

MINUTES  
**SENATE STATE AFFAIRS COMMITTEE**

**DATE:** Friday, March 13, 2026

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

**PLACE:** Room WW55

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

**ABSENT/ EXCUSED:** None

**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.

**HCR 31** **LINDEN BATEMAN - States findings of the Legislature and honors the lifetime achievements of Linden Bateman, the author, sponsor, and successful advocate for the law designating "Idaho Day." Senator Anthon** explained this House Concurrent Resolution paid tribute to former Representative Linden Batemen who passed away. **Senator Anthon** shared Mr. Bateman's professional history and emphasized the impact he had on the Idaho Legislature, specifically in the development of Idaho Day. He also shared with the Committee Mr. Bateman's talent and creativity within his artwork and presented some of his pieces. **Senator Anthon** voiced that this was an opportunity to recognize Mr. Bateman's legacy and contribution to Idaho.

**TESTIMONY:** **Tess Molitor** and **David Leroy** testified in support of **HCR 31**. **Ms. Molitor** shared personal accounts of her friendship with Mr. Batemen. She shared he was known for the creative and meaningful letters he would write his colleagues and friends. **Mr. Leroy**, former Lieutenant Governor, explained that Mr. Bateman served in the Legislature for 9 terms. He believed Mr. Bateman deserved several titles including "cartoonist, Mr. History, Mr. Cursive, and Mr. Idaho Day" because of various works he put forth in the Legislature. **Mr. Leroy** spoke to his dedication, hard work, and charisma.

**MOTION:** **Senator Harris** moved to send **HCR 31** to the floor with a **do pass** recommendation. **Senator Ruchti** seconded the motion.

**DISCUSSION:** **Senator Harris** shared a memory he had with Mr. Bateman and spoke to his character. **Chairman Guthrie** shared that he served with Mr. Bateman in the House of Representatives and believed that honoring Mr. Bateman through this resolution was very appropriate.

**VOICE VOTE:** The motion to send **HCR 31** to the floor with a **do pass** recommendation carried by **voice vote**.

**GUBERNATORIAL COMMITTEE CONSIDERATION OF THE GUBERNATORIAL APPOINTMENT OF NICHOLAS GUHO OF EAGLE, IDAHO TO THE STATE BUILDING AUTHORITY** to serve a term commencing February 24, 2026 and expiring January 1, 2029. **Mr. Guho** said he and his family had been an Idaho residents for over 30 years. He shared with the Committee his extensive professional background, including time he served on both the Diocese Building Review Board and the Idaho Building Code Review Board. **Mr. Guho** detailed several statewide projects he worked on at the Boise Airport, Boise State University, the University of Idaho, state prisons, charter schools, and the Idaho Veterans Cemetery. **Mr. Guho** appreciated the opportunity to give back to Idaho and hold this position.

**GUBERNATORIAL COMMITTEE CONSIDERATION OF THE GUBERNATORIAL APPOINTMENT OF TODD CHRISTENSEN OF MERIDIAN, IDAHO TO THE STATE BUILDING AUTHORITY** to serve a term commencing March 2, 2026 and expiring January 1, 2031. **Mr. Christensen** introduced himself as a fourth-generation Idahoan with a substantial professional background in finance, marketing, and economic development. He shared that he previously worked in Washington State for the Chamber of Commerce and the Olympia Industrial Development Commission, served three years as President for the Coeur D'Alene Chamber of Commerce, and spent 11 years as Chief Marketing Officer for CapEd Credit Union. **Mr. Christensen** looked forward to serving Idaho in this position.

**DISCUSSION:** **Chairman Guthrie** expressed his admiration for the quality of candidates that continue to be appointed to invaluable positions in Idaho.

**GUBERNATORIAL COMMITTEE VOTE ON THE GUBERNATORIAL REAPPOINTMENT OF ROBERT DONALDSON TO THE IDAHO ENDOWMENT FUND INVESTMENT BOARD.** **Senator Harris** moved to send the gubernatorial reappointment of Robert Donaldson to the floor with the recommendation that he be confirmed by the Senate. **Senator Den Hartog** seconded the motion. The motion carried by **voice vote**.

**GUBERNATORIAL COMMITTEE VOTE ON THE GUBERNATORIAL REAPPOINTMENT OF IRVING LITTMAN TO THE IDAHO ENDOWMENT FUND INVESTMENT BOARD.** **Senator Den Hartog** moved to send the gubernatorial reappointment of Irving Littman to the floor with the recommendation that he be confirmed by the Senate. **Senator Toews** seconded the motion. The motion carried by **voice vote**.

**RS 33634** **Polling Places, Liability.** **Senator Anthon** explained this legislation addressed liability concerns for those who volunteered their facilities to be used as polling places.

**MOTION:** **Senator Toews** moved to send **RS 33634** to print. **Senator Adams** seconded the motion. The motion carried by **voice vote**.

**RS 33674** **Legislative Compensation, Reduction.** **Senator Cook** said this legislation would encourage the Citizen's Committee on Legislative Compensation to impose a percent cut to legislative salaries in fiscal year 2027 in an effort to address the financial issues facing Idaho.

**DISCUSSION:** **Senator Den Hartog** asked Senator Cook how much money these cuts would save Idaho. **Senator Cook** said it would save Idaho approximately \$435,000.

**MOTION:** **Senator Harris** moved to send **RS 33674** to print. **Senator Toews** seconded the motion. The motion carried by **voice vote**.

**RS 33693** **340B Reporting.** **Senator Harris** explained that the 340B program allowed pharmaceutical companies that participate in Medicaid and Medicare to sell certain drugs at a discounted price. He said that this legislation would revise an existing law and address provider concerns on timelines and update technical language.

- MOTION:** **Senator Den Hartog** moved to send **RS 33693** to print. **Senator Adams** seconded the motion. The motion carried by **voice vote**.
- RS 33712** **Property Rights Protection, Trailer.** **Senator Harris** shared that this legislation was a trailer bill for **S 1326 as amended**. He said this would permit land surveyors to enter private land for surveying purpose and restored the requirement for advanced notice.
- MOTION:** **Senator Adams** moved to send **RS 33712** to print. **Senator Den Hartog** seconded the motion. The motion carried by **voice vote**.
- RS 33697** **Definitive Identification Cremation.** **Senator Harris** explained he worked with county coroners on this legislation and that it would require definitive identification of a person's body before it could be cremated.
- MOTION:** **Senator Adams** moved to send **RS 33697** to print. **Senator Bernt** seconded the motion. The motion carried by **voice vote**.
- H 542** **SOCIAL MEDIA - Adds to existing law to establish the Stop Harms from Addictive Social Media Act.** **Senator Carlson** explained the intention of this bill was to implement social media safeguards and provide parents with an additional tool to help protect children from the harmful effects of social media. She raised several key points including the excessive amount of time children spent on social media apps, how social media had contributed to poor mental health and an increase in suicide among teens, and the addictive algorithms intentionally implemented by social media platforms. **Representative Crane** echoed Senator Carlson and said that youth today were faced with novel pressures from the rise of addictive social media. He reiterated that platforms purposely created addictive algorithms designed to keep users on their phones and encouraged the Committee to support this legislation to protect Idahoans. **Chelsea Omen** with the Alliance Defending Freedom Center for Public Policy detailed key provisions of **H 542** including age estimation, default account restrictions, parental controls, privacy protections, limits on addictive features, targeted advertising restrictions, and legislation enforcement measures.
- DISCUSSION:** **Senator Bernt** asked Ms. Omen if her company assisted with writing this legislation. **Ms. Omen** said that they had not but they did review the legislation as a resource on the sponsor's behalf.
- TESTIMONY:** **Jennifer Hanley**, representing META, **Aodhan Downey**, **Zachary Lilly** representing NetChoice, and **Rose Feliciano**, representing TechNet, testified against **H 542** for the following reasons:
- Harms to small businesses;
  - Privacy concerns with providing sensitive personal information to platforms for verification;
  - Concerns that this legislation undermined safety efforts and created inconsistent rules across platforms;
  - Unconstitutional restrictions on speech and content;
  - Unique family dynamics and the inability for platforms to determine who a child's parent was.

- DISCUSSION:** **Senator Toews** asked Mr. Downey to clarify his statement that this legislation would require the collection of personal data and to share his position on age verification implementation for app stores. **Mr. Downey** explained that his understanding of the legislation was that it would incentivize companies to ensure children were not using their platforms. He said this would require them to collect identification information they otherwise would not have collected. **Mr. Downey** shared that there was current litigation pending in other states surrounding age verification implementation for app stores. **Senator Den Hartog** asked Mr. Downey if platforms broke up their advertisement revenue based on age range. **Mr. Downey** said he did not know how each individual company divided up revenue.
- TESTIMONY:** **Edward Clark**, representing the Idaho Family Policy Center, testified in favor of **H 542**. **Mr. Clark** said that the excessive use of social media contributed to an increase in mental health issues such as anxiety, depression, and suicidal ideation. He supported this legislation because it would empower parents, limit addictive platform features, and allow families to take legal action against platforms if substantial harm was caused.
- DISCUSSION:** **Senator Carlson** closed by clarifying that this legislation would not infringe on the First Amendment right to free speech and that the goal was to target the addictive nature of social media platforms, not the content. **Chairman Guthrie** asked Senator Carlson if she would be willing to send **H 542** to the 14th Order of Business for possible amendment due to concerns with the effective date. **Senator Carlson** said yes. **Senator Ruchti** asked Senator Carlson if there was another method of enforcement other than private cause of action and expressed his concerns. **Senator Carlson** invited Ms. Omen to explain. **Ms. Omen** said that private cause of action was the method of enforcement as a safeguard for families due to the rise in suicides and detrimental effects in children. **Senator Ruchti** asked Ms. Omen if there was another method of enforcement possible. **Ms. Omen** said the Idaho Consumer Protection Act was another possible method of enforcement but reiterated her belief that private cause of action was the best option in this scenario.
- MOTION:** **Senator Den Hartog** moved to send **H 542** to the floor with a **do pass** recommendation. **Senator Toews** seconded the motion.
- DISCUSSION:** **Senator Den Hartog** voiced that social media addiction was a real concern for children and teens because their brains were still developing, which made them particularly vulnerable. She believed that this legislation was a worth-while effort to address this complex problem as parental intervention alone was often not enough. **Senator Shippy** argued that this was a parenting issue, not an issue for state legislative intervention. He noted that children were often resourceful enough to bypass safeguards like these and believed that responsible parental controls and guidance would be more effective than government intervention. **Chairman Guthrie** said he could not support the motion because he believed it would be more effective with amendments to the effective date.
- SUBSTITUTE MOTION:** **Senator Harris** moved to send **H 542** to the 14th Order of Business for possible amendment. **Senator Bernt** seconded the motion.
- ROLL CALL VOTE:** The substitute motion to send **H 542** to the 14th Order of Business for possible amendment carried by roll call vote with **Chairman Guthrie, Vice Chairman Bernt, Senators Ruchti, Adams, Toews, Harris, and Anthon** voting aye and **Senators Shippy and Den Hartog** voting nay. The motion carried.

- H 637**                    **GOLD AND SILVER - Amends existing law to revise provisions regarding gold and silver coin and specie.** **Senator Kohl** explained this legislation would amend Idaho's gold and silver legal tender statute to include domestic and foreign bullion. He said this would clarify the statute and make it more practical for everyday commerce. **Senator Kohl** shared that gold and silver's legal tender value depended on purity rather than the origin of minting.
- MOTION:**                **Senator Shippy** moved to send **H 637** to the floor with a **do pass** recommendation. **Senator Toews** seconded the motion. The motion carried by **voice vote**.
- H 573**                    **ENHANCED LICENSES TO CARRY CONCEALED WEAPONS - Amends existing law to provide that certain persons may provide instruction on Idaho law regarding firearms and the use of deadly force.** **Senator Anthon** explained that this legislation would expand who was allowed to teach the course for enhanced concealed carry permits in Idaho. He stated that it would allow for certified instructors with a minimum of eight years experience from the National Rifle Association or an equivalent nationally-recognized organization to teach this course.
- DISCUSSION:**        **Senator Shippy** clarified that the instructor must have a minimum of eight years experience. **Senator Anthon** confirmed. **Senator Shippy** believed that this was previously not allowed in Idaho and asked **Senator Anthon** how it was expected for these instructors to have eight years of experience or more. **Senator Anthon** explained that experienced trainers from other states would not be allowed to train in Idaho. **Senator Harris** asked Senator Anthon if he thought this would affect Idaho's reciprocity with other states. **Senator Anthon** did not believe so.
- MOTION:**                **Senator Shippy** moved to send **H 573** to the floor with a **do pass** recommendation. **Senator Adams** seconded the motion. The motion carried by **voice vote**.
- H 561AA**                **STATE GOVERNMENT AND STATE AFFAIRS - Amends existing law to revise and remove provisions regarding flags flown by a governmental entity, to provide a penalty, and to establish provisions regarding enforcement by the Attorney General.** **Representative Ted Hill** stated that this legislation would keep government spaces neutral and free from political, religious, or ideological messages by preventing flags other than the State and U.S. flags to be flown on government property with few exceptions. He explained that this legislation would maintain neutrality and inclusivity by preventing flags from being flown that intended to promote divisive agendas.
- DISCUSSION:**        **Senator Bernt** explained that in Bonners Ferry, Idaho, a Canadian flag was flown year-round because of the proximity of the city to the Canadian border and the close relationship they shared. **Senator Bernt** asked Representative Hill if that would continue to be allowed under this legislation. **Representative Hill** said that this could fall into the special occasion exception for this legislation but if the flag was up year-round, that action would need to be modified. **Senator Harris** asked about controversial flags that were flown during events like parades and what would be allowed under this legislation. **Representative Hill** believed that would be allowed under the special occasions exception. **Senator Ruchti** asked Representative Hill to clarify his understanding that the Attorney General's Office would be awarded attorney fees in the event it won litigation surrounding this issue but a city would not be awarded the attorney fees in the case they won. **Representative Hill** said that was both his and the Attorney General's understanding. **Senator Ruchti** said that this one-way fee system could be viewed as an effort to quash any challenge presented by a city to this statute and asked Representative Hill if he agreed with that assessment. **Representative Hill** said he was unsure because he was not an attorney.

**TESTIMONY:** **Lynn Bradescu**, Republican Party Chairman for District 19, **Benjamin Chafetz**, **Michael Hom**, **Edward Clark**, representing the Idaho Family Policy Center, and **Phil Reynolds** testified in favor of **H 561aa** for the following reasons:

- Concerns surrounding which viewpoints would be chosen for display if cities were given the choice;
- Unequal representation for certain groups and beliefs;
- Desire for neutrality within Government spaces.

**DISCUSSION:** **Senator Ruchti** asked Mr. Clark if, based on his testimony, he believed it was inappropriate for a Christian flag to be flown on Government property under any circumstances. **Mr. Clark** said it would depend on the law of the land, therefore under current Idaho law, it would be unlawful.

**TESTIMONY:** **Kathy Corless**, **Lauren McClean**, Mayor of the City of Boise, **Erik Stidham**, **John Michaels**, and **Senator Woodward** testified against **H 561aa** for the following reasons:

- Protection for Bonners Ferry, Idaho's Canadian flag tradition,
- Concerns for minority group under-representation and safety;
- Desire to allow minority communities to feel represented in larger cities;
- Worry over local government autonomy.

**DISCUSSION:** **Senator Bernt** asked Ms. Corless if she would be okay with partisan flags being flown in addition to the pride flag. **Ms. Corless** said that this had not been an issue historically but the reason for the pride flag was to allow that group to feel represented and safe since they are often targeted. **Senator Adams** asked Ms. Corless which district she represented on the Boise City Council. **Ms. Corless** said District 3, which was often referred to as the Boise bench. **Senator Ruchti** asked Mayor McClean to speak on the impact of removing the pride flag. **Mayor McClean** said her constituents had voiced concern for the discrimination and safety threats that the LGBTQ community had faced since the flag's removal.

**Senator Ruchti** asked Mr. Stidham to speak on the attorney fee provision detailed in this legislation. **Mr. Stidham** said the attorney fee provisions would cause a costly one-way burden for cities. **Senator Ruchti** asked Mr. Stidham to address testimony that accused his client, Mayor McClean, of intentionally violating the law by continuing to fly the pride flag. **Mr. Stidham** said that Mayor McClean consulted with his team on this issue and they advised her that she was not violating the law. **Senator Shippy** said he did not know of an official definition for city or county flags and asked Mr. Stidham if a declared flag could change colors and still be considered the same flag. **Mr. Stidham** said that his understanding was that this legislation would prevent any alteration to a city or county flag after the effective date. **Senator Bernt** asked Senator Woodward if the Canadian flag flown in Bonners Ferry, Idaho was on government property. **Senator Woodward** said yes.

**Senator Keyser** explained that this legislation was not meant to impose new restrictions but rather clarify key parts of an existing law such as what was considered government property, special occasions and exceptions, and penalty enforcement. **Senator Harris** asked Senator Keyser why the effective date was retroactive to January 1, 2023. **Senator Keyser** said the timeline and effective date was appropriate because he believed that local government had countered a law that were already in place. **Senator Shippy** asked Senator Keyser if the Canadian flag flown in Bonners Ferry, Idaho, would be considered a special occasion exception. **Senator Keyser** said since it was up year round it would not fall under the special occasions exception. **Senator Shippy** asked if changing a city or county flag's color would be allowed under this legislation. **Senator Keyser** said generally the color did not matter and believed that would most likely be fine.

- MOTION:** **Senator Toews** moved to send **H 561aa** to the floor with a **do pass** recommendation. **Senator Den Hartog** seconded the motion.
- SUBSTITUTE MOTION:** **Senator Harris** moved to send **H 561aa** to the 14th Order of Business for possible amendment. **Senator Bernt** seconded the motion
- DISCUSSION:** **Senator Harris** shared the substitute motion was due to concern over this legislation's definition of special occasions and which circumstances would be protected. **Senator Ruchti** voiced that he could not support this legislation moving forward because he believed it caused unnecessary state interference in local government decisions and he was concerned about the attorney fee provisions. **Senator Shippy** noted his support for the original motion because it was the will of the sponsor, but he shared he had concerns surrounding language used. **Senator Anthon** expressed support for either motion as he wanted to see this get to the Senate floor for a full debate. He said that he was concerned about improper use of taxpayer dollars where public funds were used to promote ideological agendas on government property. **Senator Anthon** acknowledged the need to protect minority communities but believed government spaces should remain neutral. **Chairman Guthrie** voiced his support for the substitute motion and believed that the Canadian flag issue in Bonners Ferry should be addressed.
- ROLL CALL VOTE:** **Chairman Guthrie** requested a roll call vote. The substitute motion to send **H 561aa** to the 14th Order of Business for possible amendment failed by roll call vote with **Chairman Guthrie, Vice Chairman Bernt, Senators Anthon and Harris** voting aye and **Senators Den Hartog, Toews, Adams, Shippy, and Ruchti** voting nay.
- ROLL CALL VOTE:** **Chairman Guthrie** requested a roll call vote. The motion to send **H 561aa** to the floor with a **do pass** recommendation carried by roll call vote with **Vice Chairman Bernt, Senators Anthon, Den Hartog, Harris, Toews, Adams, and Shippy** voting aye and **Chairman Guthrie and Senator Ruchti** voting nay.
- NOTE:** **Chairman Guthrie** said that the Committee would not be able to consider **HCR 29** or **S 1376** at this time and they would be considered at the next meeting.
- ADJOURNED:** There being no further business at this time, Chairman Guthrie adjourned the meeting at 10:37 a.m.

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Senator Guthrie  
Chair

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Abby Rowe  
Secretary