

MINUTES  
**SENATE STATE AFFAIRS COMMITTEE**

**DATE:** Friday, March 06, 2026

**TIME:** 8:00 A.M.

**PLACE:** Room WW55

**MEMBERS PRESENT:** Chairman Guthrie, Vice Chairman Bernt, Senators Anthon, Harris, Toews, Adams, Shippy, and Ruchti

**ABSENT/ EXCUSED:** Senator Den Hartog

**NOTE:** The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

**CONVENED:** **Chairman Guthrie** called the meeting of the Senate State Affairs Committee (Committee) to order at 8:00 a.m.

**RS 33617** **Public Notices, Abbreviated Notices.** **Chairman Guthrie** explained that this legislation was an effort to mitigate financial concerns local jurisdictions have had when publishing notices in newspapers. He said this would allow the newspaper to post abbreviated notices as long as the full notice was uploaded to the newspaper's website.

**MOTION:** **Senator Adams** moved to send **RS 33617** to print. **Senator Shippy** seconded the motion. The motion carried by **voice vote**.

**RS 33591** **Parks and Recreation.** **Senator Harris** shared that this legislation dealt with off-highway vehicles (OHV) and would change how OHV law enforcement funds were allocated and revise the makeup of the advisory committee to improve representation.

**MOTION:** **Senator Shippy** moved to send **RS 33591** to print. **Senator Adams** seconded the motion. The motion carried by **voice vote**.

**RS 33628** **Candidate Filing.** **Senator Bernt** said he worked with the Secretary of State's Office on this legislation and it would extend the online candidate filing option to those inside the Treasure Valley rather than just those in other parts of Idaho.

**MOTION:** **Senator Toews** moved to send **RS 33628** to print. **Senator Adams** seconded the motion. The motion carried by **voice vote**.

**RS 33644** **Relating to the Idaho Child Care Program.** **Senator VanOrden** explained that this legislation would codify the Idaho Child Care Program. She said currently this program was only included in federal code and administrative rules so this would allow for state jurisdiction as well.

**MOTION:** **Senator Harris** moved to send **RS 33644** to print. **Senator Toews** seconded the motion. The motion carried by **voice vote**.

- S 1348**            **PUBLIC OUTDOOR TARGET RANGES - Amends and adds to existing law to establish provisions for the opening of the shotgun sporting complex in Farragut State Park.** **Senator Okuniewicz** said that this legislation had to do with a law that originally allowed the Idaho Department of Fish and Game (IDFG) to use Pittman-Robinson funds to continue the operation of a gun club on Kootenai County Airport land. He explained that two agencies could not agree on a price value for the land which prevented that from happening. **Senator Okuniewicz** summarized that this legislation would propose the relocation of the gun club to land near Farragut State Park which was owned by the IDFG.
- MOTION:**        **Senator Harris** moved to send **S 1348** to the floor with a **do pass** recommendation. **Senator Anthon** seconded the motion. The motion carried by **voice vote**.
- S 1350**            **CASH ROUNDING - Amends and adds to existing law to provide certain provisions regarding cash rounding.** **Senator Ricks** explained that this legislation would provide cash rounding guidance for merchants in response to the U. S. Treasury having stopped minting the penny. He said this legislation detailed that merchants may round up or down five cents in an effort to guide industry practice. **Senator Ricks** clarified that this did not require merchants to round sale prices but would offer guidance for those who want to.
- TESTIMONY:**    **Pam Eaton**, representing the Idaho Retailers Association and the Idaho Restaurant and Lodging Association, testified in favor of **S 1350**. She explained that the members of these associations requested official guidance on cash rounding as the amount of available pennies continued to decrease. **Ms. Eaton** said she spoke with the Attorney General's Office as well as the Idaho Tax Commission who advised her that this was a legislative matter. She explained that merchants were in need of official guidance in order to standardize across industries and to have a place to refer customers who had questions about why their cash purchases were rounded.
- DISCUSSION:**    **Senator Shippy** asked Senator Ricks to speak on the possibility of merchants manipulating their sales price in order to lower their sales tax. **Senator Ricks** explained that the tax was to be calculated based on the exact penny amount on the final sale price, which was calculated before the rounding occurred. **Senator Harris** asked Senator Ricks if the sales tax would go up if the prices were rounded up. **Senator Ricks** said he did not think it would rise because the rounding would only happen if there was a cash payment and there were no pennies available to give exact change back to the customer.
- MOTION:**        **Senator Toews** moved to send **S 1350** to the floor with a **do pass** recommendation. **Senator Ruchti** seconded the motion. The motion carried by **voice vote**.
- S 1351**            **STATE OFFICE VACANCIES AND DUTIES OF THE GOVERNOR - Amends existing law to provide for certain ineligibility for reappointment to the same position following express Senate rejection and to establish certain timing requirements for gubernatorial appointments that are subject to the advice and consent of the Senate.** **Senator Lenney** explained this legislation would prevent a Gubernatorial appointee who was not confirmed by the Senate from being reappointed to the same position within one year of rejection. **Senator Lenney** also said that this legislation would require the Governor to fill vacancies within 90 days.
- DISCUSSION:**    **Senator Bernt** asked Senator Lenney to clarify that a person who had been rejected could be appointed to a different position but not the same position. **Senator Lenney** said yes.
- MOTION:**        **Senator Adams** moved to send **S 1351** to the floor with a **do pass** recommendation. **Senator Bernt** seconded the motion. The motion carried by **voice vote**.

**S 1359**

**VIRTUAL CURRENCY KIOSK FRAUD PREVENTION ACT - Adds to existing law to establish the Virtual Currency Kiosk Fraud Prevention Act.** **Senator Ruchti** shared that this legislation would protect Idaho's vulnerable populations from virtual currency kiosk scams. He shared that he had family members who were victims of these types of fraudulent acts and that virtual currency kiosks currently did not have safeguards or regulations in place to detect fraud. **Senator Ruchti** said that in 2024, Idahoans lost more than \$35 million to crypto-currency scams, an increase of \$19 million from 2023. **Senator Ruchti** received input from several stakeholders and urged the Committee's support in implementing these virtual currency kiosk regulations.

**TESTIMONY:** **Lisa Anderson**, representing AARP Idaho, **Brad Thorne** representing the Boise Police Department, and **Zach Hessing**, representing the Idaho Sheriffs Association, testified in support of **S 1359** for the following reasons:

- Financial fraud was the fastest growing threats to vulnerable and elderly populations;
- The loss of even just a few thousand dollars could be catastrophic to Idahoan families;
- Stories shared of real people known to have had their lives ruined by crypto-currency scams;
- The need to protect Idaho from sophisticated criminal schemes.

**DISCUSSION:** **Senator Ruchti** reiterated that there was a need to protect members of our society from exploitation. He shared that with legislation like this, there must be a balance between the free market and necessary protection. **Senator Ruchti** believed this legislation balanced both sides well.

**MOTION:** **Senator Harris** moved to send **S 1359** to the 14th Order of Business for possible amendment. **Senator Bernt** seconded the motion.

**DISCUSSION:** **Senator Toews** shared that he would support the motion because he saw how disclosures and protections could be necessary but that he was hesitant to implement this many regulations.

**VOICE VOTE:** The motion to send **S 1359** to the 14th Order of Business for possible amendment carried by **voice vote**.

**SJM 114**

**COLLEGIATE ATHLETICS - States findings of the Legislature and urges the United States House of Representatives and Senate to take immediate federal action to restore clarity, consistency, and stability to intercollegiate athletics.** **Senator Adams** said this Senate Joint Memorial would call on the U.S. Congress to acknowledge the current shifts in college athletics and implement rules to regulate and promote consistency across divisions.

**TESTIMONY:** **Jeremiah Shinn**, Interim President of Boise State University, **Jeremiah Dickey**, representing Boise State University, **Spencer Danielson**, Boise State University Head Football Coach, **Kailin Downs**, representing Boise State University, **Jim Klemann** representing Lewis-Clark State College, and **Jennifer White** representing the Idaho Department of Education testified in favor of **SJM 114** for the following reasons:

- The current college athletic standards were not long term financially viable for smaller programs;
- The stability of college athletics across the country depended on federal intervention;
- The danger of smaller sports programs being cut due to unsustainable standards;
- A need for clear, fair, and consistent guidelines;

- The need to shift away from transactional systems and back to transforming athletes into well-rounded people.

**DISCUSSION:** **Senator Ruchti** asked President Shinn if the intent of the legislation was to prompt U.S. Congress to consider impacts across all National Collegiate Athletic Association (NCAA) divisions or just public universities in Idaho. **President Shinn** believed that most of the problems within college athletics were within Football Bowl Subdivision of Division One, where Boise State University currently played but that the effects would be felt across the industry. **Senator Bernt** asked Mr. Dickey if there were conversations had with Idaho's congressional delegation on this issue. **Mr. Dickey** said yes, both him and President Shinn spoke with the delegation twice in an effort to keep them informed and involved. **Senator Ruchti** asked Mr. Dickey how this legislation would affect higher education institutions in the state beside Boise State University. **Mr. Dickey** detailed a domino effect and said that when one division was affected, all the divisions were eventually affected as well, especially financially. **Chairman Guthrie** thanked Coach Danielson for his efforts and commended Boise State University Athletics for the publicity they had given to Idaho. **Senator Adams** reiterated that this legislation was an effort to reform college sports programs across the country, not just those in Idaho.

**MOTION:** **Senator Bernt** moved to send **SJM 114** to the floor with a **do pass** recommendation. **Senator Anthon** seconded the motion.

**DISCUSSION:** **Senator Bernt** expressed how much Boise State University had done for college sports nationally and believed similar schools deserved representation in conversations that shaped the future of college athletic programs. He shared that without federal action and implemented regulations, large athletic conferences could dominate the NCAA and leave small programs behind without a viable future.

**VOICE VOTE:** The motion to send **SJM 114** to the floor with a **do pass** recommendation carried by **voice vote**.

**H 603** **CAPITOL MALL - Amends existing law to revise provisions regarding camping and to revise a provision regarding disposition of property.** **Senator Adams** voiced the goal of this legislation was to ensure that the Capitol mall remained safe, accessible, and functional by implementing time, place, and manner restrictions on protestors who camped. He said this legislation would define camping and specifically prohibited enclosed structure camping between nine o'clock p.m. and six o'clock a.m. **Steve Walker**, Deputy Director, Idaho Department of Administration, explained that this legislation provided the Idaho State Police with guidelines as there was currently a lack of clear camping definitions and rules. He said that by clarifying these rules, the risk of future disputes and prolonged encampments could be avoided, promoting safety, sanitation, and accessibility to the capitol mall.

**DISCUSSION:** **Senator Shippy** asked Mr. Walker if there were exceptions to the camping regulation language for instances where emergency personnel or law enforcement had to camp on state-owned property. **Mr. Walker** said he can only speak to the Capitol mall administration-owned and operation facilities. He believed that if agencies like the Department of Fish and Game or Parks and Recreation encountered issues with this definition for emergencies, administrative rules could address that. **Senator Ruchti** asked Mr. Walker to speak on how this legislation would help to avoid litigation and unconstitutional infringements on protestors after several past lawsuits. **Mr. Walker** said that he would defer to the Attorney General's Office regarding legal matters but that he believed this legislation would be a content neutral amendment that would promote consistency and prevent selective targeting of those who camp. **Senator Ruchti** emphasized the importance of this question as unconstitutional errors in protest regulation could potentially cost the State hundreds of thousands of dollars.

**Russ Wheatley** with the Idaho State Police responded to Senator Ruchti and explained that the State was allowed to dictate time, place, and manner protocol in regard to protests which was the main focus of this legislation. He shared that in 2021 and 2022, there were several situations law enforcement encountered where protestors were camping for months at a time. **Mr. Wheatley** explained that law enforcement needed definitions and guidelines in order to know what was permissible and what went beyond the First Amendment right to protest.

**TESTIMONY:** **Ritchie Eppink** testified in opposition to **H 603**. **Mr. Eppink** explained he was an attorney who believed this legislation was unconstitutional. He shared several examples of protest related cases he had worked on in his career where the courts ruled limiting "tent-city" protesting was unconstitutional. **Mr. Eppink** believed that passing this bill would guarantee future Idaho lawsuits on this issue.

**DISCUSSION:** **Senator Ruchti** asked Mr. Eppink to describe possible statutory framework that would address the State's concerns with protestor camping while remaining constitutional. **Mr. Eppink** said that constitutional regulations would not include hour restrictions and would not be content-based. **Senator Ruchti** asked Mr. Eppink what the attorney fees were for a single case like this. **Mr. Eppink** said he didn't know the exact number but estimated them to be upward of \$80,000. **Senator Anthon** shared his understanding of the current law in that the line between protesting and camping was blurred due to the lack of established time, place, and manner restrictions. **Senator Anthon** asked Mr. Eppink to correct his understanding if necessary and touch on when a distinction needed to be made between protesting within one's rights and camping on state property. **Mr. Eppink** said that the Senator's understanding was accurate and that this legislation targeted symbolic "tent-city" protests and around the clock camping which he believed the federal court to have already deemed unconstitutional in the past. He believed that if this legislation targeted individuals living on state property rather than "tent-city" protesting that there would be significantly less opposition. **Senator Anthon** asked Mr. Eppink to explain when someone could be determined to live on the property rather than just protesting. Mr. Eppink explained that if someone was sleeping and carrying out daily activities they could be considered living rather than just a staffing a "tent-city" protest.

**Senator Adams** closed by addressing points brought up in Mr. Eppink's testimony. **Senator Adams** clarified that only enclosed structures were regulated by this legislation for a nine hour period overnight and that structures that were not enclosed could remain standing. He said this would ensure that the Capitol mall could carry out regularly-scheduled maintenance. **Senator Adams** explained that the government had a significant interest in regulating protests in this capacity which was to maintain the safety, sanitation, and accessibility of public grounds for all citizens, not just overnight protestors. **Chairman Guthrie** asked about the discretion given to the Department of Administration over rules regarding this legislation. **Senator Adams** said that he did not know what rules the Department of Administration would implement but emphasized that all rules were subject to Senate approval.

**MOTION:** **Senator Harris** moved to send **H 603** to the floor with a **do pass** recommendation. **Senator Toews** seconded the motion.

**DISCUSSION:** **Senator Ruchti** voiced he would not support the motion as he was unsure that this was the correct fix for the problem. He said that this legislation could be better tailored to the problem as there was still significant room for future litigation and hefty taxpayer costs. **Senator Anthon** did not believe the legislation was undoubtedly unconstitutional as suggested in testimony. He shared there must be a balance between protecting the rights of protestors and practical needs to keep state property functional. **Senator Anthon** voiced his support for the motion and said he could not vote against it based solely off of speculation.

**VOICE VOTE:** The motion to send **H 603** to the floor with a **do pass** recommendation carried by **voice vote** with **Senator Ruchti** voting nay.

**ADJOURNED:** There being no further business at this time, **Chairman Guthrie** adjourned the meeting at 9:48 a.m.

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Senator Guthrie  
Chair

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Abby Rowe  
Secretary