Idaho JF495. I2 1994

(Facsimile Ballot)

PROPOSITION ONE

AN ACT ESTABLISHING STATE POLICIES REGARDING HOMOSEXUALITY.

Initiative relating to homosexuality and the state's authority to afford homosexuals minority status; enacting a new chapter, chap. 80, title 67, Idaho Code: providing that no state agency, department or political subdivision shall grant minority status to persons who engage in homosexual behavior; providing that same-sex marriages and domestic partnerships shall not be legally recognized; providing that elementary and secondary school educators shall not discuss homosexuality as acceptable behavior; providing that no state funds shall be expended in a manner that has the effect of accepting or approving homosexuality; limiting to adults access to library materials which address homosexuality; providing that private sexual practices may be considered non-job factors in public employment; and providing a severability clause.

Shall the above-entitled measure proposed by Proposition One be approved?

YES ☐

NO ☐

Text of Proposed Law
Proposition One

Be it enacted by the people of the State of Idaho:

Section 67-8001. Purpose of Act. The provision of Title 67, Chapter 80 of the Idaho Code are enacted by the people of the State of Idaho in recognition that homosexuality shall not form the basis for the granting of minority status. This chapter is promulgated in furtherance of the provisions of Article 3, Section 24 of the Constitution of the State of Idaho.

Section 67-8002. Special Rights for persons who engage in homosexual behavior prohibited. No agency, department, or political subdivision of the State of Idaho shall enact or adopt any law, rule, policy, or agreement which has the purpose or effect of granting minority status to persons who engage in homosexual behavior, solely on the basis of such behavior; therefore, affirmative action, quota preferences, and special classifications such as "sexual orientation" or similar designations shall not be established on the basis of homosexuality. All private persons shall be guaranteed equal protection of the law in the full and free exercise of all rights enumerated and guaranteed by the U.S. Constitution, the Constitution of the State of Idaho, and federal and state law. All existing civil rights protections based on race, color, religion, gender, age, or national origin are reaffirmed, and public services shall be available to all persons on an equal basis.

Section 67-8003. Extension of legal institution of marriage to domestic partnerships based on homosexual behavior prohibited. Same-sex marriages and domestic partnerships are hereby declared to be against public policy and shall not be legally recognized in any manner by any agency, department, or political subdivision of the State of Idaho.

Section 67-8004. Public Schools. No employee, representative, or agent of any public elementary or secondary school shall, in connection with school activities, promote, sanction, or endorse homosexuality as a healthy, approved or acceptable behavior. Subject to the provisions of federal law, any discussion of homosexuality within such schools shall be age-appropriate as defined and authorized by the local school board of trustees. Counseling of public school students regarding such students' sexual identity shall conform in the foregoing.

Section 67-8005. Expenditure of public funds. No agency, department or political subdivision of the State of Idaho shall expend public funds in a manner that has the purpose or effect of promoting, making acceptable, or expressing approval of homosexuality. This section shall not prohibit government from providing positive guidance toward persons experiencing difficulty with sexual identity. This section shall not limit the availability in public libraries of books and materials written for adults which address homosexuality, provided access to such materials is limited to adults and meets local standards as established through the normal library review process.

Section 67-8006. Employment factors. With regard to public employees, no agency, department or political subdivision of the State of Idaho shall forbid generally the consideration of private sexual behaviors as non-job factors, provided that compliance with Title 67, Chapter 80, Idaho Code is maintained, and that such factors do not disrupt the work place.

Section 67-8007. Severability. The people intend, that if any part of this enactment be found unconstitutional, the remaining parts shall survive in full force and effect. This section shall be in all parts self-executing.

Argument IN FAVOR of Proposition One

Read Proposition 1 for yourself, and you'll see that liberal media distortions and outright lies by homosexual activists are totally false.

Read the whole truth for yourself, and see why you should **VOTE YES ON PROPOSITION 1:**

* Section 1 reaffirms that *all* Idahoans (homosexuals included) are guaranteed fundamental equal rights established for all citizens by the Constitution.

If you agree with the 77 percent of Idahoans who believe all citizens should have equal rights, not special rights, please **VOTE YES ON PROPOSITION 1.** (All percentages based on data from CPS Inc., an independent Boise polling firm.)

* Section 2 states that Idahoans oppose changing state, county, or city laws to give homosexuals the special right of being classified a minority.

Every time minority status is granted by law to a particular group, it leads to special job quotas, scholarships, contracts, and other preferential treatment required by law.

This reverse discrimination is wrong -- whether it's forcing a small business to pass over other job applicants to hire a homosexual ... or forcing our universities to reject better qualified students to fill a prescribed quota of homosexuals.

If you agree with the 72 percent of Idahoans who believe our state law should NOT be amended to establish special minority status for homosexuals, please **VOTE YES ON PROPOSITION 1.**

* Section 3 safeguards the most fundamental institution of our civilization and society, the cornerstone of Idaho's traditional values and our American heritage: *the family.*

Just as important, it prevents private and public employers from being forced by law to add homosexual "partners" to the family health and benefit plans provided to employees.

If you agree with the 75 percent of Idahoans who believe the institution of marriage under state law should NOT be distorted to include homosexual "partners", please **VOTE YES ON PROPOSITION 1.**

* Section 4 protects Idaho's most precious inhabitants -- our young children -- from being indoctrinated in public school classrooms to believe homosexual behavior is "normal" or "healthy". It strengthens your local school board's authority to prevent "teaching" on the issue of homosexuality which undermines your child's family or religious values.

If you agree with the 80 percent of Idahoans who believe our public school classrooms should NOT be used to promote homosexual behavior as a "legitimate alternative lifestyle", please **VOTE YES ON PROPOSITION 1.**

* Section 5 makes it illegal for politicians or government at any level to spend your tax dollars to promote, encourage, or express approval of homosexual behavior.

If you agree with the overwhelming majority of Idahoans who believe it's wrong to force taxpayers to finance the political propaganda of homosexual activists, please **VOTE YES ON PROPOSITION 1.**

THERE *IS* A GAY AGENDA:

In Boise's *Idaho Statesman* newspaper, August 4, 1992, the ACLU "Gay and Lesbian Task Force" announced plans to pressure the Legislature and our local governments to impose this radical "gay rights" agenda on the people of Idaho.

You and your family can **protect our children from the promotion of homosexuality in the public schools.**

PLEASE ... VOTE YES ON PROPOSITION 1.

Senator Jerry Thorne

Rebuttal to Argument in Favor of Proposition One

Most people who have studied Proposition 1 oppose it. Why?

The language of the proposition certainly sounds simple.

Or is it just deceptively simple?

The important thing in looking at a law is to examine what it will DO, not just what it says. Proposition 1 does things that Idahoans neither need, nor desire:

It censors books, magazines, and newspapers in libraries.

It encourages even more government intrusion in our lives, and raises taxes to pay for it.

It puts us into an expensive and pointless court fight over constitutional issues.

Unintended negative consequences are often the problem we suffer when government is brought in to solve problems that are best solved in our communities, between families, friends, and neighbors.

Think, for a moment, if we need to embark on this radical experiment. Can we afford for Idaho to be the guinea pig?

Gays & lesbians in Idaho do not have special rights, and do not want them.

Even if they asked Idaho's legislature to do something, do you think our conservative legislature would? Honestly?

Shouldn't local school districts be able to decide for themselves what should be taught in local schools, without state laws.

Many well meaning people initially like some of what Proposition 1 says, but after studying what it does, and what it would cost, decide to vote no on Proposition 1. They have decided that we don't need this divisive measure in our state. Join them.

Please, vote NO on Proposition 1.

No On 1 Coalition
Brian Bergquist
Les Bock

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Argument AGAINST Proposition One

Our state's leaders have spoken with a bipartisan and uncommonly unified voice:

Proposition One goes too far, and is bad for Idaho.

Idaho's leaders - political, religious, and civic-urge citizens to oppose Proposition One for many and varied reasons. Some see Proposition One as an attempt by out of state radical right groups to promote government intrusion into the private lives of ordinary citizens. Others believe it is unnecessary, divisive, and a danger to our communities. Most believe that this unconstitutional initiative will cost taxpayers millions of dollars, while diverting attention and resources from the real issues that most Idahoans find critical: crime, taxes, growth, education. Still other believe that Proposition One will set a precedent for taking control from citizens at local cities, libraries, and school boards, and putting it in the hands of state bureaucrats and high-priced lawyers. Many believe it will promote discrimination.

It's a real can of worms.

You'll hear outrageous and unfounded claims about gays and lesbians from the Proposition One supporters - including that homosexuals want special protections. Don't be misled by scare tactics. This Proposition is about the out of state radical right bringing its agenda to Idaho. Homosexuals are NOT seeking special protections from the Idaho legislature.

Idaho Senator Larry Craig made a good point. "I believe Idaho law is both adequate and correct in that it does NOT contain any special protections for alternative sexual preferences. Nor does any such provision seem imminent."

Attorney General EchoHawk has twice ruled Proposition One unconstitutional. Both the Republican and Democratic candidates for Attorney General agree. Congressman Crapo has indicated that he believes Proposition One violates the Constitution's protections of speech, association, and equal protection. Even Proposition One's proponents believe that our Supreme Court will strike it down.

Additionally, Idaho librarians estimate that taxpayers will spend millions of dollars more in new property taxes just to implement Proposition One in our libraries. Commonly available books and most newspapers and magazines will be censored and restricted. The initiative's proponents don't mind. It's your money.

The radical right's goal is clear: they know how you should live your life, and they will use the government to force you to do it. Is that the Idaho way? Idaho citizens believe that individual rights and liberties should take precedence over government mandates; that we are a people who believe in "live and let live."

Perhaps Barry Goldwater, former senator from Arizona and Republican nominee for president in 1964 said it best:

"The radical right has nearly ruined our (the Republican) party. Its members do not care enough about the Constitution, and they are the ones making all the noise. The party faithful must not let it happen. Anybody who cares about real moral values understands that this Proposition isn't about granting special rights - it's about protecting basic rights."

Whether Republican, Democrat, or Libertarian, leaders and common citizens across the political spectrum in Idaho are united in their belief:

Vote NO on Proposition One.

No On 1 Coalition
Brian Berquist
Les Bock

Rebuttal to Argument Against Proposition One

The truth:

4-93. "March on Washington" demands:

*Legalization of sex with children.

*Forcing public schools to teach "gay history".

Boise's *Statesman* (8-4-92). ACLU "Gay & Lesbian Task Force", announces plans to push following agenda:

*Repeal "infamous crime against nature" law (violation of which killed two-year old Meridian boy in July).

*Amend marriage law to include homosexual "partners".

While national activists sue to force the Boy Scouts to accept homosexuals, three lesbians promote "homosexual parenting" in a Meridian High classroom.

University of Idaho and Troy City Council grant minority status to homosexuals.

"The Lesbian Sex Book" (Illustrated) is available to children in Boise's public library. (Since society doesn't tolerate public libraries making *Penthouse* available to minors, why do liberals insist that materials promoting homosexual behavior must be available to children?)

EACH OF THESE HOMOSEXUAL ADVANCES IN IDAHO WOULD BE PROHIBITED BY PROPOSITION 1.

Finally, let's be blunt about politicians so anxious to avoid criticism by the liberal media that they abandon their own party's principles, as in the Republican national platform's clearly stated opposition to "protected minority" status, same-sex marriages, or military recruitment of homosexuals.

Fortunately, so important a task as protecting Idaho's children is not left to such timid bureaucrats.

Only you, as citizen and parent, have the power to stop the drive for "Gay Power" in Idaho . . . by VOTING YES ON PROPOSITION ONE.

PLEASE VOLUNTEER YOUR TIME, TALENTS, AND FINANCES TO HELP THIS IMPORTANT EFFORT.

Senator Jerry Thorne

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