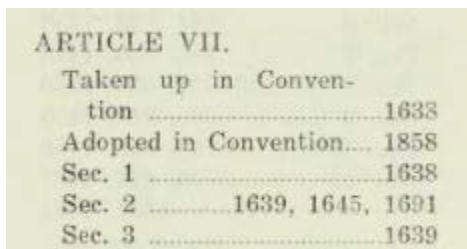


Wondering how to research the history of a constitutional provision?

Here are some tips!

1. If the section was part of the ORIGINAL Idaho Constitution, as written in 1889 and 1890, you can find the original constitutional convention debates on the section! The Internet Archive has digitized the two volumes of the 1889-1890 debates and we have provided links to them from our page with the [Idaho Constitution](#). In the back of Volume 2, on page 2117, there is an index by Article and Section Number which will tell you which pages discussion begins on the particular section you are interested in.

Example:



| ARTICLE VII. | |
|------------------------------|------------------|
| Taken up in Convention | 1638 |
| Adopted in Convention.... | 1858 |
| Sec. 1 | 1638 |
| Sec. 2 | 1639, 1645, 1691 |
| Sec. 3 | 1639 |

2. If the section was amended after 1891 but before 1960, there unfortunately will not be any legislative history to find on the resolution.
3. If the section was added or amended after 1960 but prior to 2003, it will be necessary to visit the legislative library to consult the paper committee minutes.
4. If the section was added or amended in 2003 or later, the process is the same as if you were researching any other piece of legislation from that time. Constitutional changes are made by joint resolution in the legislature, so look in your Idaho Code book, Constitution volume, and there should be a compiler's note about the "SJR" or "HJR" that made the change. Once you know the number, you can find the rest of the history online.

Here is an example:

Let us say that you are interested in researching the history of Art. I, Sec. 23 of the Idaho Constitution. Your code book provides the following information:

§ 23. The rights to hunt, fish and trap. — The rights to hunt, fish and trap, including by the use of traditional methods, are a valued part of the heritage of the State of Idaho and shall forever be preserved for the people and managed through the laws, rules and proclamations that preserve the future of hunting, fishing and trapping. Public hunting, fishing and trapping of wildlife shall be a preferred means of managing wildlife. The rights set forth herein do not create a right to trespass on private property, shall not affect rights to divert, appropriate and use water, or establish any minimum amount of water in any water body, shall not lead to a diminution of other private rights, and shall not prevent the suspension or revocation, pursuant to statute enacted by the Legislature, of an individual's hunting, fishing or trapping license.

STATUTORY NOTES

Compiler's Notes.

This section was proposed as an enactment to the Idaho Constitution by House Joint

Resolution No. 2 (2012). House Joint Resolution No. 2 was adopted by the electorate at the general election of November 2012.

Thus, you know the section was added by 2012 HJR 2. The next step is to visit the 2012 Legislative Session page. From the Legislature home page, select “Current & Prior Sessions” menu item:



From the Session dropdown box, choose “2012 Session and select 2012 Committee Minutes.”



Then click on the link for the minutes index.



Choose the House Resolutions link ...

| House Bills | | |
|-------------|---------|---|
| H0331 | RS24031 | House State Affairs 1-13, 1-26; Senate State Affairs 3-18 |
| H0332 | RS23989 | House Health & Welfare 1-15, 1-26; Senate Commerce & Human Resources 3-1 |
| H0333 | RS23997 | House Health & Welfare 1-15, 1-26; Senate Commerce & Human Resources 3-1 |

...and scroll down to HJR 12. Here you will find links to the bill itself and its Statement of Purpose, as well as links to the dates of Committee hearing discussion.

| | | |
|------------------------|---------|---|
| HJR002 | RS21525 | House Resources & Conservation 3-19 ; House Ways & Means 3-14 ; Senate Resources & Environment 3-26 |
|------------------------|---------|---|

You can also visit the Secretary of State's [web site](#) to see what arguments were put forth in favor of and against the proposed constitutional amendment in the Voter's Pamphlet.

Happy Researching!



For more information, please contact library@lso.idaho.gov or call us at (208) 334-4822.



The Legislative Reference Library is located on the first floor of the Idaho Capitol building.