

**SJR**

**25**

# SENATE COMMITTEE REPORT

## First Committee of Referral

DATE: 4/22/99

FURTHER:

Date of 5-Day Notice: \_\_\_\_\_  
(in accordance with Uniform Rule 23)

DATE TURNED  
IN TO OFFICE: \_\_\_\_\_

Judiciary Committee considered

SENATE JOINT RESOLUTION NO. 25

Relating to voluntary school prayer.

and recommends:

- be replaced with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to the \_\_\_\_\_ Committee

- Senate Bill:**
- same title
  - new title
- House Bill:**
- same title
  - technical title
  - new: SCR# \_\_\_\_\_

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
		<i>John Davely</i>	✓		
		<i>Jeff Ellis</i>	✓		
<i>Nick Halford</i>	✓				
<b>CHAIR:</b> <i>Christie Taylor</i>	✓	<b>CHAIR:</b>			

**NEW FISCAL NOTE(S):**

Department                      Date      Zero      Fiscal

	5/3	✓	

**PREVIOUS FISCAL NOTE(S):\***

Department                      Date      Zero      Fiscal


APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

# FISCAL NOTE

**STATE OF ALASKA**  
**1998 LEGISLATIVE SESSION**

**BILL NO.** SJR 25

Revision Date (Note if correction) 05/03/99 Dept. Affected \_\_\_\_\_  
 Title Relating to voluntary BRU \_\_\_\_\_  
School prayer Component \_\_\_\_\_  
 Sponsor Senator Ward \_\_\_\_\_  
 Requester Senate Judiciary Cmte Component Serial No. \_\_\_\_\_

**Expenditures/Revenues** (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY98) cost: 0.0

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

This resolution is anticipated to have no fiscal impact on state agencies

Prepared by Sue Mossgrove Phone 465-3717  
 Division Senate Judiciary Cmte Date 5/3/99  
 Approved by Senator Taylor Date 5/3/99  
 Agency Chair, Senate Judiciary

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**Proposing an amendment to the Constitution of the United States relating to voluntary school prayer. (Introduced in the House)**

HJ 7 IH

106th CONGRESS

1st Session

H. J. RES. 7

Proposing an amendment to the Constitution of the United States relating to voluntary school prayer.

**IN THE HOUSE OF REPRESENTATIVES**

**January 6, 1999**

Mrs. EMERSON introduced the following joint resolution; which was referred to the Committee on the Judiciary

**JOINT RESOLUTION**

Proposing an amendment to the Constitution of the United States relating to voluntary school prayer.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution if ratified by the legislatures of at least three-fourths of the several States within seven years from the date of its proposal to the States by the Congress:*

**Article--**

'Nothing in this Constitution shall be construed to prohibit individual or group prayer in public schools or other public institutions. No person shall be required by the United States or by any State to participate in prayer. Neither the United States nor any State shall prescribe the content of any such prayer.'



# Viewpoints

Religious Freedom Amendment

## Opinion Polls

### National Polls Since the 1962 Engel v. Vitale U.S. Supreme Court Decision on Voluntary Prayer in Public Schools

The Text

Fact Sheets

Reading Room

Q & A

Press Releases

Testimonies

Legal Analysis

Viewpoints

Congressional

Endorsing Groups

Opinion Polls

The Process

Cosponsors

Committee Action

Supreme Court

Other Links

Comments

<u>Poll</u>	<u>Survey Date</u>	<u>Question</u>	<u>% Support</u>
Gallup	July 26-31, '62	Approve religious observances in schools	85%
Gallup	Sept. '64	Favor a Constitutional Amendment	77%
Nat'l Opinion Research Center	1974	Disapprove of <i>Engel v. Vitale</i> ruling	66%
Nat'l Opinion Research Center	1975	Disapprove of <i>Engel v. Vitale</i> ruling	62%
Nat'l Opinion Research Center	1977	Disapprove of <i>Engel v. Vitale</i> ruling	64%
Gallup	Mar. 28-31 '80	Favor a Constitutional Amendment	76%
Gallup	Sep. 12-15, '80	Favor requiring prayer in schools	55%
CBS / NY Times	Apr. 22-26, '81	Favor a Constitutional Amendment	76%
NBC	May 18-19, '81	Favor a Constitutional Amendment	73%
Time	June 1, '81	Favor a Constitutional Amendment	74%
LA Times	Sep. 27, '81	Allowing prayer in schools	78%
Time	Oct. 5, '81	Voluntary school prayer	69%
NBC	May 10-11, '82	Favor a Constitutional Amendment	68%
Gallup	June 10, '82	Favor a Constitutional Amendment	79%
Newsweek	June 27, '83	Favor a Constitutional Amendment	71%
Gallup	July 22-25, '83	Favor a Constitutional Amendment	85%
Gallup	Sep. 8, '83	Favor a Constitutional Amendment	81%

CBS / NY Times	Sep. 12-16, '84	Favor a Constitutional Amendment	68%
Harris	Oct. 22, '84	Favor a Constitutional Amendment	81%
Univ. of Michigan	Nov. 7, '84	Schools allowed to start day with prayer	65%
Media General	Jan. '85	Favor a Constitutional Amendment	61%
L.A. Times	July 14, '86	Favor prayers in public schools	71%
Media General / AP	Oct. 14 '86	Favor a moment of silence (for prayer)	87%
NY Times / CBS	May 26, '87	Favor a Constitutional Amendment	69%
Time / CNN	Dec. '91	Allowing children to say prayer in public schools	78%
NBC / Wall St. Journal	Dec 6-9, '91	Favor a Constitutional Amendment	61%
Times - Mirror	May 18-24, '93	Favor a Constitutional Amendment	69%
Wirthlin	Apr. 4-6, '94	Reinstating prayer in public schools	78%
LA Times	Jul. 23-26, '94	Favor prayer in school	76%
Times - Mirror	Sept., '94	Favor a Constitutional Amendment	74%
Gallup	Nov., '94	Favor a Constitutional Amendment	73%
Washington Post	Dec. 9-13, '94	Moment for voluntary silent prayer	64%
ABC / Washington Post	Jan. 3-4, '95	Favor a Constitutional Amendment	67%
Gallup	May 25, '95	Favor a Constitutional Amendment	71%
LA Times	Oct. 27 - 30, '95	Favor of prayer in public schools	75%
Joint Center	Feb., '96	Favor a Constitutional Amendment	64%
CBS / NY Times	Feb., '96	Favor prayer in school	65%
Kaiser - Howard	Jan., '97	Favor a Constitutional Amendment	69%
CBS / NY Times	Jan., '97	Favor prayer in public schools	67%



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**Proposing an amendment to the Constitution of the United States relating to voluntary school prayer. (Introduced in the Senate)**

SJ 1 IS

106th CONGRESS

1st Session

**S. J. RES. 1**

Proposing an amendment to the Constitution of the United States relating to voluntary school prayer.

**IN THE SENATE OF THE UNITED STATES**

**January 19, 1999**

Mr. THURMOND introduced the following joint resolution; which was read twice and referred to the Committee on the Judiciary

**JOINT RESOLUTION**

Proposing an amendment to the Constitution of the United States relating to voluntary school prayer.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress:*

**Article--**

'Nothing in this Constitution shall be construed to prohibit individual or group prayer in public schools or other public institutions. No person shall be required by the United States or by any State to participate in prayer. Neither the United States nor any State shall compose the words of any prayer to be said in public schools.'

to the Constitution would clarify that it does not prohibit vocal, voluntary prayer in the public school and other public institutions. It emphatically states that no person may be required to participate in any prayer. The government would be precluded from drafting school prayers. This well-crafted amendment enjoys the support of an overwhelming number of Americans.

I strongly urge my colleagues to support prompt consideration and approval of this legislation during this Congress.

Mr. President I ask unanimous consent that the joint resolution be printed in the **Record**.

There being no objection, the joint resolution was ordered to be printed in the **Record**, as follows:

## **S.J. Res. 1**

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, (two-thirds of each House concurring therein),* That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress:

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# SENATOR JERRY WARD

ALASKA STATE LEGISLATURE

## SPONSOR STATEMENT

### SENATE JOINT RESOLUTION 25

Religious freedom is a fundamental constitutional right enshrined by our founders in the First Amendment to the United States Constitution.

This resolution would restore the right to pray voluntarily in public schools---a right, which was freely exercised under our Constitution until the 1960's, when the Supreme Court ruled to the contrary.

The vast majority of Americans of all political parties favor a constitutional amendment that will allow voluntary prayer in public schools and the First Amendment has been turned on its head--it was meant to protect Church from State, not vice-versa.

Our government has a constitutional obligation to protect religious freedom and, in light of the assault on traditional moral values, the government needs to ensure that freedom without fear of hostility to open and public prayer.

Despite a clear express of the public's desire, federal courts have steadfastly refused to allow many forms of religious expression.

As Supreme Court Justice William Douglas once stated: "We are a religious people whose institutions presuppose a Supreme Being. Nearly every President since George Washington has proclaimed a day of public prayer. Moreover, we as a Nation, continue to recognize the Deity in our Pledge of Allegiance by affirming that we are a Nation "under God." Our currency is inscribed with the motto, "In God We Trust." In the Body, we open the Senate and begin our workday with the comfort and stimulus of voluntary group prayers. I would note that this practice has been upheld as constitutional by the Supreme Court.

It is unreasonable that the opportunity for the same beneficial experience is denied to the boys and girls who attend public schools.

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Chairman, Senate Transportation Committee • Chairman, Senate State Affairs Committee

Senator\_Jerry\_Ward@legis.state.ak.us

4-26-99

To: Senator Robin Taylor

From: Jonathan and Ruth Ewig  
2325-30th Avenue  
Fairbanks, Alaska 99701  
phone/fax: 907-452-5538

RE: SUPPORT SJR 25 --relating to voluntary school prayer and any other supporting resolutions.

Voluntary prayer was never intended to be outlawed from public school and now that it is we have a disaster.

Respectfully yours,

  
Jon and Ruth Ewig

\*\*\*\*\*

**Background:** In David Barton's book America To Pray? or Not to Pray?, through the use of statistical information gathered primarily from U.S. government offices, he contrasts the years when religious and moral principles guided our national policies, with the years following their rejection. He looks at each of the areas of "us" (the students), "our parents" (the families), "our teachers" (the academic leaders), and "our Country" (the nation).

We see that after the reinterpretation of "separation of church and state" in 1962, hundreds of lawsuits sprang up challenging any presence of religion in public life. Some of these lawsuits included removal of student prayer, removal of Bible readings, removal of the Ten Commandments from view, and removal of benedictions and invocations from school activities.

The disaster that has followed has been witnessed by us in every arena including but not limited to: an increase of pregnancies to unwed girls, STDs, premarital sexual activity; a decrease in the number of male and female virgins on college campuses; an increase in rape arrests, aggravated assault arrests, murder arrests, divorce rates, unmarried couples living together, single parent households, adultery; a decrease in SAT scores; an increase in Christian Schools established in the US; a decrease of Public school test scores while at the same time an increase of Christian school scores; an increase of violent crime, child abuse, sexual abuse of children, use of illegal drugs, AIDS, and public corruption.

