and testify for us.

Now, granted, he needed 13 of those 16 rounds, and I think that did have some influence on the 15-round capacity that was talked about over and over again in that judiciary committee. But what if he had needed all 16?

When I talked about this earlier, the sponsor of the bill said, Well, that's why we let you have more than one magazine. You can switch -- you can switch them out real quick.

Well, the victim isn't usually prepared for that. Mr. Robles wasn't prepared to have three armed men come into his business that day and try to murder him. Luckily, he did have a firearm that had a standard capacity of 16. Luckily, he didn't need every piece of ammunition that he had in that gun that day.

We keep talking about this as a safety measure, but we keep ignoring the fact that a lot of these firearms are used for defensive purposes every day all across this country. And those people who are using them for defensive purposes are not usually armed to the gill, like a bad guy is when he comes in bent on murdering someone.

That is something that we all need to think about. We need to think about that Mr. Robles,
who was innocently working in his business that day, when three armed men came in to kill him. I think we need to really think hard about taking away that defensive opportunity from a Mr. Robles or a woman walking downtown or someone in their home. This isn't just about the intruder. This is about the person who needs that weapon with a standard-capacity magazine for self-defense.

I ask for a no vote on this bill.

MADAM SPEAKER: Representative Salazar.

REPRESENTATIVE SALAZAR: Thank you, Madam Speaker Pro Tem.

Just a note of clarification: As this amendment was being drafted, moving it from 10 to 15 rounds, we did Google it. In fact, I specifically Googled AR-15s and the kinds of rounds that the magazines for AR-15s would take. And they go from five rounds, which you can find on Brownells website -- I don't know if they're going to pay me any royalties for this -- but you can find five rounds on their website, 10 rounds on their website. And if you go to Magpul's website, Magpul sells a 10-round AR-15 magazine.

Googling it, you come up with a number of websites where you can find five rounds and 10 rounds, 20 rounds and 30 rounds. I reject the idea that anybody
here has the authority to decide what is a
standard-round magazine for an AR-15, when they go from
five up to 30 and even beyond that.

I just wanted to point that out to you,
that you can find it. It's right here. Thank you very
much.

MADAM SPEAKER: Representative Landgraf.

Oh, okay.

Representative McNulty.

REPRESENTATIVE McNULTY: Thank you, Madam
Speaker Pro Tem.

Representative Salazar, you and I have
finally found common ground, and I thank you for that.
None of us have the right to decide what is a
standard-capacity magazine. We in this chamber don't
have the right to determine what is a standard-capacity
magazine. And in that, Representative Salazar, you and
I agree.

Now, I suspect your vote is not going to
change, and I know my vote isn't going to change. I
appreciate so much Representatives Saine and Lawrence
coming down to share their stories and the stories that
they have encountered throughout the life of this bill.

To me, this isn't a question about need. It's not
whether I need a 20-round magazine or I need a 30-round
standard-capacity magazine. It is my right. It is my right to have that standard firearm that is in common use, and you don't have the right to take it from me. You don't have the right to prohibit me from exercising my constitutional rights as a law-abiding citizen. You don't have that right.

And this may come to you as some surprise, Representative Salazar, but a 10-round magazine plus a five-round magazine doesn't equal a 15-round magazine. There is no rational argument for a 15-round magazine. There is no rational argument for why it was at 10 and went to 15. There's no reason that was given why 15 is okay, but 16 isn't, or when the change in committee was 11 is not okay, but now 15 is okay.

There is no rational argument for any of these arbitrary capacity sizes that the majority has said. And as this bill is moved through the process, through the House, through the Senate, increasingly the flaws of the bill have been shown. At every turn, the flaws of this bill have been shown. And we're given the reason: If we just do this, we will all be safer.

I don't believe that to be true. And I know there are many Coloradans who know that that isn't true. Your arbitrary limits will not make us safer, though they will undermine our constitutional rights.
And so, Representative Salazar, as a civil rights lawyer, I am sure that you are keenly aware of the critical importance of maintaining our constitutional rights. It saddens me that you would choose to undermine mine given the nature of your conversations that you have had at this microphone during your short time here at legislature.

The other thing that troubles me is the fact that you are leaving 700 Colorado families in the lurch. We talk so much about what can we do to bring manufacturing to our state, good middle class jobs to our state? We spend money to bring these jobs to our state. The governor hosts press conferences announcing 25 jobs created. And, yet, with these votes and with the stroke of his pen, 700 families will be out of work. They will either be forced to uproot their families and leave this state, pull their kids out of school, sell their homes to follow those good-paying jobs with benefits or join the unemployment rolls here in Colorado, because of the passage of this bill. That's not right.

And I appreciate the fact that some who support this bill, the proponents of this bill, say: We don't want to be threatened. We don't like to be threatened. Dang, it's not a threat. They said they're
leaving. They've given the reason why they're leaving. It's a business decision. They have said, We want to stay. They worked with our state office of economic development to grow their operation here. And now we're telling them they're not wanted. Real world consequences.

It's amazing how sometimes life just gives us these examples that we're able to share with each other. During legislative debates this morning, I was at a breakfast. A small community banker was there. Shared the fact that they were working to recruit a business to Douglas County. And as this bill is under consideration, that business has stopped looking at Douglas County and is now looking at Texas.

It is embarrassing to me, it's embarrassing to our state that other states are falling all over themselves to steal 200 jobs out from underneath us. And the hundreds of jobs that will follow, make no mistake about it, they will leave. They have. To maintain their business, to provide those jobs, they cannot stay in Colorado. They cannot stay in an environment that doesn't support what they're doing. And to think that an amendment to this bill was offered and adopted by the proponents who said you can make it here. We don't like your product. You can make it
here. You can sell it anywhere you want, but you can't
sell it here. What message is that sending to anyone
who makes anything, providing those jobs?

Folks, I appreciate very much the
sentiment behind this bill. Our hearts break. We need
to recognize the underlying causes of violence in our
communities today. Violence has changed. We need to
understand why.

Attacking the tools of violence doesn't
make us safer. Understanding and addressing the
underlying causes of that violence does. And that has
not been a part of this debate even from the outset.

Colleagues, I suspect I know what will
happen on repassing this bill, but as you hit that
button, think about the families. Think about the
families who won't be able to pay their mortgage, think
about the kids who are going to be pulled out of their
schools, think about the effect, the long-term effect
that this bill is going to have on our ability to create
a better Colorado.

I ask for a no vote on repassage of House
Bill 1224.

MADAM SPEAKER: Representative Landgraf.

REPRESENTATIVE LANDGRAF: Thank you, Madam
Speaker Pro Tem, and thank you, Representative McNulty,
We have rational reasons to vote against this bill, and that's jobs. When I spoke on this bill when it first came up, I talked about two businesses in my area that will go out of business. We've heard of others since, but today I would like to read an e-mail that I have received, and I want you to think while I'm reading about this about lost revenue to our state.

I am an executive producer for Outdoor Channel. I currently have four series in production, including Gun Stories, the top show on OC. With several additional series in development, my series focus on guns, hunting, shooting, and the outdoors.

This morning, I met with my three producers and we made the decision that if these anti-gun bills become law, we will be moving all of our production out of Colorado. We have already cancelled a scheduled filming session for late this month. Obviously, part of this is due to our own commitment to the right to keep and bear arms, but it also reflects three lawyers' opinions that these laws are so poorly drafted and so designed to trap otherwise legal citizens into a crime that it is simply too dangerous for us to film here.

I can give you chapter and verse on the
legal implications, if you need, but suffice it to say that the first legal opinion was so scary, we went out and got two others. All three attorneys agreed.

We are relatively small potatoes in television, but our relocation of production will cost Colorado a little less than a million dollars in 2013.

Secondly -- and this is the important part -- we have proudly promoted Colorado in our productions and have been moving more and more production into the state. Now we will do exactly the opposite.

What does this mean for Colorado? The community of television producers is a small one. Last week I had lunch with a major network producer who was looking to locate his new reality series in Colorado. That producer is also a shooter, and a new reality series will now be based out of Phoenix. That lunch cost Colorado over a million in economic impact.

Thirdly, according to numbers I received from -- I'm sorry, I lost it -- according to numbers I received from the National Shooting Sports Foundation, hunting had an almost $800 million impact on Colorado in 2012, driving as many as 8,330 jobs. Next month I will be in Texas meeting with most of the top outdoor hunting producers, and the No. 1 agenda will be Colorado.

Already hunting organizations and
statewide hunting clubs around the country are pulling out of Colorado, and we expect this trend to accelerate rapidly.

It goes on and on, but I think I've made my point. This bill is going to cause tremendous harm to Colorado through the loss of jobs, the loss of vacation revenue. It's bad for Colorado. I definitely urge a no vote.

MADAM SPEAKER: Representative Sonnenberg.

REPRESENTATIVE SONNENBERG: Thank you, Madam Speaker Pro Tem.

And, Members, I'm actually going to be very, very brief. I can tell you that if large-capacity magazines cause crime, mine are defective. To outlaw these boxes with springs will have absolutely no effect on crime. What this bill does is make me and my law-abiding neighbors criminals.

With that, I urge a no vote.

MADAM SPEAKER: Representative McCann.

REPRESENTATIVE MCCANN: Thank you, Madam Speaker Pro Tem.

I would ask that we support this bill. I think some very compelling arguments have been made by several members, but there are also compelling arguments to be made to limit the size of magazines that are
available in Colorado.

High-capacity magazines are a common thread linking mass shootings. Large-capacity magazines were used in 28 of the 34 mass shootings in the U.S. in recent history, 1984 to 2012. 82 percent of the mass shootings involved high-capacity magazines.

We also have information from the Department of Justice that high-capacity magazines are used in 14 to 26 percent of gun crimes and 31 to 41 percent of fatal police shootings.

The chiefs of police of our state are supporting this bill for that reason. High-capacity magazines can cause a huge amount of damage to a great many -- number of people in a very, very short time.

Many of the high-profile mass shootings include the following: As we know, Newtown, Connecticut, where 26 people were killed, with multiple 30-round magazines and an assault weapon. In Oak Creek, Wisconsin, Wade Page killed six people and wounded three with a semiautomatic handgun and three 19-round magazines. And, of course, here in our own state, the horrible tragedy in Aurora, where James Holmes allegedly shot and killed 12 people and injured 58 others at the movie theater with his assault weapon with a hundred-round drum magazine.
In Tucson, Arizona, Jared Loughner shot and killed six people, including Congresswoman Gabby Giffords and a federal judge and wounded 13 others.

And this is a situation -- I mean, people say, Well, maybe it would work in one situation. Well, it did work with respect to that horrible murder, because Mr. Loughner was taken down because he was reloading. Had he not had that split-second -- and I understand it doesn't take very long to reload -- had he not had to reload, who knows how many more people would have been killed that day.

In New York -- I'm sorry, in Fort Hood, Texas, Major Hasan shot and killed 13 people and wounded 34 others with 20- and 30-round magazines.

And in Bingingham (sic), New York, in 2009, Mr. Wong shot and killed 13 people and injured four others, firing 99 rounds from two semiautomatic handguns, and a 30-round capacity magazine was found.

A 2010 survey by the Police Executive Research Forum reported that since the federal assault weapons ban expired, 38 percent of police agencies reported seeing noticeable increases in criminals' use of semiautomatic firearms with high-capacity magazines.

And in Virginia, when the federal firearms ban was repealed, after it was repealed or went out of
effect, there was a 60 percent decline in the share of
gun crimes with high-capacity magazines between 1998 and
2004.

So high-capacity magazines are used in
horrible crimes. They cause horrible results. What
this bill does is simply say you can continue to have
high-capacity magazines, but they need to be limited to
15 rounds, so that your ability to cause this kind of
harm is limited and there is an opportunity, at least,
for the possibility that someone could save him or
herself and others because of the need to reload.

And the hunters -- many hunters with whom
I have spoken or my constituents have spoken have said,
We don't need 15-round capacity magazines to hunt. In
fact, there is a Division of Wildlife rule that limits
hunters to having three rounds when they're hunting in
their chamber. So hunters don't need 15, 30 -- don't
need 30-round magazines to hunt. In fact, they're not
allowed to use them in hunting already in Colorado.

So, Colleagues, this is a common-sense
bill. We're not taking anyone's guns away or away
anyone's ability to defend themselves with guns. We're
simply saying that we need some reasonable control on
the amount of rounds you can shoot at one time. So I
would urge a yes vote on this bill. Thank you.
MR. SPEAKER: Representative Joshi.

REPRESENTATIVE JOSHI: Thank you,

Mr. Speaker.

Members, as we debated earlier, this is not a very clear bill. We discussed many issues needs to be further explored and clarified. And then on top of that, there are many questions that this bill has not even answered. One of them is how exactly this bill will prevent crimes? We have heard many times and many comments that, yeah, this might do it, but we're not sure if this will really prevent the crime.

We all know criminals will always figure out the way around any of the laws. That's why some of these crimes, even we have many, many bills on the laws in the statute, they continue.

At the same time, what are we doing? We are actually penalizing all of our law-abiding citizens. And then what about the exemption of the Colorado manufacturers allowing the sale outside Colorado, but while we don't allow them to sell same thing within Colorado? What kind of message we are sending to a business or the manufacturer that you can come to Colorado, do whatever business you want to do, but you can't do that business within Colorado? You will have to do it outside of Colorado.
Which company will think about coming to Colorado when they find out about them? And I think the only reason we heard about it, because some members think that our families will live outside our (inaudible) while they protect their own families. What kind of argument is that? We should protect every single human being.

This is like -- and I may be giving a little idea to my members' frenzia (phonetic) -- this is like allowing Coors to sell their beer outside Colorado, but we don't allow it within Colorado because somebody thinks that a drunk driver who drank a six-pack and went out and then he knocked out a pedestrian and killed them -- well, let me tell you, that little bottle of Coors beer that sits in the refrigerator doesn't do anything by itself. The same way, the magazine which is sitting in a locked, secured closet that is owned by some law-abiding citizen doesn't do anything.

So, Members, all we are doing here is trying to do something that we don't have evidence it really works. So all I am saying, that this is not a very good bill and I ask for a no vote.

MR. SPEAKER: Representative Wright.

REPRESENTATIVE WRIGHT: Thank you,
With all due respect to my colleague Representative McCann, this so-called common-sense bill is an assault on our freedom. It's an infringement of our liberty, and I dispute that it has anything to do with common sense.

And here's why I say that: I think that we can easily say -- we can concede that Jared Loughner may have been stopped in his mass shooting because of the magazine capacity. Let's concede that for a moment. If that's the case, this is a two-way street, Members. This is a two-way street. By taking away someone who is committed to doing wrong their ability to commit those acts on us, we're also taking away the ability of a law-abiding citizen to defend themselves with the same magazines.

Now, I've heard my colleagues on the other side of the aisle. A few of them have stated: Prove to me that allowing a magazine to contain one more round than 15 would save a life in the state of Colorado. Well, I have an example for you.

In 1992, during the LA riots, a shop owner's life was saved when he was attacked by a mob. And in his possession, he had an AR-15. And in that AR-15, he had a 30-round magazine.

Members, he fired 17 to 19 rounds, 17 at a
minimum because those are the rounds that the police
could discover in the shop. He believed that he fired
19. He fired 17 to 19 rounds from his firearm before
that mob took notice, left his store, stopped their
attack. Had he not had a 30-round magazine, had he not
had one more round than No. 15, there's a significant
chance that he would not be here today. So there's
evidence.

Members, fellow citizens of Colorado, it's
evident that House Bill 1224, in prohibiting
large-capacity magazines, is a result of the
infiltration of people like Mayor Michael Bloomberg, of
East Coast politicians who have infiltrated and
permeated the state of Colorado. And I'm speaking to
the bill, and I say this with the utmost validity,
because in judiciary, in the first committee of
reference that we heard this bill, we heard the
testimony of a man named Daniel Chipman -- David
Chipman. I apologize. And Mr. Chipman told us that he
represents an organization called Mayors Against Illegal
Gun Violence. Guess who the head of that organization
is? Mayor Michael Bloomberg. Mayor Michael Bloomberg,
the Mayor Michael Bloomberg who, days ago, his arbitrary
and capricious law outlawing large, sugary beverages was
struck down --
MR. SPEAKER: Representative Wright to the bill.

REPRESENTATIVE WRIGHT: Thank you, Mr. Speaker. And this is to the bill because --

MR. SPEAKER: The talk about sugary drinks is not to the bill. I have given you leeway on Mayor Bloomberg, but not sugary drinks.

REPRESENTATIVE WRIGHT: Thank you, Mr. Speaker. And the reason I draw that link is because we're talking about a capacity of a drink or a capacity of a firearm.

And, Members, the last I checked, a drink is not a constitutionally protected right. Possession of a firearm is. And we've had constitutional law that has shown us, that has proven to us, case law, in the District of Columbia versus Heller, that weapons in common use at the time are protected for individual use.

So we have seen, from our own Supreme Court, that weapons in common use at the time, which happens to include AR-15s with 30-round magazines notably used here in 1992 for self-protection of one's business -- how many years is that that this has been in use, in common use? And suddenly in Colorado, we're going to say, Citizens of Colorado, you can't possess a magazine that has been used since 1992 by individuals.
Now, it's evident today that this bill is being rushed forward. We had members speak to an amendment that would have simply sent this bill back to a committee, a conference committee, to work out some concerns, some very valid concerns with this legislation. Why is this bill being rushed forward? I'll tell you why it's being rushed forward. It's toxic policy. And the members in the majority and the sponsors are beginning to realize this. They don't want this bill to linger. It's politically --

MR. SPEAKER: Representative Wright, it's not in order to impugn the motives of other members.

REPRESENTATIVE WRIGHT: Thank you, Mr. Speaker.

Members, if this bill passes today, I can guarantee you that you're not going to hear a collective sigh of relief from the people of Colorado that they're somehow safer. The reality is, they're not. The reality is, people like Jared Loughner would have had access to those magazines on the black market. The reality is this is completely unenforceable law.

There's no way to enforce this law when it's the prosecution's burden of proof that that offender didn't have possession of that magazine prior to this ban. That's a tough case to prove. All you
have to do is say, I'm sorry, I owned this magazine prior to the enactment of this law.

This is not going to have the intended effect and the well-meaning effect that the sponsor wants this legislation to have. And, therefore, I think we should not put the rights of Coloradans at risk, constitutional rights at risk, simply on a hunch.

I spoke on this bill prior and stated that the criminals in the state of Colorado will be laughing if we pass this law. And the people, the law-abiding citizens, the well-meaning, well-intentioned citizens of this state will not be laughing.

Members, I ask for a no vote on this bill.

Thank you.

MR. SPEAKER:  Representative Murray.

REPRESENTATIVE MURRAY:  Thank you,

Mr. Speaker.

I -- I truly regret that we did not go to conference committee because it is clear to me that there are so many unintended consequences in this bill that have not been covered yet and, in effect, are making criminals of law-abiding citizens. And I know that that's not the intent of the sponsors, but the bill is as it is now.

One thing that I've noticed -- and it
really struck me when I looked at our group picture as a
general assembly -- in our general assembly picture of
65 legislators, there's somebody with a cowboy hat. You
know, I think this could be the first time in recent
history that we don't have anybody in a cowboy hat in
our picture. And I noticed that most of the proponents,
the arguments for this bill are people that are from the
Denver metro area.

So I think what's happening in our state
is what the rural people have been shouting about for
years about Denver lawyers, they like to say, those
Denver people sort of changing the lifestyle as the
state, if you will. And, you know, I'm from Douglas
County, I'm from the suburb. It's a little bit beyond
Denver. But I get put in that category too. But as a
result of -- though the Denver people aren't accepting
me among them, I see -- but as a result, I think we are
denying people's -- some of the reasons that they moved
here to our great state. We are an outdoorsy state.
And part of being outdoorsy is ownership of firearms.

Did you ever go through Kremmling in
hunting season? That is classic, old time Colorado. So
to deny that there is a place in our state for city
pleasures and rural pleasures, I think is something that
we need to really be considering.
Representative Landgraf brought up the fact that we're going to be losing some filming revenue as a result of that, and we've received many letters from people who say, Sorry, obviously, I'm not welcome in this state anymore.

A lot of talk about what is standard use in terms of magazines. This is one of the great concerns I have with some people who have indicated: Well, with the Second Amendment, with any of our amendments, our constitutional rights, there can be limits. Well, there's a phrase called common use. And all the efficient autos that came and testified in committee, the gun efficient autos said 30 is a standard. And I even asked Magpul: Do you make a 15? No, ma'am, we don't make a 15.

So to talk about standard has to be -- well, what is common use? Common use is 30. So, you know, for us to be chasing a business out of Colorado with a magazine size that they don't even make, it isn't all hanging together in terms of logic.

And there's one other thing I'd like to say, Members -- there was something that I said when I was sitting in the civil unions hearing in the judiciary committee. I said it, and yesterday our honorable speaker said it: This is one of those times when you
have to realize how important your vote is and what the significance is to history. And you have to be able to look in the mirror and know that tomorrow when you look in that mirror that you've done the right thing for your constituents and for the constituents in Colorado. I urge a no vote on this bill.

MR. SPEAKER: Representative Nordberg.

REPRESENTATIVE NORDBERG: Thank you, Mr. Speaker.

Members, if this bill passes, I fear it's going to be labeled the jobs bill of the session, the day where -- we did the Colorado jobs bill for Texas or for Utah or for Arizona, because they're all welcoming these industries with open arms and they're laughing at us. We're talking 800 jobs. And you've all heard about Magpul. You've all heard about Alfred Manufacturing. But it's more than that. It's the small veteran owned businesses in Colorado Springs, who I represent, that are going to be forced to leave, or just flat-out quit their business because they can't afford to do business in Colorado because we don't promote their industry anymore.

The firearms and ammunitions industry is a $33 billion industry a year. If we close the door on this now, they're never going to come back. It's game
over. And in this kind of economy, I don't think that's the message Colorado wants to send.

I respectfully ask for a no vote on this.

Thank you.

MR. SPEAKER: Representative Saine.

REPRESENTATIVE SAINE: Thank you,

Mr. Chair -- Master Speaker. I'll get that right some day.

Colleagues, Representative Sonnenberg had mentioned that he may have some defective magazines -- because I've heard a lot of talks about how magazines kill people and about these horrible situations. Well, Representative Sonnenberg, maybe your magazines aren't defective; maybe they're lazy. Maybe they're lazy because they haven't gotten up and killed anyone. I would ask that we judge magazines after; maybe we'll impound them after something has happened. Let's not judge people, magazines, or Magpul guilty for a crime. And, certainly, let's not judge people guilty before a crime has happened.

I urge a no vote.

MR. SPEAKER: Representative Everett.

REPRESENTATIVE EVERETT: Thank you,

Mr. Speaker.

I also rise in opposition to House Bill
1224. Again, this ban is standard, standard-capacity magazines. And, Representative Salazar, if you want to go out and buy your AR with its standard-capacity magazine, then go on the after-market and get your low-capacity magazine, please go ahead, please go ahead, but please don't vote away our rights. Please don't vote away our rights.

Plus, as we saw the Clinton gun ban in 1994, according to the FBI, it statistically did nothing, nothing to curve gun violence. In fact, in 2005, according to the FBI, the year after the Clinton gun ban expired, justifiable homicides with a rifle were cut in half. Yes, cut in half. I'd say it was because the criminals knew law-abiding citizens could again use equal force, so they were not committing as many crimes.

So what this bill does is penalize law-abiding citizens and actually empowers the criminals that would do us harm. It takes away our civil rights, our ability to protect ourselves, our ability to protect our families.

And I have another problem with this bill that should cause us great concern, and this hasn't been mentioned yet. This bill allows manufacturers in the state of Colorado to sell to foreign countries -- and that's on page 4, lines 24 to 27 -- to sell these
standard magazines to foreign citizens when our own citizens will not be able to buy them. Yes, this is an absolute travesty. When did our country, our great state of Colorado fall behind foreign countries on issues of civil liberties, on issues of civil rights? This sounds absurd, absolutely this does sound absurd, but that's what this bill does.

I've just cited a few reasons to vote no on this bill, but there are many more. I hope members of this (inaudible) see that this bill is just bad for Colorado. I urge a no vote on 1224. Thank you.

MR. SPEAKER: Representative Priola.

REPRESENTATIVE PRIOLA: Thank you,

Mr. Speaker.

Members, I rise in opposition of 1224. The bill, top to bottom, is arbitrary and capricious. And it was also brought up the different sizes of standard-capacity magazines. And I challenge you to go to the Magpul website. I was back there looking at it. They sell 10, 20, and 30. They do not sell 15. And I think that's by design, the reason that amendment was put on, because, in a sense, it really is a 10-round limit, because the common sizes are 10, 20, 30 for the manufacturer. So this manufacturer is going to leave. And the two to 700 jobs are going to leave. And the
school district of those kids of the employees are going
to leave. And teachers are going to be laid off, and so
on and so forth. But I guess it let some feel better.
But you are taking away civil rights, constitutional
rights from your fellow Coloradans.

MR. SPEAKER: Representative Buck.

REPRESENTATIVE BUCK: Thank you,
Mr. Chair. And I -- Speaker. I apologize, sir.
Mr. Speaker.

I have to tell you, I have received an
abundance of e-mails, and I know all of you are getting
them on the other side. And, you know, I've made some
good friends. And I hope that you're listening and
reading those e-mails to oppose this House Bill 1224.
So I hope to see you around, and I hope you pay
attention to those e-mails. And I hope you vote no on
this bill. Thank you.

MR. SPEAKER: Mr. Minority Leader.

MR. MINORITY LEADER: Thank you,
Mr. Speaker.

Members, we've had a lot of debate on this
piece of legislation. We debated it a couple weeks ago,
and we've had some pretty significant debate today. I
think some good debate today. And I've got to tell you,
as we move forward, the list of things in this piece of
legislation that are troublesome continues to grow. We uncovered yet another problem in criminalizing our military members who want to purchase these magazines and take them overseas. We don't know if it criminalizes them or not, but it might. We admit that it might. But we refuse to work on that, fix it, make it better.

But there are also many other problems with this bill, but the one that disturbs me the most is the amendment that was placed on this bill to keep a Colorado company manufacturing in Colorado. Representative McCann came down and gave us a lot of statistics. Now, those statistics relate specifically to use of magazines with a capacity greater than 15 or 30, or whatever, but she doesn't talk about the impact on public safety; just the impact of these particular things as they're used in crimes. Of course, if you ban them, there will be fewer of them out there and there will be fewer of them used in the commission of a crime. But what every study says is that when they quit using these instruments or these tools in the commission of a crime, studies show that other tools and other instruments will be used in the commission of a crime, and that banning these, banning assault rifles, even, has no impact on public safety.
And that's what this bill should be about.

It shouldn't be about trying to make people feel better.

It should be about enhancing public safety.

Now, we've had some disagreements and some arguments over whether or not the passage of a magazine ban will have any impact on public safety, but I'd submit to you that actions speak louder than words.

When we put an amendment -- I guess before I get there, Representative McCann came down and said 82 percent of mass shootings are accomplished with high-capacity magazines. She said they're used in 14 to 26 percent of gun crimes. They cause a huge amount of damage. And then she honored, rightfully so, the people who lost their lives in Newtown, Connecticut. She talked about folks that lost their lives in Arizona during the Gabby Giffords shooting.

And as she did that -- she had that discussion today and had that discussion some two weeks ago when we debated this bill on the floor, but then said, You know what? We're trying to protect these people. We want to protect school children in Newtown, Connecticut, and we have the power to do that. We can do that by saying, No manufacturer will manufacture these instruments of war in Colorado and sell them to private citizens. That's what your bill originally
But we said, you know, because we would rather have the tax revenue from a company in Colorado, we believe it's okay to manufacture, as Representative Fields said, these instruments of war in Colorado, and we believe it's okay to sell these instruments of war in Newtown, Connecticut, in Arizona, in Virginia. In every other place where we've had a mass shooting, you can sell these instruments of war, but you can't sell them in Colorado.

Members, if this is about public safety, why aren't we protecting all of the public? You have the power to do it. You have the power to do it by banning the manufacture of these magazines in Colorado and selling them to private citizens in Newtown, Connecticut. But you chose not to do that. You chose not to do it because you want to manufacture in this state because you want the tax revenues. Actions speak louder than words. And your actions say this doesn't have an impact on public safety because we want them sold here. But we want them manufactured here, and we want them sold elsewhere. This doesn't have an impact on public safety because we want you to be able to sell them in Newtown, Connecticut. We want you to be able to sell
them in Arizona, because we want the tax revenue.

Some say that's a monumental inconsistency. I've said that before. But you know what, Members? It's hypocrisy. Nothing short of hypocrisy. If we want to protect the citizens of the United States of America, then do it. If this bill protects the citizens of the United States of America, then it should protect all of them. But it doesn't, because we all know this is just nothing more than a feel-good measure. And your actions, whether you passed an amendment saying so, indicated that very thing. Your actions, when you passed an amendment saying you can produce them here, you can't buy them here, but you can sell them anywhere you want, your actions said that very thing.

That's the problem with this piece of legislation, Members. We all know, based on our actions, that this bill, this piece of legislation will have no impact on public safety. And if it did, you wouldn't have passed the Salazar amendment some two, three weeks ago.

We should be a no on this piece of legislation because we all understand and agree that this has no impact on public safety.

MADAM SPEAKER: Mr. Speaker.
MR. SPEAKER: Thank you, Madam Speaker Pro Tem.

I don't think we do agree on that, Mr. Minority Leader. And I want to be clear to begin with, because you talk about the amendment that came on. Let's remember that there was in the original bill an exemption for manufacturing. What Representative Salazar did was to clarify that amendment. That amendment was in from the beginning of the bill and had been when it was introduced.

And we can -- I know we disagree on the policy, but our job here -- we are the general assembly and the house representatives of the people for Colorado. And we can only do what we can do. We can only -- in the four corners of our state, we can make the laws that apply there. We can't make laws for Arizona, for Connecticut. We can do what we can here in this chamber to protect, to the best of our ability, the people in our state.

Now, I think -- and I don't know if anyone else has had the opportunity to look at it, but Senator Johnston, when he spoke the other day when this debate was on the floor of the Senate, spoke eloquently about this bill, and I commend everyone to listen to what he said, because he talked about what happened in Newtown.
And he talked about what happened in Arizona and how, if we could have had smaller magazines in Newtown, it might have saved more lives, and the fact that when the shooter in Newtown switched his magazines, they were able to save 11 children's lives. That's what this is about. That's what this is about.

And I know we heard a lot of people saying, There's big changes in Colorado, and this is new and interesting debate around gun safety issues. And I just want to read a quote to you. The quote is:

Government of some kind we must have. And the question narrows itself down to this point: Shall it be the government of the knife and the revolver, or shall we unite in forming here in our golden country a new and independent state? That quote comes from the Rocky Mountain News editorial from 1859, before we were even a state.

This debate, these issues have been in front of our state and our people since the founding of our state, and continue. And that should happen. We should have debate on this. It is an important topic. It does deserve time and debate on this issue, because it is a difficult thing. You're weighing individuals' life and you're weighing individuals' Second Amendment right.
And what we feel in our party and what we feel, people who are supporting this, is that we are trying to reach that balance, to make sure that when there is -- because there will be another mass shooting, it will happen, but when it does, that the people who are in that situation have a fighting chance. So I ask for a yes vote.

MADAM SPEAKER: Representative Duran.

REPRESENTATIVE DURAN: Thank you, Madam Speaker Pro Tem.

Well, Members, thank you for the hours and hours of debate on this issue. I think the legislative record is very clear what is in this bill and what is not and that the language is crystal clear.

I was looking at a Magpul website, and it was interesting to see that on their own website they talk about how they will only sell where state law permits them to do so. It is up to each state to make decisions regarding this issue, and it is up to the federal government to make decisions regarding this issue, of what we think results in public safety and what we do not.

And today we are looking at the state of Colorado specifically, and we have allowed other states and the federal government to continue to make decisions
based on public safety. And I have said before that I 
cherish Colorado's tradition and heritage of hunting and 
being able to protect our ability to do that.

I also believe in protecting the right of 
women to be able to protect themselves and the right of 
individuals to be able to protect and defend themselves. 
But this bill is not about hunting. And this bill goes 
much further. It's simply, one, defending oneself, 
because when we talk about people defending themselves, 
what about the kids in elementary schools that didn't 
have a gun, that didn't choose to have a gun? How were 
they going to defend themselves? What about other 
individuals that, when an attack takes place, because 
they choose not to have a gun, how are they going to 
defend themselves?

For the people that were in the movie 
theater in Aurora, including my mother's cousin, who 
didn't choose to carry a gun, how was he and his fiancee 
going to protect themselves? What about the right to 
defend yourself and protect yourself if you do not 
choose to carry a gun? What about the right to defend 
one self if you are a child in a school and somebody 
begin s to shoot at you?

It is offensive and obscene that, in the 
state of Colorado, we have laws that protect pheasants
more than we do human beings. Look at our laws. If you're a hunter, you want to hunt pheasants, there is a maximum number of shells that you can have in your gun. And why? So that when you look up and shoot at the pheasants, the pheasants have a fair shot at getting away. The pheasants have a fair shot at getting away.

We have more protections in the state of Colorado for animals than we do human beings. You want to go hunting, you have to go through a safety class.

How many more kids in coffins do we have to see before we make changes? How many more mass shootings in schools and movie theaters do we have to say -- see before we make changes? And how many more victims need to come to the capitol and say, Please make changes. My life has been changed forever because I lost a son, I lost a daughter, I lost a mother, I lost a father to gun violence. How many more?

If we pass this law today, those kids in schools and those people who went to a movie theater to go enjoy an evening with their family will have the opportunity, at least at a minimum, to get away by banning this. And this is what this is about. It is about defending human life and giving people the ability to get away in a tragic situation like, God forbid, what has happened in the state of Colorado.
Thank you.

MR. SPEAKER: Representative Fields.

REPRESENTATIVE FIELDS: Thank you,

Mr. Speaker.

You know, I am saddened by some of the remarks that I’ve heard today, when I hear things like: This bill does not impact public safety; when I hear things that says like this bill is going to create criminals out of law-abiding citizens or that this bill takes away someone's Second Amendment rights.

Members, this bill is all about saving lives and making our community less dangerous. I tell you that enough is enough. I am sick and tired of the bloodshed. And whatever we can do to curve gun violence in our community, we have a responsibility to do that.

As you know, the theater shooting that happened in Aurora happened in my district. And I know firsthand the trauma that's associated with high-capacity magazines. When high-capacity magazines that are used over and over and over in these massacre crime scenes -- many times the first responders have to deal with posttraumatic stress, when they go into a theater, when you think that that should be a place where there should be just entertainment, an officer or first responder goes in there and they have to look at
that war scene of somebody using a high-capacity magazine.

Imagine what the first responders saw when they went into Sandy Hook Elementary School, where you had someone use a high-capacity magazine, point-blank, shooting babies in the head.

What this bill will do, it will restrict high-capacity magazine limit to 15. Simply do the math. A smaller magazine will require less time and more time for someone to intervene to stop someone who's using a high-capacity magazine to kill as many people as possible. Do the math. Do you need 100? Do you need 50?

This bill limits it to 15, giving people in our community just enough time to intervene to save lives.

There's been some talk about: Think about the families. Think about the jobs. And I have. I have thought about the families, and I have thought about the jobs. And this bill does not have anything in it that says that Magpul should leave our state. There's nothing in this bill that states that.

What I do know for sure is that high-capacity magazines have one purpose, and that is to kill as large a number of people as possible, as quickly
as possible, in places that we see as being sacred, like
our churches, like our schools. There's no place in our
community and in our neighborhoods for high-capacity
magazines.

As you've heard before, these are weapons
that should be used in a theater of war and not in our
local theaters.

High-capacity magazines have one thing in
common. It's a common thread in all of these massacres.
We talked about Newtown and Oak Creek and Arizona and
Aurora. We have seen in Aurora the gunman who had a
high-capacity magazine that held 100 rounds of bullets
go into a theater and, in 90 seconds, was able to kill
or injure 70 people. He could have done more damage if
that gun, if that magazine, wouldn't have jammed.

This bill is about saving lives, and it's
not about taking away anyone's Second Amendment rights.
The polling that I've seen states that 62 percent of the
people in Colorado support a ban on high-capacity
magazines.

You heard some reference about an East
Coast politician. Well, I'm from the state of Colorado.
Bloomberg is not running this legislation. I am. And
I'm running it for my constituents. I'm running it for
the state of Colorado, because I believe that it will
impact public safety and it makes our community less
dangerous.

We had testimony in committee where the
sister of the school psychologist in Sandy Hook
testified. And I'm going to read you a portion of that
letter because she said that her brother-in-law, when he
went to view the body, he couldn't recognize her because
of the damage that was done. And the only way that he
was able to identify her was by her name tag.

I've heard on news reports where this one
parent decided that she was going to let the coffin be
open so people could see the damage that was caused to
her baby by the use of a high-capacity magazine. Her
letter goes on to say that she has witnessed and seen
firsthand that these weapons and high-capacity magazines
are capable of causing great harm, not only in Sandy
Hook, but right here in Colorado. And that's why she
suggests that we pass this bill.

She goes on to state that we cannot wait
for yet another massacre to transpire before we take
real action. She asked that we honor her sister's life
and all lives that are lost as a result of gun violence,
that we are all elected as leaders, that we should honor
our oath and our office to protect and defend. And she
asks us to pass this legislation.
I also have a letter here from the family members of a 15-year-old -- 24-year-old, Jessica Ghawi. She was a beautiful 24-year-old red-head that had only lived in the state of Colorado for a year and 15 days. She goes on to state that the alleged gunman was able to purchase 6,000 rounds of ammunition on the Internet. Jessica was an aspiring broadcasting journalist attending Metro State University. She had just bought some popcorn and found her seat in the middle of the theater, and Jessica tweeted her mom because she tweets all the time. So minutes before her death, she texted her mom --

MR. SPEAKER: Representative Fields, you have 30 seconds remaining.

REPRESENTATIVE FIELDS: She said, Mom, get some sleep. I'm really excited for you to come visit. Need my mom.

And her mom replied: Need my baby girl.

Members, this bill is about public safety. This bill is about saving lives. And I urge a yes vote to House Bill 1224.

MR. SPEAKER: Seeing no further discussion -- seeing no further discussion, the question before the House is the repassage of House Bill 1224. Mr. Kolar, please open the machine and members proceed
to vote.

Representative Tyler.

Close the machine. With 34 aye votes, 30 no votes, one excused, and zero absent, House Bill 1224 is repassed.

Co-sponsors. Close the machine.

Mr. Kolar, please read the title to House Bill 1229.

MR. KOLAR: House Bill 1229, Representatives Fields and McCann, also Senator Carroll, concerning criminal background checks performed pursuant to the transfer of firearms in connection with making appropriation.

MR. SPEAKER: Representative Fields.

REPRESENTATIVE FIELDS: Mr. Speaker, I move that the House reject senate amendments to House Bill 1229 and that a conference committee be appointed.

MR. SPEAKER: Please don't applaud,

Members.

(WHEREUPON, the audio recording was concluded.)
CERTIFICATE

STATE OF COLORADO           )

)ss.

CITY AND COUNTY OF DENVER   )

I, Jana Mackelprang, Certified Realtime Reporter, Registered Professional Reporter, and Notary Public for the State of Colorado, do hereby certify that this transcript was taken in shorthand by me from an audio recording and was reduced to typewritten form by computer-aided transcription; that the speakers in this transcript were identified by me to the best of my ability and according to the introductions made and the information provided; that the foregoing is a true transcript of the conversations; that I am not an 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 and notarial seal this 31st day of July, 2013. My commission expires January 24, 2016.

___________________________
Jana Mackelprang
CRR, RPR, Notary Public
Calderwood-Mackelprang, Inc.