

Honorable Chairman Jay Elkin.

I wish to provide written testimony in opposition to House Bill 1532.

I will make my presentation brief.

#1) First, the Blaine Amendment. There has been much said about recent Supreme Court decisions regarding Blaine Amendments, however those decisions have all treated state financial support to private schools as an issue when secular private schools are funded and not religious schools. That is not what is being discussed in HB 1532. HB 1532 would provide funding to all private schools, but denying that aid is also permissible under U.S. Supreme Court case *Espinoza vs. Montana Dept. of Revenue*, the United States Supreme Court said "A State need not Subsidize Public Education." There has been talk that you can just "scratch out" the Blaine Amendment, I am not a constitutional Scholar, but it seems to me that there would have to be legislative action to Amend the North Dakota Constitution.

#2) Even if the above legal argument is false, I am opposed to HB 1532 because I believe that all schools funded by the state should have to play by the same rules. That is admit all students, submit to state the same reports that all schools have to, and provide the same accountability public schools do. That is simply not the case with private schools.

And, finally.

#3) There is, obviously, no benefit to rural students in this bill. There is a private elementary school in Langdon which is 30 miles from Munich, but other than that there are no opportunities for students in my District to even think of attending a private school. Quite honestly, because of the education provided to our students in Munich, I don't think many of them would want to anyway.

Please a urge a "no not pass" recommendation on HB 1532.