

HOUSE JOINT RESOLUTION No. 13

DIGEST OF HJ0013 (Updated January 24, 2007 10:50 am - DI 109)

Citations Affected: Article 8 of the Indiana Constitution.

Synopsis: Early learning trust fund. Establishes the early learning trust fund. Transfers the balance of the common school fund to the early learning trust fund. Allows the principal and income of the early learning trust fund to be used only for educational programs for children before entering primary school, including kindergarten. Repeals provisions requiring the common school fund to be invested for the benefit of the counties, requiring counties to preserve the common school fund, and requiring that all trust funds held by the state remain inviolate and be applied to the purposes for which the trust was created. This proposed amendment has not been previously agreed to by a general assembly.

Effective: This proposed amendment must be agreed to by two consecutive general assemblies and ratified by a majority of the state's voters voting on the question to be effective.

Porter

January 23, 2007, read first time and referred to Committee on Education.
January 26, 2007, reported — Do Pass. Recommitted to Committee on Ways and Means.

C
o
p
y



January 26, 2007

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

C
O
P
Y

HOUSE JOINT RESOLUTION No. 13

A JOINT RESOLUTION proposing an amendment to Article 8 of the Indiana Constitution concerning education finance.

Be it resolved by the General Assembly of the State of Indiana:

- 1 SECTION 1. The following amendment to the Constitution of the
- 2 State of Indiana is proposed and agreed to by this, the One Hundred
- 3 Fifteenth General Assembly of the State of Indiana, and is referred to
- 4 the next General Assembly for reconsideration and agreement.
- 5 SECTION 2. ARTICLE 8, SECTION 2 OF THE CONSTITUTION
- 6 OF THE STATE OF INDIANA IS AMENDED TO READ AS
- 7 FOLLOWS: Section 2. The ~~Common School~~ **Early Learning Trust**
- 8 Fund shall consist of **the following:**
- 9 (1) The Congressional Township fund, and the lands belonging
- 10 thereto.
- 11 (2) The Surplus Revenue fund.
- 12 (3) The Saline fund and the lands belonging thereto.
- 13 (4) The Bank Tax fund, and the fund arising from the one hundred

HJ 13 — HJ9224/DI 51+



- 1 and fourteenth section of the charter of the State Bank of Indiana.
- 2 **(5)** The fund to be derived from the sale of County Seminaries,
- 3 and the moneys and property heretofore held for such Seminaries;
- 4 from the fines assessed for breaches of the penal laws of the State;
- 5 and from all forfeitures which may accrue.
- 6 **(6)** All lands and other estate which shall escheat to the State, for
- 7 want of heirs or kindred entitled to the inheritance.
- 8 **(7)** All lands that have been, or may hereafter be, granted to the
- 9 State, where no special purpose is expressed in the grant, and the
- 10 proceeds of the sales thereof; including the proceeds of the sales
- 11 of the Swamp Lands, granted to the State of Indiana by the act of
- 12 Congress of the twenty eighth of September, eighteen hundred
- 13 and fifty, after deducting the expense of selecting and draining the
- 14 same.
- 15 **(8)** Taxes on the property of corporations, that may be assessed by
- 16 the General Assembly for ~~common school~~ **Early Learning Trust**
- 17 **Fund** purposes.
- 18 **(9)** All funds that were held in or repayable to the **Common**
- 19 **School Fund** before the establishment of the **Early Learning**
- 20 **Trust Fund**.
- 21 **(10)** Such other funds as may be appropriated to the Fund by
- 22 the General Assembly or received as gifts.

23 SECTION 3. ARTICLE 8, SECTION 3 OF THE CONSTITUTION
 24 OF THE STATE OF INDIANA IS AMENDED TO READ AS
 25 FOLLOWS: Section 3. The principal of the ~~Common School~~ **Early**
 26 **Learning Trust** Fund shall remain a perpetual fund, which may be
 27 increased, but shall never be diminished; and the income thereof shall
 28 be inviolably appropriated to the support of ~~Common Schools;~~
 29 **educational programs for children in kindergarten and**
 30 **pre-kindergarten** and to no other purpose whatever.

31 SECTION 4. ARTICLE 8, SECTION 4 OF THE CONSTITUTION
 32 OF THE STATE OF INDIANA IS AMENDED TO READ AS
 33 FOLLOWS: Section 4. The General Assembly shall invest ~~the~~ **Early**
 34 **Learning Trust Fund** in some safe and profitable manner ~~at such~~
 35 ~~portions of the Common School fund, as have not heretofore been~~
 36 ~~entrusted to the several counties;~~ and shall make provision, by law, for
 37 the distribution among ~~the several counties;~~ of the **principal of and**
 38 **interest thereof: income on the Fund for educational programs for**
 39 **children in kindergarten or pre-kindergarten.**

40 SECTION 5. THE CONSTITUTION OF THE STATE OF
 41 INDIANA IS AMENDED BY STRIKING OUT ARTICLE 8,
 42 SECTION 5.

C
o
p
y



1 SECTION 6. THE CONSTITUTION OF THE STATE OF
2 INDIANA IS AMENDED BY STRIKING OUT ARTICLE 8,
3 SECTION 6.

4 SECTION 7. THE CONSTITUTION OF THE STATE OF
5 INDIANA IS AMENDED BY STRIKING OUT ARTICLE 8,
6 SECTION 7.

**C
o
p
y**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Joint Resolution 13, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

PORTER, Chair

Committee Vote: yeas 7, nays 5.

**C
o
p
y**

