

A concerted effort is under way to change Alaska's **constitution** to open the way to spend public funds to educate students in religious and other private **schools**.

The Feb. 16 Compass article devoted to this cause anointed my fellow constitutional convention delegate Barrie White and me as "far seeing heroes" devoted to their cause. It then proceeded, knowingly or fallaciously, to turn the constitutional record on its head.

Let me here set the record straight and assure the surprised readers that neither Barrie nor I ever supported channeling public funds to private institutions. Barry is no longer with us, but my position has not changed.

School funding was extensively debated when this education language was before Alaska's constitutional convention:

The legislature shall by general law establish and maintain a system of public **schools** open to all children of the state and may provide for other educational institutions. **Schools** and institutions so established shall be free from sectarian control. No money shall be paid from public funds for the direct benefit of any religious or other private educational institution.

Nenana delegate Jack Coghill proposed inserting "or indirect" after the word "direct" to guarantee there would be no diversion of public education monies. He argued: "The people that are sending their children to private, parochial, or any other type of institution are segregating themselves from the public and therefore they should not derive the benefit from the tax dollar."

Opposition to Coghill's amendment focused mainly on the difficulty of defining its impact and the uncertainty that created. Although the proposal was defeated after lengthy debate, the record shows that not a single delegate objected to the basic premise that public funds were not to directly benefit religious and other private educational institutions.

Delegate Barrie White and I proposed that the whole third sentence dealing with funding be stricken. White stated its purpose was adequately covered by the bill of rights provision that "No law shall be made respecting an establishment of religion or prohibiting the free exercise thereof" and of the finance article requiring that public funds be appropriated only for a public purpose.

I agreed with Barrie that the finance article's public purpose clause was sufficient to cover the intent of the public education section. Not for a moment did I disagree with the principle of prohibiting public funding of private education. Nor did my friend Barrie White, a rock-ribbed Republican.

The convention overwhelmingly defeated our amendment, and the religious and private education funding restriction remains part of the **constitution's** education section.

It's now 2013. A proposed constitutional amendment is pending in the state house and senate. It would delete that third sentence and remove the **constitution's** private education funding restriction. (Section 1 of HJR 1 and SHR 9).

But that's not all this amendment would do.

Section 2 would expand the Public Purpose clause of the **constitution's** finance and taxation article. It now reads:

"No tax shall be levied, or appropriation of public money made, or public property transferred, nor shall the public credit be used, except for a public purpose."

The proposal would add:

"however, nothing in this section shall prevent payment from public funds for the direct educational benefit of students as provided by law."

If approved by the legislature and the voters, this amendment will allow -- through use of vouchers and other means -- the use of public funds for students in religious and other educational institutions. That, in turn, would directly benefit these religious and other institutions.

That's what is behind the Feb. 16 Compass piece. It's not to end religious discrimination, for such is not now part of Alaska's **constitution**. Our **constitution** is not out of conformance with the U.S. **Constitution**. It's not about some bugaboo "Blaine Amendment."

It's all about public funding of religious and private **schools**.

To reiterate, in 1956 I opposed use of public funds for the direct benefit of religious and other educational institutions, and I oppose that today. The constitutional amendment should be rejected.

Vic Fischer was a delegate to the Alaska Constitutional Convention. He also served in the territorial Legislature and the state Senate.

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