

IN THE HOUSE OF REPRESENTATIVES

HOUSE JOINT RESOLUTION NO. 1

BY EDUCATION COMMITTEE

A JOINT RESOLUTION

1 PROPOSING AN AMENDMENT TO SECTION 5, ARTICLE IX, OF THE CONSTITUTION OF THE  
2 STATE OF IDAHO, RELATING TO THE PROHIBITION OF SECTARIAN APPROPRIATIONS  
3 TO PROVIDE THAT NOTHING IN SECTION 5, ARTICLE IX, OF THE CONSTITUTION  
4 OF THE STATE OF IDAHO, SHALL BE CONSTRUED TO PROHIBIT THE LEGISLATURE  
5 OR ANY COUNTY, CITY, TOWN, TOWNSHIP, SCHOOL DISTRICT OR OTHER PUBLIC  
6 CORPORATION FROM MAKING APPROPRIATIONS, PAYMENTS, GRANTS OR DONATIONS  
7 OF PUBLIC FUNDS OR MONEYS FOR THE PURPOSE OF PROVIDING GRANTS, SCHOL-  
8 ARSHIPS, LOANS OR OTHER ASSISTANCE TO STUDENTS OR PARENTS OF STUDENTS  
9 FOR EDUCATIONAL PURPOSES; STATING THE QUESTION TO BE SUBMITTED TO THE  
10 ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATE-  
11 MENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH  
12 THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.  
13

14 Be It Resolved by the Legislature of the State of Idaho:

15 SECTION 1. That Section 5, Article IX, of the Constitution of the State  
16 of Idaho be amended to read as follows:

17 SECTION 5. SECTARIAN APPROPRIATIONS PROHIBITED. Neither the  
18 legislature nor any county, city, town, township, school district,  
19 or other public corporation, shall ever make any appropriation,  
20 or pay from any public fund or moneys whatever, anything in aid  
21 of any church or sectarian or religious society, or for any sec-  
22 tarian or religious purpose, or to help support or sustain any  
23 school, academy, seminary, college, university or other literary  
24 or scientific institution, controlled by any church, sectarian or  
25 religious denomination whatsoever; nor shall any grant or donation  
26 of land, money or other personal property ever be made by the state,  
27 or any such public corporation, to any church or for any sectarian  
28 or religious purpose; provided, however, that a health facilities  
29 authority, as specifically authorized and empowered by law, may  
30 finance or refinance any private, not for profit, health facilities  
31 owned or operated by any church or sectarian religious society,  
32 through loans, leases, or other transactions; and provided further  
33 that nothing herein shall be construed to prohibit the legislature  
34 or any county, city, town, township, school district or other pub-  
35 lic corporation from making appropriations, payments, grants or  
36 donations of public funds or moneys for the purpose of providing  
37 grants, scholarships, loans or other assistance to students or par-  
38 ents of students for educational purposes.

39 SECTION 2. The question to be submitted to the electors of the State of  
40 Idaho at the next general election shall be as follows:

1           "Shall Section 5, Article IX, of the Constitution of the State of Idaho,  
2 be amended to provide that nothing in Section 5, Article IX, of the Consti-  
3 tution of the State of Idaho, shall be construed to prohibit the legislature  
4 or any county, city, town, township, school district or other public cor-  
5 poration from making appropriations, payments, grants or donations of pub-  
6 lic funds or moneys for the purpose of providing grants, scholarships, loans  
7 or other assistance to students or parents of students for educational pur-  
8 poses?".

9           SECTION 3. The Legislative Council is directed to prepare the state-  
10 ments required by Section 67-453, Idaho Code, and file the same.

11           SECTION 4. The Secretary of State is hereby directed to publish this  
12 proposed constitutional amendment and arguments as required by law.