

HB

19

<TARGET><BILL>HB 19</BILL><SUBJECT>HB
19</SUBJECT><COMM>HFIN27</COMM></TARGET>

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

Fiscal Note Number 1
Bill Version HB 19
(H) Publish Date 2/9/2011

Identifier (file name) HB019-STA-DOA-DMV-02-04-11 Dept. Affected Administration
Title Special Request Plates - In God We Trust Appropriation Motor Vehicles
Allocation Motor Vehicles
Sponsor Rep(s) LYNN, KELLER, GATTO
Requester H (STA) OMB Component Number 2348

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2012	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants								
Miscellaneous								
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
-----------------------------	--	--	--	--	--	--	--	--

CHANGE IN REVENUES								
---------------------------	--	--	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other (please identify)								
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2011) cost _____

POSITIONS

Full-time								
Part-time								
Temporary								

Why this fiscal note differs from previous version (if initial version, please note as such)

Not applicable; initial version

Prepared by Whitney Brewster
Division Motor Vehicles
Approved by John Cramer
Department of Administration

Phone 907-269-5574
Date/Time 2/4/11 4:00 PM
Date 2/4/2011

FISCAL NOTE #1

STATE OF ALASKA
2011 LEGISLATIVE SESSION

BILL NO. HB 19

Analysis

This bill has no fiscal impact on the Division of Motor Vehicles.

2/22/11

Alaska State Legislature

Chairman
State Affairs Committee

Member
Judiciary Committee
Energy Special Committee
Joint Armed Services Special Committee
Military and Veterans' Affairs Committee

Finance Subcommittees
Administration
Corrections
Military and Veterans' Affairs



A Communication From
REPRESENTATIVE BOB LYNN
District 31 Anchorage

E-Mail: Representative_Bob_Lynn@legis.state.ak.us
"Bob Lynn's Alaska Blog" RepBobLynnBlog.com

Session:
Alaska State Capitol #108
Juneau, AK 99801-1182

Phone: (907) 465-4931
Fax: (907) 465-4316
Toll Free: (800) 870-4391

Interim:
716 W. 4th Ave., #650
Anchorage, AK 99501-2133

Phone: (907) 269-0205
Fax: (907) 269-0207

Sponsor Statement

HB 19

"An Act relating to special request registration plates;"

HB 19 authorizes the Department of Administration-Division of Motor Vehicles to create a special request license plate incorporating the American flag and the phrase "In God We Trust." The specific design is left to DMV's discretion. These special request plates would cost \$30 plus the normal fees required to register the vehicle in question. The Act would take effect on January 1, 2012.

2/22/11

Alaska State Legislature



- Chairman**
State Affairs Committee
- Member**
Judiciary Committee
Energy Special Committee
Joint Armed Services Special Committee
Military and Veterans' Affairs Committee
- Finance Subcommittees**
Administration
Corrections
Military and Veterans' Affairs

A Communication From
REPRESENTATIVE BOB LYNN
District 31 Anchorage

E-Mail: Representative_Bob_Lynn@legis.state.ak.us
"Bob Lynn's Alaska Blog" RepBobLynnBlog.com

Session:
 Alaska State Capitol #108
 Juneau, AK 99801-1182

Phone: (907) 465-4931
 Fax: (907) 465-4316
 Toll Free: (800) 870-4391

Interim:
 716 W. 4th Ave., #650
 Anchorage, AK 99501-2133

Phone: (907) 269-0205
 Fax: (907) 269-0207

Feb. 15, 2011

To: Representative Bill Stoltze, Co-Chairman
 Representative Bill Thomas, Co-Chairman
 House Finance Committee

Fr: Representative Bob Lynn

Re: Court Opinions on use of "In God We Trust" in Government Documentation

"There is an unbroken history of official acknowledgment by all three branches of government of the role of religion in American life from at least 1789."

-Chief Justice Warren Burger, *Lynch v. Donnelly*, 465 U.S. 668 (1984)

"...government declaration of Thanksgiving as a public holiday, **printing of 'In God We Trust' on coins**, and opening court sessions with 'God save the United States and this honorable court.' Those government acknowledgments of religion serve... the legitimate secular purposes of solemnizing public occasions, expressing confidence in the future, and encouraging the recognition of what is worthy of appreciation in society. For that reason, and because of their history and ubiquity, **those practices are not understood as conveying government approval of particular religious beliefs.**"

-Justice Sandra Day O'Connor, *Lynch v. Donnelly*, 465 U.S. 668 (concurring) [emphasis added]

"The government violates [the Establishment Clause] if it **endorses or disapproves** of religion."

-Justice Sandra Day O'Connor, *County of Allegheny v. ACLU*, 492 U.S. 573 [emphasis added]

“[‘In God We Trust’] symbolizes the historical role of religion in our society...formalizes our medium of exchange...fosters patriotism...and expresses confidence in the future. The motto’s primary effect is not to advance religion; instead, it is a form of ‘ceremonial deism’ which through historical usage and ubiquity cannot be reasonably understood to convey government approval of religious belief...We conclude, therefore, that the statutes establishing ‘In God We Trust’ as our national motto and providing for its reproduction on United States currency do not violate the Establishment Clause.”

-Senior Circuit Judge Deanell Reece Tacha, *Gaylor v. United States*, 74 F.3d 214, U.S. Circuit Court of Appeals for the Tenth Circuit

These opinions highlight the federal courts’ history of upholding the constitutionality of our national motto. While none of these cases relates directly to the use of “In God We Trust” on license plates, it seems implausible that the courts would apply a stricter constitutional standard to license plates than to the currency. Citizens wishing to participate in our economy have no choice but to utilize the national currency, but drivers would only receive this license plate if they requested and paid for it. In addition, public funds are utilized to operate the Treasury and print currency containing the national motto, but these license plates will be paid for through user fees.

For more information on the constitutionality of the phrase “In God We Trust” or for copies of the cases cited in this memo, please contact Thomas Reiker at 465-4965 or thomas_reiker@legis.state.ak.us .

Sample Indiana "In God We Trust" License Plate



Sample Virginia "In God We Trust" License Plate



Sample South Carolina "In God We Trust" License Plate



2/22/11

Helen Phillips

From: Thomas Reiker
Sent: Tuesday, February 15, 2011 2:01 PM
To: House Finance Legislation
Subject: Hearing Request for HB 19
Attachments: HB 19.pdf; HB 19 Fiscal Note.pdf; HB 19 Hearing Request.doc; HB 19 Sponsor Statement.pdf; HB 19 Legal Research.doc; HB 19 Sample License Plates.pdf

I am writing to request a hearing for HB 19. Any questions or concerns regarding this bill can be directed to Thomas Reiker at 465-4965 or thomas_reiker@legis.state.ak.us. Whitney Brewster, Director of the Alaska Division of Motor Vehicles, will be online in the hearing to answer questions. In addition to a copy of the bill and its accompanying zero fiscal note, I am attaching all other documentation you have requested. Please find included the formal hearing request, a sponsor statement, a memo on legal precedent related to the constitutionality of the national motto, and sample "In God We Trust" license plates from other states. If you require additional information, please just let me know.

Thank you so much for your time and consideration,

Thomas Reiker

Staff

State Rep. Bob Lynn

District 31

465-4965

thomas_reiker@legis.state.ak.us