

MINUTES
SENATE STATE AFFAIRS COMMITTEE

DATE: Wednesday, March 18, 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. and moved items on the agenda to accommodate schedules.

RS 33743 **Student Safety, Educator Disclosure. Senator Nichols** said this legislation would require applicants to disclose prior misconduct and enforce background checks for all educators. She explained that this would establish a statewide system to increase disciplinary action transparency to improve accountability.

MOTION: **Senator Toews** moved to send **RS 33743** to print. **Senator Bernt** seconded the motion. The motion carried by **voice vote**.

RS 33744 **Legislative Approval, Change Encounter Rate. Senator VanOrden** explained that this would improve legislative oversight by allowing federally qualified health centers and rural health centers to move from administrative rules to state law.

MOTION: **Senator Den Hartog** moved to send **RS 33744** to print. **Senator Toews** seconded the motion. The motion carried by **voice vote**.

RS 33721 **Endowment Land Commercial Leases. Senator Bernt** said this legislation would extend the maximum lease term on Idaho State Endowment lands from 49 years to 99 years.

MOTION: **Senator Adams** moved to send **RS 33721** to print. **Senator Toews** seconded the motion. The motion carried by **voice vote**.

RS 33660 **Canvassing, Signature Gatherers. Chairman Guthrie** said that this legislation would expand disclosure requirements for paid petition circulators advocating for or against individual candidates. He believed this would increase transparency for elections and political activities.

MOTION: **Senator Adams** moved to send **RS 33660** to print. **Senator Ruchti** seconded the motion. The motion carried by **voice vote**.

GUBERNATORIAL REAPPOINTMENT: **Committee consideration of the Gubernatorial reappointment of Jerry Aldape to the Idaho Endowment Fund Investment Board (Board)** to serve a term commencing April 11, 2025 and expiring April 11, 2029. **Mr. Aldape** said that he had served on the Board for 10 years and enjoyed his time. He shared that he was born and raised in Boise, Idaho and would like to continue serving in this capacity.

DISCUSSION: **Chairman Guthrie** asked Mr. Aldape to identify a challenge he expected the Board to encounter in the future. **Mr. Aldape** said he expected PERSI investments to be a challenge because their markets often fluctuated simultaneously. **Senator Harris** asked Mr. Aldape to identify a positive moment from his time on the Board. **Mr. Aldape** said during his first year on the Board they had received a return of 22% on \$3 billion which he thought was a good return on investment.

H 674 **TELECOMMUNICATION SERVICE - Amends and adds to existing law to revise provisions regarding the discontinuation of telecommunication service.** **Senator Den Hartog** explained that this legislation removed Idaho's state level review for discontinuing telecommunication services and would shift to rely solely on the Federal Communications Commission (FCC). She believed this would speed up infrastructure upgrades.

TESTIMONY: **Jeffery Fernous**, of Boise, Idaho, and **Brent Duvall**, testified against **H 674** for the following reasons:

- Maintaining state-level oversight;
- Concern for accessibility and maintenance in rural areas;
- Worry that using the FCC process would create unnecessary delays and harm.

DISCUSSION: **Senator Ruchti** asked Mr. Fernous to clarify his concern with this legislation. **Mr. Fernous** said that he was concerned that customers in rural areas would be left without coverage and reliable oversight. **Senator Ruchti** asked Mr. Fernous what kinds of businesses or customers rely on copper wire and could be affected by this. **Mr. Fernous** gave the example of volunteer emergency services and expressed concern about their ability to do their jobs if copper wires were not properly maintained or installed.

Senator Den Hartog closed by clarifying that services could not be discontinued unless there was an equivalent service available to replace it. She reiterated that this was meant to streamline regulation by removing a duplicative process allowing the FCC to deal with this issue directly. **Chairman Guthrie** asked Senator Den Hartog to confirm that services were not being cut off without replacement, especially in rural parts of Idaho. **Senator Den Hartog** said that was correct. **Senator Ruchti** pointed out that this legislation detailed two options, one of those being that another service was ready to replace a discontinued service. He asked Senator Den Hartog to clarify what the other option was. **Senator Den Hartog** said the other option was the FCC review process that prevented customers from being left without a service. **Sarah Bettwieser**, representing Cygnet, stated that her understanding of the purpose of this legislation was to streamline the efficiency of this process by removing a step she deemed to be duplicative.

TESTIMONY: **Robert Thoms**, representing Lumen Technologies, testified in favor of **H 674**. **Mr. Thoms** explained that this legislation did not reduce customer protection and retained all safeguards already enforced by the FCC. He echoed Ms. Bettwieser's comments about process streamlining and believed it would expand high-speed access even in rural areas.

DISCUSSION: **Senator Ruchti** asked Mr. Thoms why the current two processes prevented his company from succeeding. **Mr. Thoms** clarified that it did not prevent his company from succeeding but the current process was longer than necessary. He believed narrowing the process down to the FCC would speed up the process and prevent slow deployment of new fiber infrastructure in communities across Idaho. **Senator Ruchti** asked Mr. Thoms to confirm his understanding that this legislation would eliminate the Public Utilities Commission's involvement in the process and force Idaho to rely solely on the FCC. **Mr. Thoms** said that he would have to confirm that with his legal team but based on the information available to him, he thought that Senator Ruchti's understanding was correct.

Senator Den Hartog emphasized that the FCC being involved in this process meant that customer protections remained in place and reiterated that this would only eliminate unnecessary state-level review. **Senator Shippy** believed that specific language used in the legislation that indicated one protection option or another could be used had the possibility to leave protection gaps for customers. He suggested that this legislation use the term "and" instead of "or" to ensure that both federal approval and local conditions were met. **Senator Den Hartog** said that because the Committee voiced concerns about the impact of this legislation she would ask to hold it in Committee subject to call of the Chair so she could have time to properly address these issues. **Senator Toews** shared that he was comfortable moving this legislation forwards because to his knowledge, the FCC may not discontinue service without a comparable service ready to replace it.

MOTION: **Senator Ruchti** moved to hold **H 674** in Committee subject to call of the Chair. **Senator Shippy** seconded the motion.

DISCUSSION: **Senator Ruchti** thought that holding the bill in Committee was a positive next step due to expressed concern with removing state-level oversight and he believed it could cause small or rural communities to be overlooked. **Senator Shippy** supported the motion and echoed Senator Ruchti's concerns.

VOICE VOTE: The motion to hold **H 674** in Committee subject to call of the Chair carried by **voice vote**.

GUBERNATORIAL REAPPOINTMENT: **Committee consideration of the Gubernatorial reappointment of Charles "Skip" Smyser to the Idaho Lottery Commission (Commission)** to serve a term commencing January 1, 2026 and expiring January 1, 2031. **Mr. Smyser** shared that he lived in Parma, Idaho and was currently the Vice Chairman of the Idaho Lottery Commission. He expressed that he enjoyed his work and would like to continue serving on the Commission.

DISCUSSION: **Senator Harris** pointed out that Mr. Smyser worked closely on legislation for the Commission and asked him to share with the Committee what he was most proud of. **Mr. Smyser** said that they had given \$1.3 billion to Idaho public schools which he thought was an incredible accomplishment. **Senator Ruchti** shared that Mr. Smyser was welcoming and kind to him when he first joined the Legislature over 20 years ago. He said they had similar family dynamics and professional backgrounds and expressed that it was a pleasure to work with Mr. Smyser. **Chairman Guthrie** thanked Mr. Smyser for his friendship over the years and believed he was a great public servant.

GUBERNATORIAL REAPPOINTMENT: **Committee consideration of the Gubernatorial reappointment of Nikeela Black-Abrams to the Idaho State Racing Commission** to serve a term commencing November 22, 2025 and expiring November 22, 2031. **Ms. Black-Abrams** shared that she was a professional horse jockey for 14 years. She said that she had a passion for the sport which was why she and her husband bred and raised racehorses.

DISCUSSION: **Chairman Guthrie** acknowledged that the racing industry had faced several challenges over the year and asked Ms. Black-Abrams what the state of the racing industry was today. **Ms. Black-Abrams** said the industry was still facing challenges across the country but that was why she felt it was important to protect the integrity of the sport by serving on the Idaho State Racing Commission.

S 1391 **PROPERTY - Amends Senate Bill 1326 to provide for scope and applicability.** **Senator Harris** explained that this legislation would correct an oversight in **S 1326** that unintentionally restricted land surveyors from performing essential tasks. He said this would ensure surveying functions continue by preserving lawful entry and maintaining property owner notice requirements.

MOTION: **Senator Shippy** moved to send **S 1391** to the floor with a **do pass** recommendation. **Senator Bernt** seconded the motion. The motion carried by **voice vote**.

S 1389 **POLLING PLACES - Amends existing law to limit liability for owners of property used as a polling place.** **Senator Anthon** explained that this legislation would provide liability protection to private entities that volunteer their facilities to act as polling places. He said this would ensure rural communities had accessible voting locations because the protection would encourage property owners to participate by eliminating fear of liability.

DISCUSSION: **Senator Ruchti** asked Senator Anthon what measures the county took to ensure polling locations were safe for the public. **Senator Anthon** could not speak to specific county processes but believed counties would take it upon themselves to ensure locations were safe and accessible before they were selected to be polling places. **Chairman Guthrie** asked Senator Anthon where liability fell in the event of an issue if property owners were exempt. **Senator Anthon** explained that the county would be liable in the event of an issue and that property owners were only protected during the time polling had taken place.

TESTIMONY: **Wyatt Johnson**, representing the Idaho Trial Lawyers Association, testified against **S 1389** because he believed property owners should be held accountable for the conditions of their facilities and be liable for incidents.

DISCUSSION: **Senator Harris** asked where people would vote in a small town if facilities were not volunteered because property owners were afraid of liability during polling. **Mr. Johnson** said that regardless of where people were voting, there was a reasonable expectation that places were safe enough to enter.

MOTION: **Senator Harris** moved to send **S 1389** to the floor with a **do pass** recommendation. **Senator Toews** seconded the motion.

DISCUSSION: **Senator Shippy** voiced his support for the motion because he believed that counties would more than likely make sure polling facilities were safe before they were selected as polling locations. **Senator Ruchti** shared that he would support the motion because the county had a duty to implement safety checks, ensure polling facilities did not pose a public safety risk, and could be held liable if they botched that duty. **Chairman Guthrie** said that he would support the motion and viewed this as a preservation effort to make polling more accessible, especially in rural communities.

VOICE VOTE: The motion to send **S 1389** to the floor with a **do pass** recommendation carried by **voice vote**.

H 860 **PARENT AND CHILD - Amends existing law to provide for parental rights in medical decisions.** **Senator Anthon** explained that this legislation sought to revise and clarify parental rights in medical decision making. He requested that this legislation be sent to the 14th Order of Business for possible amendment in order to refine definitions and adjust provisions.

DISCUSSION: **Senator Shippy** asked Senator Anthon to clarify the amendments that he would hope to make in the 14th Order of Business. **Senator Anthon** said he would like to clarify the legal definitions related to evidence collection in sex crimes and drug testing for newborns.

TESTIMONY: **Ken McClure**, representing the Idaho Medical Association, **Jace Woods**, of Meridian, Idaho, and **Lee Flinn**, representing the Idaho Crisis and Suicide Hotline, testified in favor of **H 860** for the following reasons:

- Clarification on guidelines for medical providers giving emergency or prenatal treatment for minors;
- Allowed for babies to be drug tested without the consent of the parent;
- More accessibility to the crisis and suicide hotline without the consent of a parent;
- Allowed minors to receive necessary and timely medical treatment without parental intervention.

DISCUSSION: **Vice Chairman Bernt** commended Mr. Woods for the effort he put forth to spread awareness and stand up for youth on this issue. He encouraged Mr. Woods to keep doing important work on issues that were meaningful to him. **Senator Anthon** closed the discussion by emphasizing the importance of protecting children and balancing parental rights on these issues. **Chairman Guthrie** thanked Senator Anthon for his efforts on this issue and for bringing this legislation to the Committee.

MOTION: **Vice Chairman Bernt** moved to send **H 860** to the 14th Order of Business for possible amendment. **Senator Toews** seconded the motion.

DISCUSSION: **Vice Chairman Bernt** believed this legislation needed clarity and should be sent to the 14th Order of Business to receive necessary adjustments. He expressed gratitude for the bill sponsors for their work on this topic and emphasized how important these changes were for the safety of Idahoans.

VOICE VOTE: The motion to send **H 860** to the 14th Order of Business for possible amendment carried by **voice vote**.

H 549 **HOSPITAL DISTRICTS - Amends existing law to revise provisions regarding the dissolution of hospital districts.** **Senator Kohl** yielded his time to Representative Faye Thompson to talk about this legislation. **Representative Thompson** explained that this would remove the requirement of signatures from property owners to dissolve hospital districts, simplifying the process to only require qualified electors' signatures. She said this legislation aimed to reduce administrative burden and verification costs, especially in areas with many non-resident property owners.

DISCUSSION: **Senator Shippy** raised concern about removing the property owner signature requirement and pointed out that it would make it easier to dissolve local healthcare services. He asked Representative Thompson her thoughts on increasing the petition threshold to align with other districts. **Representative Thompson** shared that signature thresholds varied across the state which led her to believe that the 10% signature threshold this legislation required would be consistent with existing practices. She said that varying thresholds had not been an issue.

- TESTIMONY:** **Tom Grote**, of McCall, Idaho, testified in support of **H 549**. Mr. Grote believed that this was a way to make the petition process feasible by removing the difficult requirement to verify property owners. **Mr. Grote** said that the current law limited the ability for citizens to challenge or dissolve hospital districts and believed it should become a public voting issue.
- DISCUSSION:** **Chairman Guthrie** asked Mr. Grote his thoughts on the idea that a lower threshold would offset the difficult requirement to receive property owner signatures. **Mr. Grote** believed that even a 10% threshold would require significant effort as that could be hundreds of necessary signatures.
- TESTIMONY:** **Toni Lawson**, representing the Idaho Hospital Association, testified in opposition to **H 549**. **Ms. Lawson** believed that keeping the 10% threshold for petitions made hospital districts vulnerable compared to other special districts that had a 25% threshold or higher.
- DISCUSSION:** **Senator Vice Chairman** asked Representative Thompson if she was willing to amend this legislation to increase the 10% threshold to 20% or higher. **Representative Thompson** said she would be willing to do whatever the Committee decided. **Senator Shippy** expressed reservation about supporting the bill as it was currently written and believed it was necessary to come to a solution on the threshold percentage.
- MOTION:** **Senator Harris** moved to send **H 549** to the 14th Order of Business for possible amendment. **Vice Chairman Bernt** seconded the motion. The motion carried by **voice vote**.
- ADJOURNED:** There being no further business at this time, **Chairman Guthrie** adjourned the meeting at 9:40 a.m.

Senator Guthrie
Chair

Abby Rowe
Secretary