

SENATE RESOLUTION NO. 301

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - THIRD SPECIAL SESSION

BY SENATORS GREEN, Austerman, Cowdery, Davis, Donley, Ellis, Elton, Halford, Hoffman, Kelly, Leman, Lincoln, Olson, Phillips, Stevens, Taylor, Therriault, Torgerson, Ward, Wilken

Introduced: 6/26/02

Referred: Taken up

A RESOLUTION

1 **Relating to the Pledge of Allegiance.**

2 **BE IT RESOLVED BY THE SENATE:**

3 **WHEREAS** this country was founded on religious freedom by founders, many of
4 whom were deeply religious; and

5 **WHEREAS** the First Amendment to the United States Constitution embodies
6 principles intended to guarantee freedom of religion both through the free exercise of religion
7 and by prohibiting the government's establishing a religion; and

8 **WHEREAS** the Pledge of Allegiance was written by Francis Bellamy, a Baptist
9 minister, and was first published in the September 8, 1892, issue of Youth's Companion; and

10 **WHEREAS**, in 1954, the United States Congress added the words "under God" to the
11 Pledge of Allegiance; and

12 **WHEREAS** President Eisenhower, in adding these words, said "These words will
13 remind Americans that despite our great physical strength we must remain humble. They will
14 help us to keep constantly in our minds and hearts the spiritual and moral principles which

1 alone give dignity to man, and upon which our way of life is founded."; and

2 **WHEREAS**, for nearly 50 years, the Pledge of Allegiance has included references to
3 the United States flag and the country; this country, has been established as a union, "under
4 God" being dedicated to securing "liberty and justice for all"; and

5 **WHEREAS**, in 1954, the United States Congress believed it was acting
6 constitutionally when it revised the Pledge of Allegiance; and

7 **WHEREAS** the Senate of the 107th United States Congress believes that the Pledge
8 of Allegiance is not an unconstitutional expression of patriotism; and

9 **WHEREAS** patriotic songs, engravings on United States legal tender, engravings on
10 federal buildings, and the Preamble to the Constitution of the State of Alaska also contain
11 general references to "God"; and

12 **WHEREAS**, in accordance with decisions of the United States Supreme Court, public
13 school students cannot be forced to recite the Pledge of Allegiance without violating their
14 First Amendment rights; and

15 **WHEREAS** the Congress expects that the United States Court of Appeals for the
16 Ninth Circuit will rehear the case of Newdow v. U.S. Congress, en banc, and resolves to
17 instruct the Senate Legal Counsel to seek to intervene in the case to defend the
18 constitutionality of the Pledge of Allegiance;

19 **BE IT RESOLVED** that the Alaska State Senate concurs with and supports the
20 United States Senate in challenging the United States Court of Appeals for the Ninth Circuit
21 in its decision of Newdow v. U.S. Congress, en banc.

22 **COPIES** of this resolution shall be sent to the Honorable George W. Bush, President
23 of the United States; the Honorable Richard B. Cheney, Vice-President of the United States
24 and President of the U.S. Senate; the Honorable Robert C. Byrd, President Pro Tempore of the
25 U.S. Senate; the Honorable J. Dennis Hastert, Speaker of the U.S. House of Representatives;
26 and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and
27 the Honorable Don Young, U.S. Representative, members of the Alaska delegation in
28 Congress.