

MINUTES  
**SENATE STATE AFFAIRS COMMITTEE**

**DATE:** Monday, March 23, 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.

**MINUTES APPROVAL:** **Senator Den Hartog** moved to approve the Minutes of March 11, 2026. **Vice Chairman Bernt** seconded the motion. The motion carried by **voice vote**.

**MINUTES APPROVAL:** **Senator Ruchti** moved to approve the Minutes of March 13, 2026. **Senator Shippy** seconded the motion. The motion carried by **voice vote**.

**GUBERNATORIAL REAPPOINTMENT VOTE:** **Committee vote on the Gubernatorial reappointment of Bud Tracy to the State Building Authority. Senator Harris** moved to send the Gubernatorial reappointment of Bud Tracy to the State Building Authority to the floor with the recommendation that he be confirmed by the Senate. **Senator Toews** seconded the motion. The motion carried by **voice vote**.

**H 650** **STATE GOVERNMENT AND STATE AFFAIRS - Adds to existing law to provide for state sovereignty, jurisdictional presumption, and a limitation on federal power. Representative Judy Boyle** explained that this legislation would reaffirm the principles of federalism and emphasize that both state and federal governments operated simultaneously within the limits set by the U.S. Constitution. She said that currently Idaho had a federalism committee that met in between legislative sessions that addressed state-federal boundary issues and guided Idaho's position in related issues.

**TESTIMONY:** **Russ Hendricks**, representing the Idaho Farm Bureau, testified in support of **H 650. Mr. Hendricks** explained that the U.S. government was based on a system of checks and balances between the states and federal government. He argued that states in recent decades had not exercised their right to check the federal government and supported this legislation's goal which was to reaffirm state authority to do so.

**MOTION:** **Senator Shippy** moved to send **H 650** to the floor with a **do pass** recommendation. **Vice Chairman Bernt** seconded the motion. The motion carried by **voice vote**.

**Senator Adams** noted that when Idaho was declared a state, it was granted the same rights and privileges as the original 13 states.

**VOICE VOTE:** The motion to send **H 650** to the floor with a **do pass** recommendation carried by **voice vote**.

**TELECOMMUNICATION SERVICE - Amends and adds to existing law to revise provisions regarding the discontinuation of telecommunication service.** **Senator Den Hartog** explained this legislation addressed the discontinuation of telecommunication services when a replacement service was available and believed this would eliminate what was viewed as a duplicative state-level process. **Rick Gutierrez** of Lumen Technologies explained that currently, telecommunication providers had to go through state and federal entities to discontinue services in order to ensure that alternatives were readily available. He believed the Federal Communications Commission (FCC) process was thorough and that oversight by the Idaho Public Utilities Commission (PUC) was not necessary.

**DISCUSSION:**

**Senator Toews** asked Mr. Gutierrez if there was a cost increase or decrease when an alternative service was introduced. **Mr. Gutierrez** said that it depended and detailed different situations where the cost was likely to increase or decrease. **Vice Chairman Bernt** asked Mr. Gutierrez to explain the service replacement process. **Mr. Gutierrez** explained that alternative services were identified before a service filed for discontinuance and customers were notified promptly with great detail when a filing occurred. **Senator Ruchti** asked Mr. Gutierrez about the size of Lumen Technologies. **Mr. Gutierrez** said that Lumen Technologies was active in 16 states, that they were the main local exchange company, and that they provided local phone services to all 50 states. **Senator Ruchti** asked why this legislation was in the best interest of Idahoans. **Mr. Gutierrez** explained that this ensured reliable service for customers and emphasized that new technologies were prioritized which would prioritize best practice for customers. **Senator Ruchti** asked Mr. Gutierrez why it would be best not to have the Idaho PUC involved in this process. **Mr. Gutierrez** argued that it was an additional unnecessary step considering that federal oversight was mandatory already. **Senator Shippy** noted that the PUC evaluation standard was more strict than the FCC standard and questioned whether this legislation was good for customers. **Mr. Gutierrez** argued that the PUC would still have the opportunity to object to issues during FCC review and reiterated that the dual state and federal process was unnecessary. **Senator Shippy** sought clarification from Mr. Gutierrez on how this federal standard aligned with Idaho's strict requirements and voiced concern that this would override state-level protections. **Mr. Gutierrez** reassured Senator Shippy that no service could be discontinued without an alternative readily available, regardless of whether the review was done by the PUC of the FCC.

**Chairman Guthrie** said it was his understanding that this legislation would change the order of review. **Mr. Gutierrez** said that was a correct assessment. **Chairman Guthrie** asked if there was an appeal process in place for customers who were overlooked and left without service and what could mitigate increased costs for customers. **Mr. Gutierrez** said that he was not concerned that would happen and that he was not aware of any way to mitigate costs. **Senator Den Hartog** closed the discussion by reiterating that the FCC process had consumer protection policies in place and that this was simply an effort to streamline a duplicative process and get rid of an unnecessary step.

**MOTION:**

**Senator Harris** moved to send **H 674** to the floor with a **do pass** recommendation. **Senator Adams** seconded the motion.

**DISCUSSION:**

**Senator Ruchti** voiced concern about taking away state-level authority and relying solely on the FCC to care for Idahoans. **Senator Shippy** expressed he could not support the motion and echoed the concerns of Senator Ruchti. **Senator Toews** expressed support for the motion and believed this was a way to lower regulatory boundaries.

**ROLL CALL  
VOTE:**

**Chairman Guthrie** called for a roll call vote on the motion to send **H 674** to the floor with a **do pass** recommendation. **Vice Chairman Bernt, Senators Anthon, Den Hartog, Harris, Toews, and Adams** voted aye. **Chairman Guthrie, Senators Shippy, and Ruchti** voted nay. The motion carried.

**S 1365**

**ELECTION CAMPAIGN CONTRIBUTIONS AND EXPENDITURES - Amends existing law to provide an exemption for religious organizations in certain instances.** **Senator Shippy** explained that this legislation aimed to allow churches to participate in ballot initiatives and allow them to be exempt from financial reporting as long as their contributions did not exceed 10% of the previous year's total receipts. **Christian Welp** of the Idaho Catholic Church explained that churches were burdened under current law and believed this was a solution that allowed for ballot initiative participation and the protection of donor anonymity.

**DISCUSSION:**

**Chairman Guthrie** said that the specific language surrounding religious organizations in the legislation was broad and asked for a clear definition of what would fall under that category. **Mr. Welp** read the definition of a religious organization as defined by the U.S. Internal Revenue Service. **Chairman Guthrie** asked how the Secretary of State's Office was supposed to know what 10% was if the total receipts were not disclosed. **Mr. Welp** said that a church would not be required to disclose their total receipts of the previous year unless a claim was made that a church was spending more than 10% on a ballot initiative. **Senator Ruchti** explained to Mr. Welp that if that were the case, the damage would have already been done by the time a claim was submitted. **Mr. Welp** said that was correct. **Senator Ruchti** asked if it were wise to implement legislation that made it easy for entities to violate the law. **Mr. Welp** said that since the entities in question were churches that he did not foresee this being a problem and mentioned push-back he received last session when regulations were set in H 93. **Senator Ruchti** believed push-back on H 93 was due to the fact that churches directly benefited from taxpayer money. He asked Mr. Welp why churches should not have to play by the same rules as other taxpayers and entities do. **Mr. Welp** believed that they shouldn't because there were no benefits to being involved in ballot initiatives and that the main issue was the donor disclosure requirement.

**Senator Adams** asked Mr. Welp what was stopping churches and pastors from joining Political Action Committees (PACs) as a way of participating in ballot initiatives. **Mr. Welp** said churches would not create PACs and that the reason for any donation to the church would have to be known and he believed this would be an administrative nightmare for churches. **Senator Adams** asked what would happen if a future Secretary of State would not be okay with this kind of exception for religious organizations. **Mr. Welp** said that problem would have to be addressed through legislation if that problem arose in the future. **Chairman Guthrie** circled back to his previous question about how an accurate 10% contribution could be known without knowing what the total receipts of the previous year were. **Mr. Welp** reiterated that disclosure of total receipts would only be required if a substantial violation claim was made against a religious organization. **Senator Adams** asked Mr. Welp what would happen in the case that an Idaho church received out-of-state funds from partner churches to increase total receipts so that the allotted 10% were higher. **Mr. Welp** said that could already occur in the current state of the Idaho Sunshine Laws. **Senator Ruchti** noted that right now, churches were considered non-business entities and were limited to \$1,000 PAC contributions. He asked Mr. Welp if this legislation would affect that current standard. **Mr. Welp** said that would not change.

**TESTIMONY:** **Paul Lewer**, Pastor for the Well Reformed Church in Boise, Idaho, and **Alan Burrow**, Pastor in Meridian, Idaho, testified in support of **S 1365** for the following reasons:

- Created a chilling effect and burden on churches for ballot initiative participation;
- Historical precedent for church involvement in political activities;
- Need to protect the anonymity of church donors.

**DISCUSSION:** **Senator Adams** asked Pastor Lewer what stopped pastors or church members from joining a political pack to get involved in these issues. **Pastor Lewer** believed that they could do so, but having to do so was an infringement on his First Amendment right. **Senator Adams** asked Pastor Lewer, in his opinion, if the church was a tax-exempt institution. **Pastor Lewer** said he would have to think about that question in order to provide an answer. **Senator Ruchti** asked if, based on his testimony, Pastor Lewer believed there should not be campaign finance laws in general. **Pastor Lewer** said no, that was not his opinion. **Senator Ruchti** asked if campaign finance laws should not apply to churches because they were religious entities. **Pastor Lewer** said that this legislation would provide a reasonable compromise on that issue but that he would have to devote more study to that question before providing an answer. **Chairman Guthrie** noted that campaign finance laws were in place to protect the integrity of the process and believed mandatory reporting for churches would not infringe on the First Amendment.

**Chairman Guthrie** asked Pastor Burrow if parishioners should know about a church's spending on ballot initiatives. **Pastor Burrow** said if a church were to spend a significant amount of money on a ballot initiative it was likely that they would have a congregational meeting about it first. **Chairman Guthrie** noted that ballot initiatives were applicable to the entire state and asked what a religious organization would do to receive a state-wide blessing to participate. **Pastor Burrow** did not have a comment on that question but assured Chairman Guthrie that churches were not as well organized as was being alluded to in this discussion. **Senator Ruchti** asked Pastor Burrow why churches should have a separate set of rules. **Pastor Burrow** believed separate rules were necessary and said the church's constitutional rights were infringed upon by the current laws. **Senator Ruchti** asked Pastor Burrow if he believed campaign finance laws both at the state and federal level were unconstitutional and that church involvement in politics should be unregulated. **Pastor Burrow** said that was not what he was advocating for but he believed mandatory reporting of donors was burdensome for churches.

**Senator Ruchti** asked Idaho Secretary of State, Phil McGrane, to comment on his position regarding this legislation. **Secretary McGrane** explained that churches were becoming more involved in political activities and stated that current campaign finance laws pertaining to non-business entities was over-broad. He made a distinction between free speech and paid speech and believed that when money was involved, disclosure and transparency laws were constitutional and applicable. **Senator Ruchti** asked what the Secretary of State's Office did once a valid complaint was filed. **Secretary McGrane** explained that the validity of complaints were examined and once determined valid, an investigation would be launched into the ballot initiative practices of the religious organization, including the financial records of their donors. **Vice Chairman Bernt** asked about language pertaining to measures and wanted clarification on whether or not a recall election was included in that term. **Secretary McGrane** said he did not believe so but was corrected by **Senator Ruchti** who referred to Idaho Code indicating that a recall election

was considered a measure. **Secretary McGrane** noted that current campaign finance laws were outdated and advocated for the campaign finance legislation Senator Harris was working on.

**Senator Shippy** closed the discussion by arguing that churches should be able to participate in ballot initiatives without compromising the anonymity of their congregation. He believed that requiring a church to join a PAC in order to participate was restrictive and placed an unnecessary burden on religious organizations. **Chairman Guthrie** asked Senator Shippy to comment on the inability for the Secretary of State's Office to know if the 10% maximum threshold was exceeded without knowing their total receipts. **Senator Shippy** agreed, but said that if churches were to exceed 10% they would be opening themselves and their members up for disclosure. **Vice Chairman Bernt** asked about the loophole this could create for churches to participate in recall elections for candidates that did not fit their religious ideals. **Senator Shippy** acknowledged this potential for abuse but reiterated this legislation's purpose was to re-empower church participation in political activities and remove barriers currently in place. He said that if something like that were to happen, the Legislature could address that in the future. **Senator Toews** asked if Senator Shippy was willing to send **S 1365** to the amending order. **Senator Shippy** voiced his willingness to do that.

**MOTION:** **Senator Toews** moved to send **S 1365** to the 14th Order of Business for possible amendment. **Senator Den Hartog** seconded the motion.

**DISCUSSION:** **Senator Toews** believed this legislation could be tailored more carefully but ultimately thought that the risk of a church having to disclose their financial records was deterrence enough to exceed 10%. **Senator Adams** said he could not support the motion and was concerned about major unintended consequences. **Chairman Guthrie** voiced that his concerns were beyond technicalities that would be addressed in the amending order.

**MOTION:** **Senator Ruchti** moved to hold **S 1365** in Committee. **Senator Adams** seconded the motion.

**DISCUSSION:** **Senator Ruchti** was concerned about the separation of church and state and the possible blurred boundaries this legislation created. **Senator Adams** shared his support for the motion and listed several PACs had religious entities and church members at the forefront of their initiative. He encouraged those who want to participate in the many PAC options available to them.

**ROLL CALL VOTE:** **Chairman Guthrie** called for a roll call vote on the motion to hold **S 1365** in Committee. **Chairman Guthrie, Vice Chairman Bernt, Senators Harris, Adams, and Ruchti** voted aye. **Senators Anthon, Den Hartog, Toews, and Shippy** voted nay. The motion carried.

**PASSED THE GAVEL:** Chairman Guthrie passed the gavel to Vice Chairman Bernt.

**S 1411** **ELECTIONS - Amends and adds to existing law to require certain disclosures by individuals engaged in paid in-person canvassing activities and to revise provisions governing signature gatherers.** **Chairman Guthrie** explained that this legislation expanded disclosure requirements for paid campaigning. He said that there was a clear distinction between paid workers and volunteers, and that paid workers would need to identify themselves and their funding source. **Chairman Guthrie** believed this would address campaign transparency concerns.

**DISCUSSION:** **Senator Den Hartog** asked for clarification on her understanding that paid campaign workers have to disclose if they were funded by a candidate, and if so, the candidate must disclose that in their report. **Chairman Guthrie** said she was correct. **Chairman Guthrie** emphasized that this would not extend to candidates paying for certain things, such as meals, but extended to organized campaigns with paid employees.

**MOTION:** **Senator Ruchti** moved to send **S 1411** to the floor with a **do pass** recommendation. **Senator Anthon** seconded the motion. The motion carried by **voice vote** with **Senators Shippy** and **Toews** voting nay.

**ADJOURNED:** There being no further business at this time, **Vice Chairman Bernt** adjourned the meeting at 9:51 a.m.

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Senator Guthrie  
Chair

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Abby Rowe  
Secretary