

# HJR 28

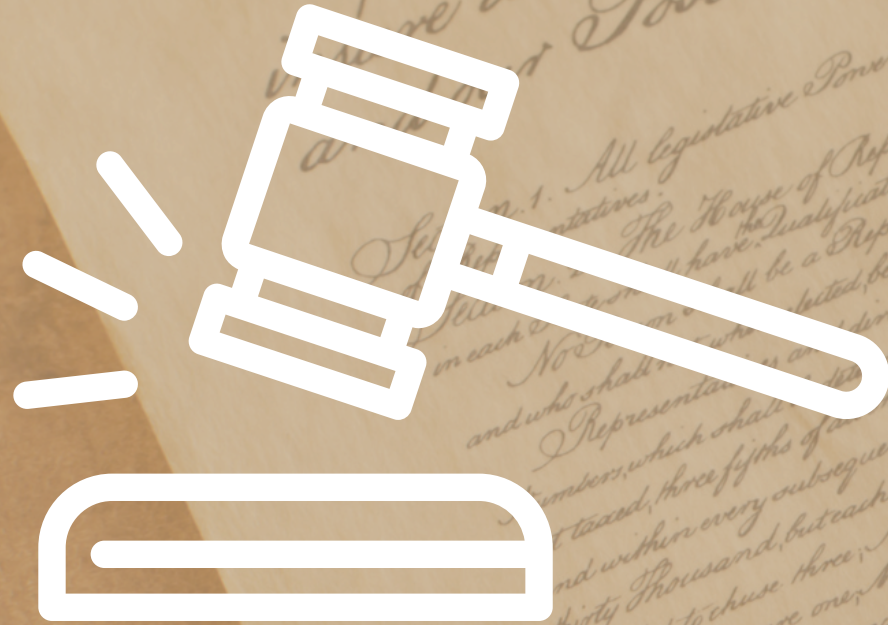
CONST. AM: EDUCATION FUNDING  
SPONSOR: HOUSE JUDICIARY COMMITTEE







# Superior Court Ruling threatens the educational funding of more than 22,000 students!



If left unaddressed, the ruling could have far-reaching implications for education funding across the state, jeopardizing many educational programs such as public school programs that partner with private institutions for concurrent enrollment programs and technical education.

[MORE INFORMATION](#)







# Blaine Amendment



**Blaine Amendments are found in 37 state constitutions.**

Although their language varies, a Blaine Amendment includes any provision that specifically prohibits state legislatures from appropriating funds to religious sects or institutions, including religious schools.

Blaine Amendments are named after a failed federal constitutional amendment introduced in the U.S. Congress by Sen. James G. Blaine of Maine in 1875





# Current Juris Prudence

## Lutheran Church v. Comer (2017)

The exclusion of churches from an otherwise neutral and secular aid program violates the First Amendment's guarantee of free exercise of religion

## Carson v. Makin (2022)

Maine's "nonsectarian" requirement for otherwise generally available tuition assistance payments to parents who live in school districts that do not operate a secondary school of their own violates the Free Exercise Clause of the First Amendment.

## Espinoza V. Montana Dep. of Revenue (2020)

The application of the Montana Constitution's Blaine Amendment regarding tuition assistance to parents who send their children to private schools discriminated against religious schools and the families who children attend or hope to attend in violation of the Free Exercise Clause







# Providing Flexibility

“I do not feel that when it comes to an appropriation of public funds it (religion) should receive any special, either more restrictive or more favored treatment. As Mr. White pointed out, the general stipulation is that funds be appropriated only for public purpose...”

The fact that it has left itself open to that kind of interpretation and, therefore, **it seems that if we give favored treatment or discriminatory treatment to this education section, what are we going to do when it comes to health, welfare and just anything else that may come out. I think the public purpose provision should be the only guidance when it comes to appropriating public funds.”**—

**Vic Fisher page 1529, Constitutional Convention Proceedings**







# Vote of the People



Should HJR 28 pass through both legislative bodies with a 2/3 vote, it will go to Alaskan voters, as a proposed amendment in the upcoming general election.

This ballot proposal allows the voters the opportunity to have a say in how public funds to have a say in how public funds are utilized for education, guaranteeing that the voice of every Alaskan is heard in charting the course of our educational journey.





Thank You!



REPRESENTATIVE

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