

# SHAREE SPRAGUE



Power County

Clerk of the District Court  
Ex-Officio Auditor and Recorder

Curt McKenzie, Chair  
Senate Affairs Committee

March 26, 2015

Senator McKenzie;

I am writing you to offer my support of the following Bills pending hearing tomorrow at 8:00 am

- H 212 – Authorizes electronic poll books, authorizes cancellation of voters not voting in any election in last 4 years, and changes the threshold for a free recount.
- H 213 – Requires the annual meeting of library districts to be every year – not just in June following an election (which would be every other year).
- H 214 – Expands the definition and reporting requirements of a non-business entity and prohibits contingent fee lobbying of executive officials.
- H 216aa – Establishes in statute the procedures to follow in run an initiative or referendum in a city.
- H 242 – Fixes the language in 34-2309 to say that a recount request is filed with the appropriate office mentioned in 34-2301:
  - Federal, state, county or city is filed with the Attorney General
  - All other districts and measures are filed with the county clerk.

Please contact our office if there are any further questions.

Sincerely,

A handwritten signature in cursive script that reads "Sharee Sprague".

Sharee Sprague

cc via email: Patti Anne Lodge  
Bart M Davis  
Brent Hill  
Chuck Winder  
Jeff Siddoway  
Todd M Lakey



**BANNOCK COUNTY**

40,000 Registered Voters, 58 Precincts, 116 Poll Books

H212

**ANNUAL COST OF PRINTING AND BALANCING POLL BOOKS  
BASED ON 2 ELECTIONS PER YEAR**

	<b>Poll Book Paper</b>	<b>Rings</b>	<b>Poll Book Cover</b>	<b>Alpha Pages</b>	<b>Voter History Time (Wages)</b>	<b>Balancing Time (Wages)</b>	<b>After Hour Wages Printing Poll Books</b>
<b>Primary</b>	\$360.00	\$44.00	\$174.00	\$812.00	\$1,800.00	\$900.00	\$243.00
<b>General</b>	\$360.00	\$44.00	\$174.00	\$812.00	\$900.00	\$900.00	\$243.00
	<u>\$720.00</u>	<u>\$88.00</u>	<u>\$348.00</u>	<u>\$1,624.00</u>	<u>\$2,700.00</u>	<u>\$1,800.00</u>	<u>\$486.00</u>

**Grand Total \$7,766.00**

\* For our County, Electronic Poll Books would pay for themselves in less than 4 years.

\* Other intangible expenses would be the time it takes to put the books together, printer wear and tear and toner costs.





Association of Idaho Cities  
3100 South Vista, Suite 310, Boise, Idaho 83705  
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[www.idahocities.org](http://www.idahocities.org)

H 216

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To: Members of the Senate State Affairs Committee  
From: Seth Grigg, Executive Director  
Date: March 27, 2015  
Re: AIC Supports House Bill 216 on City Initiative & Referendum

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The Association of Idaho Cities (AIC) supports House Bill 216 on city initiative and referendum. We appreciate the willingness of the Secretary of State's office to work with us on this legislation.

The current law on city initiative/referendum is somewhat complicated. Under Idaho Code 50-501 cities are required to follow the basic contours of the state initiative/referendum process outlined in Title 34, Chapter 18, Idaho Code. Idaho Code 50-501 also requires each city to adopt its own ordinance setting forth the procedures for initiative/referendum. This has proved to be a challenge because many smaller cities either have not adopted such an ordinance or their ordinance does not reflect recent changes to the law. Cities normally become aware of this when a petition for initiative/referendum begins circulating in the community and the city is under the gun to adopt or amend their ordinance. A better alternative is to have a clear, consistent state law, like the recall statute (Idaho Code Title 34, Chapter 17) that covers all cities and doesn't require a city ordinance.

The goal of HB 216 is to provide a simple and consistent set of procedures for city initiative/referendum.

- The basic process is set forth in Title 34, Chapter 18, Idaho Code, the state initiative/referendum law.
- The election is held in November of odd-numbered years.
- Persons signing a petition for city initiative/referendum must be qualified city electors at the time of signing.
- The number of signatures required to perfect a petition—20 percent of those voting at the last general city election in November of an odd-numbered year<sup>2</sup> remains the same as under the current law.
- The prospective petition for a referendum must be filed not more than 60 days after publication of the adopted ordinance.
- The deadline for gathering signatures is 180 days or April 30 of the year of the election, whichever is earlier. This matches the county initiative/referendum law.
- The county clerk has 60 calendar days to verify petition signatures.
- There is a process for the city council to consider whether to adopt an ordinance proposed by initiative, with public notice and a hearing. If the council refuses to adopt the ordinance, then the initiative goes on the ballot.
- The city clerk must prepare and mail to each registered voter a voter's pamphlet outlining the arguments for and against the initiative/referendum.

We appreciate your consideration of HB 216 and respectfully ask that you pass the bill to the floor.



Twyla Melton

H 216

**From:** Gary Ingram [gingram75@gmail.com]  
**Sent:** Monday, March 23, 2015 1:04 PM  
**To:** Twyla Melton  
**Cc:** Senator Mary Souza  
**Subject:** HB-216 Testimony - Twyla Melton, secretary - Please present to Senators on State Affairs

Senator Curt McKenzie, Chairman  
Senate State Affairs Committee members

Dear Senators,

HB-216 presents some serious concerns about this bill which restricts city initiative and referendum to only odd numbered years. Citizens desiring to reverse a troublesome ordinance or initiate an ordinance usually do so because it is a last ditch effort to effect change. The remedy that the initiative and referendum offers needs to come before the voters in a timely fashion. Restricting that remedy to as much as a two year delay insults the spirit of the law. I find it odd that the title declares this bill "provides an additional election date", when upon reading the bill, it clearly eliminates an election as noted above.

It is also problematic that Idaho Code 31-717 which provides County Initiative and Referendum remains in effect. This could create a huge amount of confusion and conflict with a county Initiative or Referendum operating under different rules than a city Initiative and Referendum.

Some history might be helpful. In the 1977 Session Laws, Chapter 144 and Chapter 145, which I authored as a package, created as new legislation the Initiative and Referendum for Cities and Counties. Chapter 144 was codified as 50-501 which is repealed by HB-216. Chapter 145 is codified as 31-717 and remains as current law.

I don't think it would be good public policy to have conflicting rules. Citizens are not served well with HB-216, maybe cities, but not citizens. HB-216 should not become law.

Respectfully submitted,

Gary Ingram

State Representative 1972-1980  
Coeur d'Alene, Idaho  
(208) 769-7099





H301

Rep Doyle

CONSTITUTION OF THE STATE OF IDAHO

ARTICLE I DECLARATION OF RIGHTS

Section 11. RIGHT TO KEEP AND BEAR ARMS. The people have the right to keep and bear arms, which right shall not be abridged; but this provision shall not prevent the passage of laws to govern the carrying of weapons concealed on the person nor prevent passage of legislation providing minimum sentences for crimes committed while in possession of a firearm, nor prevent the passage of legislation providing penalties for the possession of firearms by a convicted felon, nor prevent the passage of any legislation punishing the use of a firearm. No law shall impose licensure, registration or special taxation on the ownership or possession of firearms or ammunition. Nor shall any law permit the confiscation of firearms, except those actually used in the commission of a felony.

- Page 1, Lines 23-28: Provides a legislative finding that restates Article I, Section 11, Idaho Constitution. States that the provisions of this chapter “must be strictly construed so as to give maximum scope to the rights retained by the people.
- Page 1, Lines 30-31: Defines the term “concealed weapon.” By defining “concealed weapon” the Code now provides guidance to gun owners and law-enforcement, alike, on the exact conduct that constitutes concealed carrying and open carrying.
- Page 1, Lines 32-39: Defines the term “deadly weapon.” Section 18-3302, Idaho Code, does not provide a definition for the term “deadly weapon.” The insertion of definitions into the Code is necessary to provide notice to citizens and law-enforcement of the conduct that is being regulated. Section 18-3302I defines “deadly or dangerous weapon” as “a weapon, device, instrument, material or substance that is used for, *or is readily capable of*, causing death or serious bodily injury.”

- Page 2, Lines 1-4: Lists items that do not qualify as deadly weapons even though they may fall under the statutory definition of the term. This language was taken from existing language in § 18-3302(7), Idaho Code.
- Page 2, Lines 5-6: Defines the term “firearm.” The definition of firearm that has been inserted mirrors the federal definition of the same term.
- Page 2, Lines 7-16: Defines the term “loaded.”
- Page 2, Lines 17-21: Describes locations where a license is not required to carry weapons concealed.
- Page 2, Lines 22-23: This provision seeks to recognize a private property owner’s inherent right to designate appropriate conduct on their property.
- Page 2, Line 24: Clarifies existing provisions pertaining to carrying of concealed weapons outside the “limits or confines of any city.” Section 18-3302(9), Idaho Code, permits an individual to possess a concealed weapon in a motor vehicle outside “the limits or confines of any city....” Section 18-3302(12)(d) permits the carrying of concealed weapons without a license “outside the limits or confines of any city while engaged in lawful hunting, fishing, trapping or *other lawful outdoor activity*.” Because these provisions, in conjunction with one another, were being disparately enforced, clarification was necessary.
- Page 2, Line 25-32: This provision is necessary to ensure that an individual who does not possess a CWL can lawfully transport a cased pistol on or about his or her person in city limits (e.g. carrying it from vehicle to shooting range). And provides that a weapon is no longer required to be left in plain sight in a vehicle when the individual possessing is not present.
- Page 3, Lines 4-10: This language is a modified version of existing language in §§18-3302(5) and (16). This provision allows an individual who can show “good cause” to request a temporary emergency CWL. The sheriff of a county may issue temporary emergency licenses at his or discretion. These licenses are good for a term not to exceed 90 days. They must be easily distinguishable so as not affect Idaho’s NICS exemption status.

- Page 3, Lines 39-48: This language was taken from existing language in § 18-3302(13), except the phrase “or any equivalent course” at line 46.
- Page 5, Lines 1-43: This language was taken from existing language in § 18-3302(1), with slight modifications to account for federal law changes since enactment.
- Page 8, Lines 3-5: This language was inserted to provide clear direction that private property owners and persons with a legal interest in real property retain all rights and remedies that exist under current law.
- Page 8, Lines 27-30: The definition of “firearm,” page 2, lines 3-6, applies throughout the chapter unless otherwise defined.
- Page 10, Lines 35-38: The legislation grants sheriffs additional authority pertaining to their oversight of Idaho’s enhanced concealed weapons license (ECWL), so as to ensure that maximum reciprocity is established and acknowledged.
- Page 13, Lines 15-18: The definition of “firearm,” page 2, lines 3-6, applies throughout the chapter unless otherwise defined.
- Page 13, Lines 43-45: This provision is necessary to ensure that CWL and ECWL applicants are charged uniform fees for the processing of his or her licenses. Currently, licensing fees vary in price between \$64.00 and \$110.00. CWL fees should only reflect the actual cost of fulfilling all statutorily mandated responsibilities associated with the licensing process; anything above that should by definition be considered a revenue generating tax. Accordingly, law-abiding CWL holders to be overcharged or additionally taxed for exercising their constitutional Right to Keep and Bear Arms and their fundamental right to self-defense is not appropriate.
- Page 15, Line 18: Corrects an amended cross-reference.

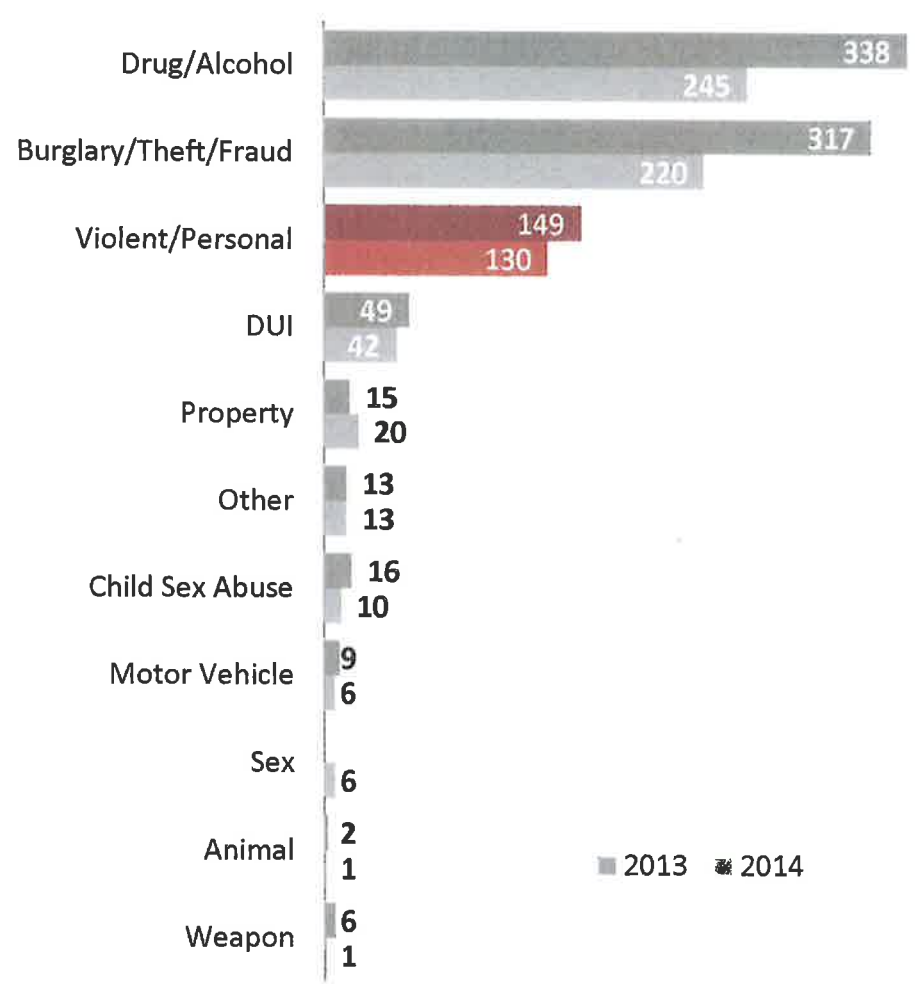


# Felony Withheld Judgements, Violent Crimes, and Domestic Violence



**6%** Of **felony** charges filed in 2013 and 2014 resulted in **withheld judgements**.

Types of Offenses Resulting in Withheld Judgements (2013 – 2014)



**15%** Of **violent/personal** offenses resulting in **withheld judgements** were **domestic violence** charges.



Statute	Description	2013	2014
118-1401	Burglary	119	91
118-1401 {AC}	Burglary (Accessory)	1	3
118-1401 {AT}	Burglary (Attempted)	1	1
118-1401 {CY}	Burglary (Conspiracy)		1
118-1501(1) {F}	Children-Injury To Child	17	22
118-1505(3) {F}	Adult-Exploitation of a Vulnerable Adult (Over \$1,000.00)		3
118-1506	Child Sexual Abuse of a Minor Under 16 Years of Age	2	
118-1506	Children-Sexual Abuse of a Minor Under 16 Years of Age	1	1
118-1506(1)(a)	Children-Sexual Abuse by Soliciting a Minor Under 16 YOA to Participate in a Sexual Act	1	
118-1507(2)(a)	Child Sexually Exploitative Material Willfully Possess or Access by Any Means	1	
118-1508	Children-Lewd Conduct with Child Under 16	6	7
118-1508A(1)(a)	Children-Sexual Battery-Committed by Lewd or Lascivious Acts on a Minor Child 16 to 17 Years of Age	5	2
118-1601(2) {F}	Crime-Compounding a Felony	1	
118-1701 {F}	Criminal Conspiracy	1	
118-2001 {F}	Criminal Solicitation to Commit a Crime		2
118-205(2)	Accessory to Felony-Harbors and Protects a Person who Committed a Felony, Charged With/Convicted Of	4	5
118-2202(1)	Computer Crime-Access or Uses to Defraud or Obtain Money or Services by Fraudulent Pretenses	1	1
118-2403 {F}	Theft-Grand	39	22
118-2403 {F}{AT}	Theft-(Attempted) Grand Theft	1	2
118-2403(1) {F}	Theft-Grand	33	23
118-2403(1) {F}{AT}	Theft-(Attempted) Grand Theft	1	2
118-2403(1) {F}{CY}	Theft-(Conspiracy) to Grand Theft	1	
118-2403(2)(A) {F}	Theft by Deception	2	
118-2403(2)(B) {F}	Theft by Any Common Law Larceny, Extortion or Receiving Stolen Goods, etc.		2
118-2403(2)(C) {F}	Theft by Acquiring Lost Property	1	1
118-2403(3) {F}	Theft by Unauthorized Control or Transfer of Property with Intent of Depriving the Owner	8	5
118-2403(4) {F}	Theft by Receiving, Possessing or Disposing of Stolen Property, etc	10	13
118-2407(1)	Theft-Grand	17	9
118-2510(3)	Correctional Facilities-Major Contraband Introduced or to Convey, Possess, Receive, Obtain or Remove	1	
118-2601	Evidence-Falsify by Offering Forged or Fraudulent Documents		1
118-2603 {F}	Evidence-Destruction, Alteration or Concealment	3	
118-2604 {F}	Witness-Intimidating a Witness	1	2
118-2604(3)	Witness-Intimidates, Threatens, Harasses or Prevents from Testifying in Criminal or Juvenile Case	1	
118-3003	False Personation-Fraudulent Marriages	1	





Statute	Description	2013	2014
I18-3106(a)	Check, Draft or Order Drawn on Account Without Funds or Credit	4	2
I18-3106(b)	Check, Draft or Order Drawn on Account With Insufficient Funds for \$250.00 or More	11	5
I18-3123	Forgery of Financial Transaction Card	3	2
I18-3124 {F}	Fraudulent Use of a Financial Transaction Card or Number for a Value Exceeding \$300		1
I18-3125 {F}	Fraud-Possession of Financial Transaction Card, Number and/or FTC Forgery Devices	18	13
I18-3125(4) {F}	Fraud-Criminal Possession of a Financial Transaction Card or Number to Purchased Goods or Services	4	1
I18-3126 {F}	Fraudulent Misappropriation of Personal Identifying Info for Purchases or Credit Valued Over \$300	1	
I18-3313	Explosives-False Reporting in Public or Private Place		1
I18-3316(1)	Weapon-Unlawful Possession by Convicted Felon	1	1
I18-3317	Weapon-Unlawful Discharge at a House, Occupied Building, Vehicle, etc.	1	
I18-3601	Forgery	13	12
I18-3605	Forged Check-Possession of	1	2
I18-3606	Forgery-Fictitious Bills, Notes or Check-Making, Passing or Publishing	2	1
I18-4501-II	Kidnapping-Second Degree	1	1
I18-4503	Kidnapping-Second Degree Not for Ransom	1	
I18-4506(1) {F}	Custodial Interference	1	
I18-5401	Perjury	1	3
I18-5701(10) {F}	Public Funds-Use of Moneys or Financial Transaction Card or Account for Personal Use	1	
I18-5702(3) {F}	Money-Misuse of Public Funds by a Public Officer or Employee in excess of \$300.00	1	
I18-6101	Rape	5	4
I18-6101(2)	Rape-Female is 16 or 17 YOA and Perpetrator is 3 years or More Older Than the Female	1	
I18-6101(6)(a)	Rape-Victim was Asleep or Unconscious and Incapable of Resisting	1	
I18-6110	Sexual Contact with an Adult Inmate or Juvenile Offender		1
I18-6501	Robbery	2	1
I18-6608	Sexual Penetration-Forcible by Use of Foreign Object	1	1
I18-6609	Video Voyeurism		2
I18-6609(2)(a)	Video Voyeurism by Installing or Permitting the Use of Imaging Device Without Mutual Consent		2
I18-7001 {F}	Property-Malicious Injury to Property	12	10
I18-7001(2)	Property-Malicious Injury to Property	2	6
I18-7038 {F}	Animal Livestock-Unlawful Destruction		2
I18-7905	Stalking-First Degree	1	
I18-8004 {F}	Driving Under the Influence-(Third or Subsequent Offense)	34	32
I18-8004(1)(a) {F}	Driving Under the Influence-(Third or Subsequent Offense)	6	3
I18-8004C {F}{2}	Driving Under the Influence Excessive-(Second or Subsequent Offense)	1	
I18-8004C(2) {F}	Driving Under the Influence Excessive-(Second or Subsequent Offense)		1
I18-8006	Driving-Under the Influence (Aggravated)	7	2



Statute	Description	2013	2014
118-8007	Accident-Leaving the Scene of Accident Resulting in an Injury or Death	2	1
118-802	Arson I-Burn Dwelling or Structure Normally Occupied		1
118-804	Arson III-Burn Real, Personal Property or Forest Land	1	1
118-8309	Sex Offender-Fail to Register Change of Address or Name		1
118-901 {F}	Assault on Correctional Officer, Jailer, etc.		1
118-903 {F}	Battery on Correctional Officer, Jailer, etc.	3	3
118-905	Assault-Aggravated	18	13
118-905(A)	Assault-Aggravated (With Deadly Weapon or Instrument)	8	
118-905(A)	Assault-Aggravated With a Deadly Weapon or Instrument Without the Intent to Kill	8	16
118-905(B)	Assault-Aggravated (By Means or Force to Produce Great Bodily Harm)	1	
118-907	Battery-Aggravated	10	9
118-907(1)(A)	Battery-Aggravated (Cause Great Bodily Harm or Disability)	4	
118-907(1)(A)	Battery-Aggravated by Causing Great Bodily Harm, Disability or Permanent Disfigurement	1	1
118-907(1)(B)	Battery-Aggravated (Use Deadly Weapon or Instrument)	2	
118-907(1)(B)	Battery-Aggravated by Use of a Deadly Weapon or Instrument	2	3
118-911	Battery With Intent to Commit a Serious Felony	1	
118-915 {F}	Assault or Battery Upon Certain Personnel	11	6
118-915(1)(b) {F}	Assault or Battery Upon Certain Personnel-Aggravated Enhancement	2	
118-915(3) {F}	Battery-Unlawfully Touching or Striking of a Law Enforcement Officer		5
118-918(2)	Battery-Domestic Violence with Traumatic Injury	8	7
118-918(2)(A)	Battery-Domestic Violence Inflicting Traumatic Injury	5	2
118-918(3)(A) {F}	Assault-Domestic Violence	3	
118-918(3)(B) {F}	Battery-Domestic Violence	3	
118-918(4) {F}	Domestic Battery or Assault Enhancement-In The Presence of a Child	3	5
118-923	Strangulation (Attempted)	23	25
119-2520	Enhancement-Use of a Deadly Weapon in Commission of a Felony	3	
123-938	Liquor-Selling Without a License		1
136-1401(C)3	F/G-Wildlife-Kill, Possess or Waste in Excess \$1000 Damage	2	1
137-2732(a)(1)(A) {F}	Controlled Substance-Manufacture or Deliver, or Possess with Intent to Manufacture or Deliver	19	19
137-2732(a)(1)(A) {F}{CY}	Controlled Substance-(Conspiracy) to Manufacture or Deliver, or Possess with Intent To		1
137-2732(A)(1)(A)-DEL	Controlled Substance-Delivery	13	6
137-2732(A)(1)(A)-MFG	Controlled Substance-Manufacture		1
137-2732(A)(1)(A)-P/I	Controlled Substance-Possession With Intent to Manufacture or Deliver	15	2
137-2732(A)(1)(B) {CY}	Controlled Substance-(Conspiracy)-Unlawful to Manufacture, Deliver, or Possess With Intent To	1	
137-2732(a)(1)(B) {F}	Controlled Substance-Manufacture or Deliver, or Possess with Intent to Manufacture or Deliver	8	10
137-2732(A)(1)(B)-DEL	Controlled Substance-Delivery	14	6



Statute	Description	2013	2014
I37-2732(A)(1)(B)-DEL {A}	Controlled Substance-(Attempted) Delivery	1	
I37-2732(A)(1)(B)-MFG	Controlled Substance-Manufacture	1	3
I37-2732(A)(1)(B)-P/I	Controlled Substance-Possession With Intent Manufacture or Deliver	10	1
I37-2732(A)(1)(C)-DEL	Controlled Substance-Delivery	3	
I37-2732(A)(1)(C)-P/I	Controlled Substance-Possession With Intent Manufacture or Deliver	1	1
I37-2732(b)(1)(A) {F}	Counterfeit Substance-Crete, Deliver or Possess with Intent to Deliver	9	2
I37-2732(C)(1)	Controlled Substance-Possession of	175	149
I37-2732(c)(1) {F}	Controlled Substance-Possession of	1	
I37-2732(c)(2) {F}	Controlled Substance-Possession of LSD	8	
I37-2732(E)	Controlled Substance-Possession Marijuana More Than 3 Oz		
	Controlled Substance-Possession of Marijuana in an Amount Greater Than 3 Ounces in Any Prepared Form	8	17
I37-2732(E)	Prepared Form		
I37-2732B	Drug Trafficking	1	
I37-2732B(a)(1)	Drug-Trafficking in Marijuana	7	6
I37-2732B(a)(1)(A)	Drug-Trafficking in Marijuana (1 lb or More but Less than 5 lbs or Consists of 25 to 49 Plants)	3	3
I37-2732B(a)(1)(B)	Drug-Trafficking in Marijuana (5 lbs or More but Less Than 25 lbs or Consists of 50 to 99 Plants)	1	3
I37-2732B(a)(1)(C)	Drug-Trafficking in Marijuana (25 lbs or More or Consists of 100 Plants or More)	2	
I37-2732B(a)(4)	Drug-Trafficking in Methamphetamine or Amphetamine	1	
I37-2732B(a)(4)(A)	Drug-Trafficking in Methamphetamine or Amphetamine (28 grams to Less Than 200 grams)	1	
I37-2732B(a)(6)	Drug-Trafficking in Heroin	1	
I37-2732C {F}	Controlled Substance-Use or Under the Influence	19	3
I37-2734	Controlled Substance-Obtain by Fraud, Forgery, etc.	4	1
I37-2734 {F}{AT}	Controlled Substance-(Attempted) to Obtain by Fraud, Forgery, etc.	2	
I37-2734(A)(3)	Controlled Substance-Obtain or Acquire by Deception, Misrepresentation, Fraud or Forgery	5	6
I37-2734(A)(3) {F}{AT}	Controlled Substance-(Attempted) Obtain or Acquire by Deception, Misrepresentation, Fraud or Forgery	3	
I37-2734B	Drug Paraphernalia-Deliver, Possess or Manufacture Violations	1	
I37-2737A	Controlled Substance-Manufacture, Deliver or Possess When Children are Present	2	
I37-2737A(4)	Controlled Substance-Manufacture, Deliver or Possess when a Children is Present	1	
I41-293	Insurance Fraud	6	3
I49-1404 {F}	Officer-Flee or Attempt to Elude a Police Officer in a Motor Vehicle	4	3
I49-1404(2)	Officer-Flee or Attempt to Elude a Police Officer in a Motor Vehicle	4	1
I49-228	Vehicle-Stolen Vehicles Receiving or Transferring		2
I49-518	Vehicle Title-Alter Title, Engine Number or Sell With Altered Number	1	
I56-227(A) {F}	Fraudulently Obtain Welfare or Public Assistance, etc.	7	
I56-227D(2)	Federal Food Stamps-Unauthorized Use for a Value of More Than \$100.00	6	1





Statute	Description	2013	2014
167-7448(2)	Lottery-Counterfeit, Previously Paid, Illegally Obtained or Altered Ticket Violation	3	1
IPART II(18-8005(6) {F}	PART II-Driving Under the Influence Felony Enhancement	1	4
IPART II(19-2520)	II-Use of Deadly Weapon in the Commission of a Felony	1	
<b>Total</b>		<b>914</b>	<b>694</b>





Proposed amendment to House 301.

H 301

Line out the words "setting aside or other comparable procedure" on lines 33 and 34 of page 5, and replace with "overturned or reversed."





IDAHO  
FRATERNAL ORDER OF POLICE

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333 MARK STALL PLACE • BOISE • IDAHO • 83705

March 27, 2015

Honorable Senator Curt Mckenzie, Chairman  
State Affairs Committee  
Idaho State Legislature  
State Capitol Building  
P.O. Box 83720  
Boise, Idaho 83720

RE: HB301

Dear Chairman Mckenzie and members of the Senate State Affairs Committee,

The members of the Idaho Fraternal Order of Police support our 2nd Amendment rights, responsible gun ownership and use. We feel that armed responsible/ law-abiding citizens are a large part of deterring criminal activity and helping us to uphold our duty to keep the peace and enforce the laws of this state. We consider law-abiding citizens as partners in keeping Idaho a safe place to live and work. Law enforcement in Idaho has been working through the current concealed weapons laws and various changes for several years now, yet we still come to a crossroads where trying to make the law easier to understand and workable for the law abiding citizen and effectively allowing law enforcement the ability to charge and prosecute those that abuse the privilege of this law. As with any law passed, law enforcement will always go forth and continue to enforce what the people want us to enforce. At the same time, we (the law enforcement professionals) strive to educate lawmakers and citizens on what it takes to enforce the law and the legal parameters with which we have to work with so as to avoid unintentional consequences.

On 3/26/15 it was brought to our attention that this bill allows people who were originally convicted of a violent felony and took a plea of a withheld judgment would be eligible to obtain a concealed weapon permit. We do not support allowing a person who committed a violent felony with a withheld judgment being issued a concealed weapons permit.

Thank You,

*Bryan Lovell*  
*President,*  
*Idaho Fraternal Order of Police*

*“The Voice of Law Enforcement”*



## Twyla Melton

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**From:** steppenwolf@hushmail.com  
**Sent:** Friday, March 27, 2015 5:35 AM  
**To:** Twyla Melton  
**Subject:** Support HB301...

Hello members of the Senate State Affairs Committee. I am contacting you since there will be a vote on an important pro-gun bill coming up before your committee.

"HB 301 seeks to reform Idaho's confusing and unwieldy concealed weapons licensing statute to remove inherent ambiguities and provide explicit statutory guidance for citizens and law enforcement alike.

The purpose of this legislation is to re-codify existing law in a manner that provides Idaho residents and law enforcement officials with clear and unambiguous guidance on the rights and restrictions contained in the provisions of Idaho Code regulating the carrying of concealed weapons. The NRA believes that this re-write accomplishes the stated goal in four major ways. First, HB 301 provides definitions for commonly used diction. Second, this legislation—where possible—places statutory provisions in list format, as opposed to the burdensome paragraphical format that is currently used. Third, the proposed re-write seeks to clarify provisions pertaining to carrying of concealed weapons outside the "limits or confines of any city." Fourth, the legislation seeks to lower CWL fees by providing that the sheriffs may only charge \$20.00 plus the actual cost of administering the license."

As you can see Idaho residents will greatly benefit from this bill passing since it will make sure to clear all law ambiguities relating to carrying their concealed firearm. I don't think anyone wants to see innocent people thrown in jail because they either didn't understand the law or it wasn't clear. So please vote YES for this bill.

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