

S B

77

Alaska State Legislature

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Judiciary Committee

Member,
Resources Committee
Rules Committee
Committee on Committees



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Senator Robin L. Taylor

SPONSOR STATEMENT

Senate Bill 77

In 1952, the US Congress resolved that a National Day of Prayer be established, with the specific date subject to Presidential proclamation. On May 5, 1988, President Ronald Reagan signed into law a bill setting aside the first Thursday in May each year as the National Day of Prayer.

Senate Bill 77 would also mark the first Thursday in May as the Alaska Day of Prayer.

Observance of a Day of Prayer is as old as the nation itself and in fact pre-dates the Declaration of Independence. George Washington first proclaimed a day of prayer in 1775, during the First Continental Congress.

Thomas Jefferson, who termed the First Amendment "a wall of separation between church and state", said he was convinced that a man's natural right to religious expression was not in opposition to his political function.

Establishment of a Day of Prayer in Alaska follows a tradition dating back to the Founding Fathers. It would encourage Alaskans to pray without compelling them to do so.

District A:

Hyder • Ketchikan • Kupreanof • Meyers Chuck • Petersburg • Saxman • Sitka • Wrangell

Public Law 100-307
100th Congress

One Hundredth Congress of the United States of America

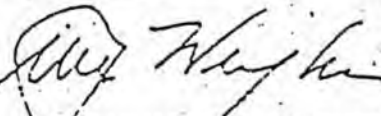
AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the twenty-fifth day of January,
one thousand nine hundred and eighty-eight*

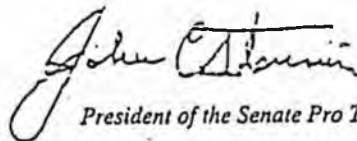
An Act

To provide for setting aside the first Thursday in May as the date on which the
National Day of Prayer is celebrated.

*Be it enacted by the Senate and House of Representatives
of the United States of America in Congress assembled,
That the joint resolution entitled "Joint Resolution
to provide for setting aside an appropriate day as a National
Day of Prayer," approved April 17, 1952 (Public Law 82-
324; 66 Stat. 64), is amended by striking "a suitable day
each year, other than a Sunday", and inserting in lieu
thereof "the first Thursday in May in each year".*



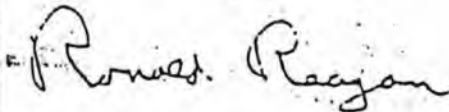
Speaker of the House of Representatives.



President of the Senate Pro Tempore.

APPROVED

MAY - 5 1988





Historical Significance of National Day of Prayer—An American Tradition

The Declaration of Independence—our first statement as Americans of national purpose and identity—made “the Laws of Nature and of Nature’s God” the foundation of the United States of America. The Declaration further asserted that people have inalienable rights that are God-given. These rights are not conferred by civil government, whose express task is to secure those “inalienable” rights.

Fifteen years later, the First Amendment to the U.S. Constitution gave a preeminent position to the right of free exercise of religion and to the protection of that right by prohibiting any “law respecting an establishment of religion.”

In his (Virginia) Bill for Establishing Religious Liberty, Thomas Jefferson wrote that a person’s religious beliefs do not disqualify him from holding public office. He also said that “all men shall be free to profess . . . their opinions in matters of religion . . .” without negatively affecting their standing in the government. Moreover, contrary to popular belief, Jefferson maintained that federal officials could open their meetings with prayer or call the public to prayer on a given day.

In his famous 1802 letter to a Connecticut religious association, President Jefferson termed the First Amendment a “wall of separation between church and state,” but said he was “convinced that a man’s natural right” to religious expression is not in opposition to his political function (“social duties”).

James Madison agreed, writing in 1785 in support of Jefferson’s bill, that “. . . in matters of religion, no man’s right is abridged by the institution of civil society (government).” Both Madison and Jefferson expressed a consensus among the founders of our political system—that the exercise of religious rights, properly understood, did not “interfere” with the performance of governmental duties.

Consequently, all people are free to profess their religious beliefs without governmental interference or prohibition, whether in their capacities as government officials, teachers, neighbors or parents. By extension they are also free to encourage their fellow citizens to pray. The Jeffersonian “separation between church and state,” understood correctly in the light of the Declaration of Independence, means only that a church and a civil government are separate and distinct institutions. It does not mean government must be hostile toward religion, or seek to eliminate religious content from public forums. In the *Everson v. Board of Education* (1947) case, in which the U.S. Supreme Court first used the “wall of separation” phrase, the Court summarized its meaning: “Neither a state nor the federal government can set up a church.”

To date, the only practices which have been held unconstitutional by the Supreme Court as an “establishment” of religion are religious training, prayer, Bible reading and posting of the Ten Commandments when directed and required by the government, as well as government-directed and authorized periods of silence in public schools.

Because of our founding fathers’ faith, civic prayers and national days of prayer have a long and venerable history in our constitutional republic, dating back to the First Continental Congress in 1775. The Supreme Court has affirmed the right of state legislatures to open their sessions with prayer as recently as *Marsh v. Chambers* (1983). The Supreme Court and the U.S. Congress both begin each day with prayer.

The founders understood one other fundamental principle concerning our religious liberty. It is, in the words of the Virginia Declaration of Rights, that religion is a “duty which we owe to our Creator” rather than to men, “according to the dictates of conscience.” Religion must not, therefore, be required or enforced by the civil government. Yet the government may encourage its citizens to pray without compelling them to do so.

In 1952, Congress unanimously passed a joint resolution (signed by President Harry Truman) establishing the annual National Day of Prayer. This law was amended in 1988 and signed by President Ronald

Reagan, permanently designating the first Thursday in May as the National Day of Prayer.

In 1994, New Jersey became the first state to pass a law, coinciding with federal law, declaring the first Thursday in May as a day of prayer in that state. Likewise, the Alabama Legislature has passed a state resolution establishing a day of prayer there as well. As a result, many other states are now considering similar legislation.

The National Day of Prayer celebrates our country's rich heritage of prayer. Like any other national celebration, the National Day of Prayer reflects a particular aspect of our history and common culture. In a spirit of tolerance and democracy, the event encourages all American citizens to see beyond themselves, without coercion or specific ideology. Just as our leaders (mayors, governors, even the President) help to promote other events which build up the common good, it is entirely appropriate that they encourage spirituality in us as well. The National Day of Prayer's constitutionality is clearly established by time and use. It gives Americans the choice to join with their leaders in acknowledging their dependence on the highest government of all.

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FISCAL NOTE

No. 1
 Bill Version: SB 77
 (S) Publish Date: 2/26/97

STATE OF ALASKA
 1997 LEGISLATIVE SESSION

Revision Date: _____ Dept. Affected: NONE
 Title: A DAY OF PRAYER BRU: _____
 Component: _____
 Sponsor: SEN. TAYLOR
 Requester: SENATE STATE AFFAIRS COMPONENT SERIAL NO. _____

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY97) cost: \$ _____

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Prepared by: TUCKERMAN BABCOCK
 Division: SPECIAL ASSISTANT
 Approved by Commissioner: Lynne Green
 Agency: LEGISLATIVE

Phone: 465-6600
 Date: _____
 Date: 26 Feb 97

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Senator Robin L. Taylor

MEMORANDUM

**TO: Representative Jeannette James, Chairman
House State Affairs Committee**

FROM: Senator Robin Taylor *R.L.T.*

DATE: 3/7/97

RE: Hearing Request - SB 77

Please consider this my formal request for a hearing before the House State Affairs Committee on Senate Bill 77 at your earliest convenience.

This bill would establish the first Thursday in May as a State Day of Prayer in Alaska, coinciding with the National Day of Prayer established by Congress.

Thank you for your consideration of this request.

District A:

Hyder • Ketchikan • Kupreanof • Meyers Chuck • Petersburg • Saxman • Sitka • Wrangell

(7)

Date Referred to Committee: March 7, 1997

FURTHER REFERRALS:

Date of Committee Action: 3/20/97

The STATE AFFAIRS Committee considered:

SB

SENATE BILL NO. 77

ALASKA DAY OF PRAYER

"An Act relating to the Alaska Day of Prayer."

recommends it be replaced with the following committee substitute _____ the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) APPROVES PREVIOUS: (Dept/Date)

fiscal note(s) _____ fiscal note(s) _____

zero fiscal note(s) _____ zero fiscal note(s) None

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Joannette James</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>			✓	
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			

CHAIR'S SIGNATURE *Joannette James*