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ROLL NUMBER

DESCRIPTION

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10/3/03  
Date

2003 HOUSE EDUCATION

HB 1325

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10/3/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES  
BILL/RESOLUTION NO. HB 1325  
House Education Committee

☐ Conference Committee

Hearing Date January 27, 2003

Tape Number	Side A	Side B	Meter #
2	x		900-6011
Committee Clerk Signature <i>Linda Fiechter</i>			

Minutes: Chairman Kelsch opened hearing on HB 1325.

Rep. William Devlin, District 23, See Attached Testimony

Rep Severson, District 23

Yesterday afternoon, as I was working taking the trees down, turned on the TV, Channel 25 The Gettysburg. Which is a historic moment for me. I many times had to stop what I was doing and look a the TV to watch friends, one colonel in the Union and one fighting for the Confederate Army. He was talking to is general on how great it was to be there, his only dilemma was he was fighting his best friend, whom he knew in CA before he war broke out. We have seen what happened on September 11 recently. Our country, I do believe has one flag, One nation under God. It is our pledge. I believe that we have struggled many times through the legislative process on the separation of church and state. But I do serve a God, and I think this country does, and I will fight for my flag, which is this country. In my request, the motto is what we are after. I would like to See Attached Testimony that schools be allowed to display this at their choice. I don't believe in mandates. At no cost.

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**Rep. Hunsakor** What is the current law say regarding this?

**Severson:** Current law says mottos can be displayed in. Not religious in nature.

**Rep. Herbel** Would this be done at the school boards discretion or could teachers, student do it?

**Severson:** Local control issue, I think that if they really wanted to display it in the classroom, they could but to have the approval of the school board first.

**Tom Tracy, Kensel Public School**

Because we are a God fearing nation, we still are. There are movements all across the country to remove God from our schools, and public places. These efforts have a lot of momentum, but in ND and the upper Midwest it is not moving as fast. From the spiritual view, the upper Midwest doesn't suffer from the religious problems as the rest of the country, You could make the correlation. 'In God we Trust' is on all coins and currency that kids can bring to school. So until we can eliminate them from bringing it to school. People would already say that we have something similar on the book why duplicate it now. Make a statement in favor in something like his they should. Offending people, our heritage has religion, are we going to change our heritage.

**Rep. Jon Nelson** is it your understanding that before this legislation, you could put the motto in the classrooms?

**Tracy:** An type of mandate relating to religion , I wouldn't be in favor of. But this isn't doing that. The laws are on the books that the national motto can be displayed.

**Rep. Jon Nelson** Last session we passed a bill that allow some religious documents to be placed in the classrooms, the criteria has to be school board policy so that it wouldn't be just one but all.

**Tracy:** The best situation would be to go through the board, with everyone on board. Majority at least. I teach 7&8 grade history and we are teaching about the religions of the world. I present all

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the major religions as long as you don't instill in the students that one is superior to the other. But then on the other hand we are a democratic country and by far a Christian society along with that I have never found any problem talking to my students knowing that most of them go to Sunday School and go to Church. Sensitive to the religions of the students.

**Chairman Kelsch** Are you concerned at all about a lawsuit with the separation of church and state?

**Tracy:** I can say at the School board level that that is a consent worry and hangs over our heads when you make a decision. We are going to act as a group- a common group, but there are some things that are worth fighting for and believing in.

**Chairman Kelsch** during the last session, we did enact a bill on the 10 commandments. We prepared wording that would cover all mottos?

**Tracy** If you have opportunity through Legislation to reinforce the fact that we are Christian nation.

**Rep. Mueller** Seems to me, What is a Muslim family moves into Kinsel, How would they feel about the motto.

**Tracy:** It is the National motto, they can attempt to change that. They are all US citizens. Prayers said at ceremonies, one family objected and now it is removed. We are a democratic nation and if the majority rules, have we reached the point where minority is over ruling the majority rights.

**Rep. Sitte** God is the Supreme being who made all? Do you agree. In any way are we saying Jesus Christ?

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**Rep. Williams** You eluded to the fact that we used to have prayer at Graduation, however two years ago we cut out prayer, because we received a memo from Gary Thune telling us that we are on thin ice and no school board wants to be on thin ice and have a lawsuit. If it doesn't go through the board it opens it up to legal actions.

**Tracy:** Teachers to teach the moral and concepts of Christianity, without the religion itself.

**Rep. Williams** Teaching Christianity and displaying the motto are two different things, what are we talking about?

**Rep. Hunsakor** Would you think to protect they classroom teacher or the student, would it be wise to add to this the approval of the local school board?

**OPPOSITION:**

**Jean King, Bismarck, See Attached Testimony**

When the US was founded it was not "In God we Trust" it was a pluribus Unum, one from many. That speaks to diversity and wide range of people who have come together to make a great country. The motto was changed during the civil war. read letter See Attached Testimony.

**Bev Nielson, North Dakota School Board Association.**

I find myself in the uncomfortable position of opposing God. But it is my job to protect the school boards. I need to be clear. Our founding fathers left England because of religious persecution. I believe what has made our country great is religious freedom. School policy, public schools are required to provide a safe environment for all children are welcome and respected. If it is a matter of policy a school says, in banner for, that this school "trusts in God", it says to those who do not that they are outsiders. Other bill in this legislative session are asking school boards to have policies assuring recourse or due process for those who feel they are discriminated

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Hearing Date January 27, 2003

against or harassed. How do we as a matter of policy then profess a Christian penance and even appear to be open and respectful to all. It makes it difficult. Whatever you do with this bill, and from our prospective we would just have so many things mentioned in the state statute because it puts boards in a bind when they have to deal with them. it says may and it is permissive, and the sponsors said to me on their way out, 'it is permissive, leave it alone' I just want to make sure that the intent of the committee is in fact that they do pass this, while it may be permissive to do this, it has to be on board policy. So that there are guidelines as to where, how many, in what way and how they are treated. The second thing is that a board needs to feel, that they also 'may not' So that if our sample policies to boards are that you not do it. If people come and donate these banners and want them in, I find it interesting that it says and not or in the classrooms. Please don't put boards in this situation, pushing up against the wall. If you amend we want it to be only by board policy.

**Chairman Kelsch** we worked really hard on the language last session, to get an okay word age. I know you are not an attorney, but in your opinion, do you believe that the bill we passed that you could display the national motto if you chose to do so?

**Nielson:** I imagine did it in the same way and manner that one was. But to have a banner up in the auditorium saying 'in God we trust' doesn't meets those educational criteria.

**Chairman Kelsch** the point I'm getting at is that you don't need this bill because you can already do it.

**Nielson:** I suppose you could do it if you did it in the context of something educational. And if it was in a display case.

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**Rep. Williams** Would you feel more at ease if we started with an introduction 'at the discretion of local school board, the motto of the United States, may be displayed in each classroom, auditorium and cafeteria.'

**Nielson:** the language worked last session then we don't need this bill.

**Chairman Kelsch** That is the point that I'm getting at, if it falls under here because we did say in here that the school board 'shall' develop a policy for the proper display. to make sure that the school board had control over their own destiny is why we did that. We will ask the Attorney General office.

**Rep. Mueller** Bev, Have you visited with the Attorney Generals office

**Nielson:** casual hallway conversation and was that according to court decision, it may not be unconstitutional.

**Rep. Sitte** Do you think in anyway this will restrict religious freedoms.

**Nielson** Children are required to be in these building by law, this captive audience is impressionable.

**Rep. Meier** Are you aware of any problems w/ the previous legislation over the past two years?

**Nielson:** None that I know of.

**Barb Lennington, Bismarck, See Attached Testimony**

**Carol Two Eagle, Bismarck,**

I'm not entirely in opposition of the bill. Not a Christian state, its an illusion. Thomas Jefferson, Adams and other leaders struggled with this concept and with the Declaration of Independence. Taiked of ways they prayed their old prayers in rooms with heavy quilts so that they would be harmed. Became tearful when talked about her prayers. Traditional prayers and traditionalist.

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**Daniel Christ, Bismarck**

In my youth I was at Catholic school. Render to Caesar what is Caesar's and render to God what is God's. I think our schools and churches should practice this. Story about a guy who prayed in secret and his prayer was heard by God, because he was humble. We should pray in secret.

(6011) Closed hearing on 1325

Questions will be posed to the Attorney General's office before action is taken.

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2003 HOUSE STANDING COMMITTEE MINUTES  
BILL/RESOLUTION NO. HB 1325  
House Education Committee

☐ Conference Committee

Hearing Date February 11, 2003

Tape Number	Side A	Side B	Meter #
1		x	4135-end
2	x		00-723
Committee Clerk Signature <i>Linda Siechtner</i>			

Minutes: **Chairman Kelsch** opened HB 1325

**Doug from ND Attorney General's Office**

I was asked to address the constitutionality of the HB1325. As simply drafted it is the opinion, that this is constitutional. I says that you may display the National motto. I provides no guidance, when or where, and how. There are federal constitutional and state constitutional restrictions on it. The bill if it were challenged wouldn't be able to defend it because we are not saying specifically how you can't display it. But a school district, depending on how they display the national motto, it is very possible that it would be a violation of the Constitution. **See Attached Letter. Read parts of the letter.**

**Rep. Sitte** Could you tell us what the restrictions are, on how it can be displayed?

**Doug:** There is not a specific outline that the courts have on this.

**Rep. Jon Nelson** The fact that there has only been one case regarding this issue, and the motto has been around since 1956, Would that tend to give the argument that we would not be contested or is not being posted any more?

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**Doug:** As far as in the school there is only one case, there have been cases on coinage, and things like that. The courts look at the schools more strictly because the kids are forced to be there they are a captive audience, with younger minds that can't always determine whether the school is pushing things on them so to speak.

**Rep. Hanson** How many schools do the 10 commandments.

**Chairman Kelsch** No idea.

**Rep. Hunsakor** If we truly believe in this, we go ahead, court case, then take them down if it is contested.

**Doug:** Two points, I'm not worrying about defending the statute, if the local school boards will be applying it and they are the ones that will have to defend it and foot the bill to defend it. Again that is an individual school decision on whether to display it or not. From the state's prospective, I think the statute is constitutional and it doesn't mandate it or set any real parameters. You can, under some circumstances it may be unconstitutional.

**Rep. Hunsakor** I think I heard you say, that a local school board would need to pay an Attorney fees if this happened? **Doug:** It is possible, to have to pay their own and the other side.

**Rep. Hunsakor** If we don't oppose it then no fees, if no litigation?

**Doug:** depends how the lawsuit is presented.

**Rep. Sitte** Page 1 of the opinion, read "is not a religious document"

**Rep. Haas** Amending the (.) after public schools.

**Rep. Jon Nelson** Propose line 7 after school, strike to the end and add 'upon school approval'.

**Rep. Jon Nelson** motioned the amendment, Vice Chair Johnson seconded the motion.

Voice vote, passed

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Hearing Date February 11, 2003

**Rep. Jon Nelson** I think the school boards need the policy to calm any fears for displaying it.

**Rep. Hanson** (for Doug) Can a school do this now?

**Doug:** As the opinion law does not prohibit or promote it, The only restrictions would be federal or state constitution. This Bill really accomplishes nothing. You are not giving them more authority than they already have and you are not taking anything away.

**Rep. Mueller:** The national motto poster compared to the national motto. We are talking about the motto only, what else is on the poster? **Doug:** It would depend on how it is displayed.

**Rep. Norland** If all we are doing is telling the school board approval in order to display that, I would think in the wisdom of the school, why are we putting a bill forward that the school can already handle. **flip tape**

**Rep. Haas** last page on the handout we just received says: 'there are few issues are more demanding, then that of the relationship between religion and public school' This is a very subtle distinction, but if you recall from the testimony that we had, 1 Superintendent that testified about 'this being a Christian country'. There in lies the danger of trying to distinguishes something that is either not a religious nature or is of a religious nature.

**Rep. Sitte** Page 3 'is not to advance religion'

**Chairman Kelsch** But Tracy brought religion to us, he's the one that put the religion into it. So that the concern lies there that we have Superintendents putting religion into the motto.

**Rep. Haas** the statement after what Rep. Sitte just read ' However the fact . . . to reach a different conclusion... was to promote religion.' That is a very fine line.

**Rep. Williams** I'm worried about the interpreting in different communities placing them at risk, I can't support this bill.

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**Chairman Kelsch** What does the letter state that promoted this response?

**Doug:** It was a question to whether or not that poster with the national motto, fit under SB2177 as a religious document.

**Rep. Jon Nelson** This amendment is going to get the local input from the community.

**Rep. Jon Nelson** motioned a DO PASS as amended, Rep. Solberg second the motion.

**Roll vote:** Failed 6-8-0

**Rep. Mueller** Motioned a DO NOT PASS as amended, Rep. Herbel second the motion.

**Role vote passed:** 9-5-0, Rep. Norland to carry to the floor.

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10/3/03  
Date

30516.0101  
Title.0200

Adopted by the Education Committee  
February 11, 2003

VR  
2/12/03

HOUSE AMENDMENTS TO HOUSE BILL NO. 1325 EDU 2-12-03

Page 1, line 7, remove "classroom, auditorium, and"

Page 1, remove line 8

Page 1, line 9, remove "display"

Renumber accordingly

Page No. 1

30516.0101

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10/3/03  
Date

Date: 2/11/03  
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1325

House HOUSE EDUCATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number Amendment

Action Taken \_\_\_\_\_

Motion Made By Nelson Seconded By Johnson

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch					
Rep. Johnson					
Rep. Nelson					
Rep. Haas					
Rep. Hawken					
Rep. Herbel					
Rep. Meier					
Rep. Norland					
Rep. Sitte					
Rep. Hanson					
Rep. Hunsakor					
Rep. Mueller					
Rep. Solberg					
Rep. Williams					

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent passed

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

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10/3/03  
Date

Date: 8/11/03  
Roll Call Vote #: 2

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1325

House HOUSE EDUCATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken

Do Pass

as amended

Motion Made By

Nelson

Seconded By

Solberg

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch		✓			
Rep. Johnson		✓			
Rep. Nelson	✓				
Rep. Haas		✓			
Rep. Hawken	✓				
Rep. Herbel		✓			
Rep. Meier	✓				
Rep. Norland		✓			
Rep. Sitte	✓				
Rep. Hanson		✓			
Rep. Hunsakor	✓				
Rep. Mueller		✓			
Rep. Solberg	✓				
Rep. Williams		✓			

Total (Yes) 6 No 8

Absent 0

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

Failed

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Date



Date: 2/11/03  
Roll Call Vote #: 3

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1325

House HOUSE EDUCATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken ONP as amended

Motion Made By Mueller Seconded By Herbel

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch	✓				
Rep. Johnson	✓				
Rep. Nelson		✓			
Rep. Haas	✓				
Rep. Hawken	✓				
Rep. Herbel	✓				
Rep. Meier		✓			
Rep. Norland	✓				
Rep. Sitte		✓			
Rep. Hanson	✓				
Rep. Hunsakor		✓			
Rep. Mueller	✓				
Rep. Solberg		✓			
Rep. Williams	✓				

Total (Yes) 9 No 5

Absent 0

Floor Assignment Norland

If the vote is on an amendment, briefly indicate intent:

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Danica Hallmark  
Operator's Signature

10/3/03  
Date

**REPORT OF STANDING COMMITTEE (410)**  
February 12, 2003 2:53 p.m.

Module No: HR-27-2460  
Carrier: Norland  
Insert LC: 30516.0101 Title: .0200

**REPORT OF STANDING COMMITTEE**

**HB 1325: Education Committee (Rep. R. Kelsch, Chairman) recommends AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1325 was placed on the Sixth order on the calendar.

Page 1, line 7, remove "classroom, auditorium, and"

Page 1, remove line 8

Page 1, line 9, remove "display"

Renumber accordingly

(2) DESK, (3) COMM

Page No. 1

HR-27-2460

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Date

2003 SENATE EDUCATION

HB 1325

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2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. Engrossed HB 1325

Senate Education Committee

☐ Conference Committee

Hearing Date 3-19-03

Tape Number	Side A	Side B	Meter #
1	x		0 - 21.7
Committee Clerk Signature <i>Andrea Johnson</i>			

Minutes: CHAIRMAN FREBORG called the committee to order. Roll Call was taken with all (6) members present.

CHAIRMAN FREBORG opened the hearing on Eng. HB 1325 relating to the display of the national motto in schools.

**Testimony in support of Engrossed HB 1325:**

REPRESENTATIVE DEVLIN, Dist. 23, stated this is enabling legislation and is controlled by the local school board. (see attached testimony).

REPRESENTATIVE FLAKOLL asked if "In God We Trust" is the original motto. If the motto changes, does it affect this. REP. DEVLIN, said this motto was not the original and was put on later. He doesn't think this legislation will affect if the motto changes. SENATOR FLAKOLL asked when this motto was adopted. REP. DEVLIN stated he thinks it was in the early '50's. SENATOR CHRISTENSON asked what about those who don't trust in God or whose God is different than ours. REP. DEVLIN stated it would be up to the local school board.

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Page 2  
Senate Education Committee  
Bill/Resolution Number Eng. HB 1325  
Hearing Date 3-19-03

REPRESENTATIVE SEVERSON, Dist. 23, stated his support for this legislation. This just allows the schools to display the motto with board approval. It clarifies the vague language in statute now.

SENATOR CHRISTENSON asked if REP. SEVERSON feels this could be a divisive issue in the local districts. REP. SEVERSON doesn't think so, because in the law now, nothing is clear.

SENATOR TAYLOR asked if we are opening ourselves up to lawsuits. REP. SEVERSON doesn't think so, he doesn't feel it is a constitutional issue.

**Testimony in opposition to Eng. HB 1325:**

MARY WAHL, ND Council of Educational Leaders, feels that the law now will allow the districts to display the motto. This encourages the districts to do so, thus inviting a lawsuit. She feels putting this in statute would not protect any district from a lawsuit.

SENATOR COOK asked if MS. WAHL would support this bill if it states may "not" display.... She replied she would still oppose it. SENATOR COOK stated this puts the board of the local district in control and the can or cannot approve this.

SENATOR LEE asked if this is already in law. MS. WAHL said there isn't a law saying can't, and the law doesn't address the issue.

BEV NIELSON, NDSBA stated there were several issues to look at in this legislation.

1. intent - is it educational or religious purpose
2. what discussions pre-empted the request.

The policy which has passed both houses that prevents exclusionary behavior and prejudice within the schools is now practiced. There is a policy in place now. There must be respect for all.

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*Dan Hall*  
Operator's Signature

10/3/03  
Date

Page 3  
Senate Education Committee  
Bill/Resolution Number Eng. HB 1325  
Hearing Date 3-19-03

SENATOR FLAKOLL asked, could teachers in their office, students in their lockers have this motto displayed. MS. NIELSON stated that on personal things it is okay, but students are required to attend school and are a captive audience for these ideas.

SENATOR COOK stated the discussion is on state or local control. MS. NIELSON stated she is just asking the legislature to think on what it is requiring the boards and schools to do.

SENATOR CHRISTENSON feels that according to federal law, students can talk about this and generate projects as such, but they cannot be taught it. BEV NIELSON stated that is the difference between freedom of expression and institutionalizing approval of a certain belief over another one. She believes the majority should never rule in this country on religion.

Having no further testimony, the hearing on Eng. HB 1325 was closed.

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2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. Engrossed HB 1325

Senate Education Committee

☐ Conference Committee

Hearing Date 3-24-03

Tape Number	Side A	Side B	Meter #
1	x		24.6 - 29.0
Committee Clerk Signature <i>Audrey Johnson</i>			

Minutes: CHAIRMAN FREBORG called the committee to order with all members present.

**SENATOR LEE moved a DO PASS. Seconded by SENATOR COOK.**

SENATOR CHRISTENSON feels this will be an issue for the school boards. She feels that "E Pluribus Unum" could have been used and been far more inclusive and less offensive. It is on our currency. "In God We Trust" has the implications of overriding and demeaning people who don't follow that. Aside from the philosophical side, the practicality of putting it in the local school boards hands could end up with all kinds of issues for them.

SENATOR TAYLOR stated "Be Christian and vote Do Not Pass".

**Roll Call Vote: 4 YES. 2 NO. 0 Absent. Motion Carried.**

**Carrier: SENATOR LEE**

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*Deanna Hall Smith*  
Operator's Signature

*10/3/03*  
Date

Date: 3/24/03

Roll Call Vote #: /

## 2003 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. *Eng HB 1325*

**Senate EDUCATION**

## Committee

☐ Check here for Conference Committee**Legislative Council Amendment Number**

### Action Taken

Do Pass

**Motion Made By**

Sen. Lee

**Seconded By**

Sen. Cook

[illegible]

**Total (Yes)**

4

No

2

**Absent**

0

## Floor Assignment

Am. Lee

**If the vote is on an amendment, briefly indicate intent:**

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Date \_\_\_\_\_



**REPORT OF STANDING COMMITTEE (410)**  
March 24, 2003 2:41 p.m.

Module No: SR-52-5585  
Carrier: G. Leo  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**  
HB 1325, as engrossed: Education Committee (Sen. Freborg, Chairman) recommends  
**DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1325  
was placed on the Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

SR-52-5585

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2003 TESTIMONY

HB 1325

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Date

January 27, 2003

Good afternoon Chairman Kelsch and members of the House Education Committee. It is a pleasure to appear before your committee this afternoon. For the record, I am Rep. Bill Devlin, District 23, from Finley.

I am here today to offer testimony in support of HB 1325 that we have introduced on behalf of one of our constituents.

The bill simply allows schools to place our national motto, "In God We Trust", in the classrooms and other rooms in the school facility across the state. It is permissive language, but we hope that all schools will take the opportunity to place this important historical material in their facilities.

The bill does not require that the local schools or the state fund this project. Instead, I hope that veterans groups and others will step forward to provide the posters. In one other state that passed similar legislation, a printer provided the posters as a public service. Whatever the case may be in North Dakota I believe our citizens will step forward to provide the materials needed by their local schools.

Since Sept. 11th there has been a renewed interest in reviewing some of the vital materials our founding fathers thought were critical to our people when this nation was formed. However, I know that that interest might lessen as time passes.

I would hope that by passing this bill we will help restore our faith in the historic ideals of what has made this county the greatest nation in the world. Thank you for allowing me to testify before you this afternoon. I will be happy to answer any questions if the committee has any at this time.

William R. Devlin  
State Representative, District 23

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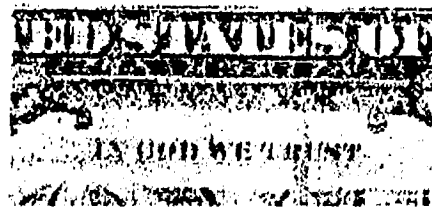
# THE U.S. NATIONAL MOTTOS:

## Their history & constitutionality

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### The original national motto: "E Pluribus Unum"

The original motto of the United States was secular. "E Pluribus Unum" is Latin for "One from many" or "One from many parts." It refers to the welding of a single federal state from a group of individual political units -- originally colonies and now states.

On 1776-JUL-4, Congress appointed John Adams, Benjamin Franklin, and Thomas Jefferson to prepare a design for the

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*Great Seal of the United States.* The first design, submitted to Congress on 1776-AUG-10 used the motto "*E Pluribus Unum.*" It was rejected. Five other designs also failed to meet with Congress' approval during the next five years. In 1782, Congress asked Mr. Thomson, *Secretary of Congress*, to complete the project. Thomson, along with a friend named Barton, produced a design that was accepted by Congress on 1782-JUN-10. It included an eagle with a heart-shaped shield, holding arrows and an olive branch in its claws. The motto "*E Pluribus Unum*" appeared on a scroll held in its beak. The seal was first used on 1782-SEP-16. It was first used on some federal coins in 1795. <sup>1</sup>

### The replacement motto: "In God We Trust:"

Almost a century and a half ago, 11 Protestant denominations mounted a campaign to add references to God to the U.S. Constitution and other federal documents. Rev. M.R. Watkinson of Ridleyville PA was the first of many to write a letter to the *Secretary of the Treasury* Salmon P. Chase in 1861 to promote this concept. <sup>2</sup> Watkinson suggested the words "*God, Liberty, Law.*" <sup>3</sup> In 1863, Chase asked the *Director of the Mint*, James Pollock to prepare suitable wording for a motto to be used on Union coins used during the Civil War. Pollock suggested "*Our Trust Is In God,*" "*Our God And Our Country,*" "*God And Our Country,*" and "*God Our Trust.*" Chase picked to have "*In God We Trust*" used on some of the coins. The phrase was a subtle reminder that the Union was on the side of God regarding slavery. Congress passed legislation. Since a 1837 Act of Congress specified the mottos and devices that were to be placed on U.S. coins, it was necessary to pass another Act to enable the motto to be added. This was done on 1886-APR-22. "*The motto has been in continuous use on the*

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*one-cent coin since 1909, and on the ten-cent coin since 1916. It also has appeared on all gold coins and silver dollar coins, half-dollar coins, and quarter-dollar coins struck since" 1908-JUL-1.* <sub>3</sub>

Decades later, Theodore Roosevelt disapproved of the motto. In a letter to William Boldly on 1907-NOV-11, he wrote: "My own feeling in the matter is due to my very firm conviction that to put such a motto on coins, or to use it in any kindred manner, not only does no good but does positive harm, and is in effect irreverence, which comes dangerously close to sacrilege...It is a motto which it is indeed well to have inscribed on our great national monuments, in our temples of justice, in our legislative halls, and in building such as those at West Point and Annapolis -- in short, wherever it will tend to arouse and inspire a lofty emotion in those who look thereon. But it seems to me eminently unwise to cheapen such a motto by use on coins, just as it would be to cheapen it by use on postage stamps, or in advertisements."

In 1956, the nation was suffering through the height of the cold war, and the McCarthy communist witch hunt. Partly in reaction to these factors, the 84<sup>th</sup> Congress passed a joint resolution to replace the existing motto with "In God we Trust." The president signed the resolution into law on 1956-JUL-30. The change was partly motivated by a desire to

differentiate between communism, which promotes Atheism, and Western capitalistic democracies, which were at least nominally Christian. The phrase "Atheistic Communists" has been repeated so many times that the public has linked Atheism with communism; the two are often considered synonymous. Many consider Atheism as unpatriotic and "un-American" as is communism. The new motto was first used on paper money in 1957, when it was added to the one-dollar

silver certificate. By 1966, "*In God we Trust*" was added to all paper money, from \$1 to \$100 denominations. <sup>3</sup>

Most communists, worldwide, are Atheists. But, in North America, the reverse is not true; most Atheists are non-communists. Although there are many Atheistic and Humanistic legislators at the federal and state levels, few if any are willing to reveal their beliefs, because of the immense prejudice against Atheism.

During the 1950's the federal government's references to God multiplied:

The phrase "*under God*" was added to the otherwise secular *Pledge of Allegiance*.

"*So help me God*" was added as a suffix to the oaths of office for federal justices and judges.

American paper currency since 1957 has included the motto "*In God We Trust*." <sup>4</sup> The *Freedom from Religion*

*Foundation* has been unable to find any other country in the world which has a religious motto on their money. <sup>5</sup>

However, it appears that:

The Dutch have had a religious motto on their money for over a century (one source says since the 18<sup>th</sup> century; an other says since 1816 CE). Coins carry the motto "*God zij met ons*." ("*God is with us*"). This motto has been carried over into the Netherlands version of the new 2 euro coin. <sup>6,7</sup>

During the 1980's, former president Jose Sarney introduced into Brazilian paper money the phrase "*Deus seja louvado*" ("*God be praised*").

Although not a motto, many British coins contain a drawing of the queen identified as "*Elizabeth II D.G.*"

*REG. F.D.*" This is an abbreviation of a Latin phrase which means "*Elizabeth II by Grace of God Defender of the Faith.*" In Britain, the monarch is the head of the *Church of England*. Canadian coins carry the phrase "*Elizabeth II D.G. Regina.*" She is the queen of Canada but not "*Defender of the Faith,*" because Canada does not have a state religion for her to defend.

### Is the motto constitutional?

The "*In God we Trust*" motto promotes theistic religion at the expense of non theistic religion and a secular lifestyle. It promotes the belief in a single, male deity which is followed by the Abrahamic religions of Judaism, Christianity and Islam; however, it is foreign to the beliefs of many other religions: Buddhists do not believe in a personal deity; Zoroastrians and Wiccans believe in two deities; Hindus believe in many. It would seem to violate the principle of separation of church and state. Many Agnostics, Atheists, Buddhists, Hindus, Wiccans, other Neopagans, and others are offended by the motto. However, the religious motto has been challenged by three lawsuits and has been found to be constitutional. The courts basically found that the motto does not endorse religion.

*"Aronow v. United States," 432 F.2d 242 (1970) in the United States Court of Appeals, Ninth Circuit The court ruled that: "It is quite obvious that the national motto and the slogan on coinage and currency 'In God We Trust' has nothing whatsoever to do with the establishment of religion. Its use is of patriotic or ceremonial character and bears no true resemblance to a governmental sponsorship of a religious exercise."*

*"Madalyn Murray O'Hair, et al. v. W. Michael Blumenthal,*

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*Secretary of Treasury, et al*" 588 F.2d 1144 (1979) in the *United States Court of Appeals for the Fifth Circuit*. Ms. O'Hair is (in)famous for successfully challenging compulsory prayer in U.S. public schools. The *United States District Court, Western District of Texas*, referring to the wording of the Ninth Circuit above, ruled that: "From this it is easy to deduce that the Court concluded that the primary purpose of the slogan was secular; it served as secular ceremonial purpose in the obviously secular function of providing a medium of exchange. As such it is equally clear that the use of the motto on the currency or otherwise does not have a primary effect of advancing religion." This ruling was sustained by the Fifth Circuit court. 1

The *Freedom From Religion Foundation, Inc.* conducted a national survey which showed that "*In God We Trust*" was regarded as religious by an overwhelming percentage of U.S. citizens. They initiated a lawsuit on 1994-JUN-8 in Denver CO to have it removed from U.S. paper currency and coins. They also wanted it to be discontinued as the national motto. Their lawsuit was dismissed by the district Court without trial, on the grounds that "*In God We Trust*" is not a religious phrase! The Tenth-Circuit federal judge confirmed the dismissal, stating in part: "...we find that a reasonable observer, aware of the purpose, context, and history of the phrase 'In God we trust,' would not consider its use or its reproduction on U.S. currency to be an endorsement of religion." 5

The U.S. Supreme Court declined to review all of these rulings. It might be embarrassing to them, because the motto also hangs on the wall at the Supreme Court. The Supreme Court has commented in passing on the motto saying that: "[o]ur previous opinions have considered in dicta the motto

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and the pledge [of allegiance], characterizing them as consistent with the proposition that government may not communicate an endorsement of religious belief." *Allegheny*, 492 U.S.

### Federal bill signed into law:

A bill to reaffirm "*In God We Trust*" as the national motto, and the phrase "*Under God*" in the Pledge of Allegiance was passed with a 99% vote in the House, and unanimously in the Senate. Rep. Todd Akin, (R-MO) voted for the measure. Apparently he is unaware that the "*Under God*" phrase is a relatively recent addition to the Pledge. He said: "*I think the Congress was expressing the fact that they support the recitation of the pledge as it has always been supported. I think they're further saying that there isn't any problem with the First Amendment.*" Historian David Barton, president of WallBuilders, said: "*This bill has no effect on the 'Under God' controversies, because we have seen in a number of cases that when Congress does something, the Supreme Court almost feels compelled to tell them to back off and leave them alone.*" 8

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Students wearing religious clothing or jewelry

**References used in this essay:**

1. "God on our coins," American Atheists at:  
<http://www.atheists.org/public.square/coins.html>
2. "History of the motto 'In God We Trust'," Department of the Treasury, at:  
<http://www.treas.gov/opc/opc0011.html>
3. "History of 'In God We Trust'," U.S. Department of the Treasury, at: <http://www.treas.gov/education/>
4. Authorized by HR 619, 1955-JUN-29.
5. "U.S. Supreme Court turns down Foundation appeal," Freedom From Religion Foundation, at:  
[http://www.ffrf.org/fttoday/june\\_july96/igwt.html](http://www.ffrf.org/fttoday/june_july96/igwt.html)
6. "Euro introduction much more than just a replacement of guilder: National currency symbols end centuries-long history," The Windmill, 1999-OCT-7, at:  
<http://www.godutch.com/iwindmill/>
7. "Euro coins: Country specific side: Holland," at:  
<http://www.euro.ecb.int/en/section/euro0/>
8. Steve Jordahl, "President Signs Law Affirming God in the

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*Pledge," Focus on the Family, CitizenLink, 2002-NOV-15.*

**Other Internet references:**


- ✱ R.C. Reynolds, "*In God we trust; All others pay cash*," at:  
<http://home.flash.net/~lbartley/au/issues/godtrust.htm>
- ✱ Suzy Meyer, "'*In God We Trust*' belongs in parent's curriculum," Cortez (CO) Journal, at:  
<http://www.cortezjournal.com/edit147.htm>
- ✱ "*In God We Trust: II Timothy 1:12*," Grace Baptist Church, Bloomington IN, at:  
<http://www.brandonweb.com/gbt/sermonpages/>
- ✱ Pastor Randy, "*In God We Trust: Psalm 33:6-12*," at:  
<http://www.fortresschurch.org/pr-ingodwetrust.htm>

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Originally written: 2000-AUG-13

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## Fact Sheets: Currency & Coins

### HISTORY OF 'IN GOD WE TRUST'

The motto IN GOD WE TRUST was placed on United States coins largely because of the increased religious sentiment existing during the Civil War. Secretary of the Treasury **Salmon P. Chase** received many appeals from devout persons throughout the country, urging that the United States recognize the Deity on United States coins. From Treasury Department records, it appears that the first such appeal came in a letter dated November 13, 1861. It was written to Secretary Chase by Rev. M. R. Watkinson, Minister of the Gospel from Ridleyville, Pennsylvania, and read:

*Dear Sir: You are about to submit your annual report to the Congress respecting the affairs of the national finances.*

*One fact touching our currency has hitherto been seriously overlooked. I mean the recognition of the Almighty God in some form on our coins.*

*You are probably a Christian. What if our Republic were not shattered beyond reconstruction? Would not the antiquaries of succeeding centuries rightly reason from our past that we were a heathen nation? What I propose is that instead of the goddess of liberty we shall have next inside the 13 stars a ring inscribed with the words PERPETUAL UNION; within the ring the allseeing eye, crowned with a halo; beneath this eye the American flag, bearing in its field stars equal to the number of the States united; in the folds of the bars the words GOD, LIBERTY, LAW.*

*This would make a beautiful coin, to which no possible citizen could object. This would relieve us from the ignominy of heathenism. This would place us openly under the Divine protection we have personally claimed. From my hearth I have felt our national shame in disowning God as not the least of our present national disasters.*

*To you first I address a subject that must be agitated.*

As a result, Secretary Chase instructed James Pollock, Director of the Mint at Philadelphia, to prepare a motto, in a letter dated November 20, 1861:

*Dear Sir: No nation can be strong except in the strength of God, or safe except in His defense. The trust of our people in God should be declared on our national coins.*



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*You will cause a device to be prepared without unnecessary delay with a motto expressing in the fewest and tersest words possible this national recognition.*

It was found that the Act of Congress dated January 18, 1837, prescribed the mottoes and devices that should be placed upon the coins of the United States. This meant that the mint could make no changes without the enactment of additional legislation by the Congress. In December 1863, the Director of the Mint submitted designs for new **one-cent coin**, **two-cent coin**, and **three-cent coin** to Secretary Chase for approval. He proposed that upon the designs either **OUR COUNTRY**; **OUR GOD** or **GOD, OUR TRUST** should appear as a motto on the coins. In a letter to the Mint Director on December 9, 1863, Secretary Chase stated:

*I approve your mottoes, only suggesting that on that with the Washington obverse the motto should begin with the word **OUR**, so as to read **OUR GOD AND OUR COUNTRY**. And on that with the shield, it should be changed so as to read: **IN GOD WE TRUST**.*

The Congress passed the Act of April 22, 1864. This legislation changed the composition of the **one-cent coin** and authorized the minting of the **two-cent coin**. The Mint Director was directed to develop the designs for these coins for final approval of the Secretary. **IN GOD WE TRUST** first appeared on the 1864 **two-cent coin**.

Another Act of Congress passed on March 3, 1865. It allowed the Mint Director, with the Secretary's approval, to place the motto on all gold and silver coins that "shall admit the inscription thereon." Under the Act, the motto was placed on the **gold double-eagle coin**, the **gold eagle coin**, and the **gold half-eagle coin**. It was also placed on the **silver dollar coin**, the **half-dollar coin** and the **quarter-dollar coin**, and on the **nickel three-cent coin** beginning in 1866. Later, Congress passed the Coinage Act of February 12, 1873. It also said that the Secretary "may cause the motto **IN GOD WE TRUST** to be inscribed on such coins as shall admit of such motto."

The use of **IN GOD WE TRUST** has not been uninterrupted. The motto disappeared from the **five-cent coin** in 1883, and did not reappear until production of the Jefferson nickel began in 1938. Since 1938, all United States coins bear the inscription. Later, the motto was found missing from the new design of the **double-eagle gold coin** and the **eagle gold coin** shortly after they appeared in 1907. In response to a general demand, Congress ordered it restored, and the Act of May 18, 1908, made it mandatory on all coins upon which it had previously appeared. **IN GOD WE TRUST** was not mandatory on the **one-cent coin** and **five-cent coin**. It could be placed on them by the Secretary or the Mint Director with the Secretary's approval.

The motto has been in continuous use on the **one-cent coin** since 1909, and on the **ten-cent coin** since 1916. It also has appeared on all gold coins and **silver dollar coins**, **half-dollar coins**, and **quarter-dollar coins** struck since July 1, 1908.

A law passed by the 84th Congress (P.L. 84-140) and approved by the President on July 30, 1956, the President approved a Joint Resolution of the 84th Congress, declaring **IN GOD WE TRUST** the national motto of the United States. **IN GOD WE TRUST** was

<http://www.ustreas.gov/education/fact-sheets/currency/in-god-we-trust.html>

1/27/03

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Operator's Signature

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first used on paper money in 1957, when it appeared on the one-dollar silver certificate. The first paper currency bearing the motto entered circulation on October 1, 1957. The Bureau of Engraving and Printing (BEP) was converting to the dry intaglio printing process. During this conversion, it gradually included IN GOD WE TRUST in the back design of all classes and denominations of currency.

As a part of a comprehensive modernization program the BEP successfully developed and installed new high-speed rotary intaglio printing presses in 1957. These allowed BEP to print currency by the dry intaglio process, 32 notes to the sheet. One-dollar silver certificates were the first denomination printed on the new high-speed presses. They included IN GOD WE TRUST as part of the reverse design as BEP adopted new dies according to the law. The motto also appeared on one-dollar silver certificates of the 1957-A and 1957-B series.

BEP prints United States paper currency by an intaglio process from engraved plates. It was necessary, therefore, to engrave the motto into the printing plates as a part of the basic engraved design to give it the prominence it deserved.

One-dollar silver certificates series 1935, 1935-A, 1935-B, 1935-C, 1935-D, 1935-E, 1935-F, 1935-G, and 1935-H were all printed on the older flat-bed presses by the wet intaglio process. P.L. 84-140 recognized that an enormous expense would be associated with immediately replacing the costly printing plates. The law allowed BEP to gradually convert to the inclusion of IN GOD WE TRUST on the currency. Accordingly, the motto is not found on series 1935-E and 1935-F one-dollar notes. By September 1961, IN GOD WE TRUST had been added to the back design of the Series 1935-G notes. Some early printings of this series do not bear the motto. IN GOD WE TRUST appears on all series 1935-H one-dollar silver certificates.

Below is a listing by denomination of the first production and delivery dates for currency bearing IN GOD WE TRUST:

#### DENOMINATION PRODUCTION DELIVERY

\$1 Federal Reserve Note	February 12, 1964	March 11, 1964
\$5 United States Note	January 23, 1964	March 2, 1964
\$5 Federal Reserve Note	July 31, 1964	September 16, 1964
\$10 Federal Reserve Note	February 24, 1964	April 24, 1964
\$20 Federal Reserve Note	October 7, 1964	October 7, 1964
\$50 Federal Reserve Note	August 24, 1966	September 28, 1966
\$100 Federal Reserve Note	August 18, 1966	September 27, 1966



January 27, 2003

Barb Lennington  
410 Easy Street  
Bismarck, ND 58504

HB 1325

I would like this committee to propose an amendment to HB 1325 which would allow a religious statement from any religion be displayed next to "In God We Trust". The display of "In God We Trust" is a promotion of a certain religion and could be perceived as exclusionary. Let us make sure that the laws past here are inclusive of all the religions represented by the many diverse people of this state.

May God Bless the World.

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OFFICE OF ATTORNEY GENERAL  
STATE OF NORTH DAKOTA

July 10, 2001

FILE

45-01

Wayne Stenehjem  
ATTORNEY GENERAL  
Honorable Joyce Kingsbury  
State Representative  
143 Eastwood Drive  
Grafton, ND 58237

CAPITOL TOWER  
State Capitol  
600 E. Boulevard Ave.  
Dept. 125  
Bismarck, ND 58505-0040  
701-328-2210  
800-366-6888 (TTY)  
FAX 701-328-2226

Re: National Motto Poster

Dear Representative Kingsbury:

Thank you for your June 27, 2001, letter asking whether 2001 Senate Bill 2177 authorizes the display of the National Motto Poster in public schools.

Consumer Protection  
and Antitrust Division  
701-328-3404  
Toll Free in North Dakota  
800-472-2600  
FAX 701-328-3535

The National Motto Poster is an 11"x14" poster depicting a color picture of a waving United States flag. At the top of the poster is language from the Declaration of Independence. In large white print imposed over the flag are the words, "IN GOD WE TRUST." In smaller print below the national motto are the words, "The national motto of the United States of America Adopted by Congress July 30, 1956."

Gaming Division  
701-328-4848  
FAX 701-328-3535

2001 Senate Bill 2177 provides:

Licensing Section  
701-328-2329  
FAX 701-328-3535

**Religious objects or documents - Display.** A religious object or document of cultural, legal or historical significance which has influenced the legal and governmental systems of the United States and this state may be displayed in a public school building together with other objects or documents of cultural, legal, or historical significance, which have influenced the legal and governmental systems of the United States and this state. This display of a religious object or document under this section must be in the same manner and appearance generally as other objects and documents displayed and may not be presented or displayed in any fashion that results in calling attention to the religious object or document apart from the other displayed objects or documents. A school board shall develop a policy for the proper display of any religious objects or documents.

SOUTH OFFICE BUILDING  
500 N. 9th St.  
Bismarck, ND 58501-4509  
FAX 701-328-4300

Civil Litigation  
701-328-3640

Natural Resources  
701-328-3640

Racing Commission  
701-328-4290

Bureau of Criminal  
Investigation  
P.O. Box 1054  
Bismarck, ND 58502-1054  
701-328-5500  
Toll Free in North Dakota  
800-472-2185  
FAX 701-328-5510

I do not believe the National Motto Poster is authorized by Senate Bill 2177. The National Motto Poster is not a religious object or document. It depicts the American flag and contains the national motto and language from the Declaration of Independence. I do not believe any of those constitute "religious objects or documents." If they do, however, the posters should not be displayed until the school board "develop[s] a policy for the proper display of any religious objects or documents." S.B. 2177, 2001 N.D. Leg. Accordingly, because I do not believe the national motto constitutes a religious object or document, I do not believe Senate Bill 2177 authorizes the display of the poster.

Fire Marshal  
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Bismarck, ND 58502-1054  
701-328-5555  
FAX 701-328-5510

Information Technology  
Box 1054  
Bismarck, ND 58502-1054  
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Although Senate Bill 2177 does not authorize the display of the National Motto Poster in a public school or classroom, it also does not prohibit it.

www.ag.state.nd.us

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# OFFICE OF ATTORNEY GENERAL

STATE OF NORTH DAKOTA

Honorable Joyce Kingsbury

July 10, 2001

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Wayne Stenejem  
ATTORNEY GENERAL

Any limitation on the display of the poster in a public school is imposed by the First Amendment to the United States Constitution.

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There is very little case law regarding the constitutionality of displaying the national motto in public schools. Federal courts have held it does not violate the Constitution to place the words "In God We Trust" on American coinage. Gaylor v. United States, 74 F.3d 214 (10<sup>th</sup> Cir.), cert. denied, 517 U.S. 1211 (1996); O'Hair v. Murray, 588 F.2d 1144 (5<sup>th</sup> Cir.) (affirming district court's dismissal of complaint challenging constitutionality of statutes establishing national motto and requiring the printing of the motto on U.S. currency), cert. denied, 442 U.S. 930 (1979); Aranow v. United States, 432 F.2d 242, 243 (9<sup>th</sup> Cir. 1970) ("It is quite obvious that the national motto and the slogan on coinage and currency 'In God We Trust' has nothing whatsoever to do with the establishment of religion.").

In Gaylor, the Tenth Circuit held that "[t]he statutes establishing the national motto and directing its reproduction on U.S. currency clearly have a secular purpose." 74 F.3d at 216. The court explained "[t]he motto symbolizes the historical role of religion in our society, formalizes our medium of exchange, fosters patriotism, and expresses confidence in the future." Id. (citations omitted). According to the court: "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." Id. The court also held that a reasonable observer, "aware of the purpose, context, and history of the phrase 'In God we trust,' would not consider its use or its reproduction on U.S. currency to be an endorsement of religion." Id. at 217. Substantial dictum from the United States Supreme Court supports that conclusion. See cases cited at Id. And in Schmidt v. Cline, 127 F.Supp.2d 1169 (D. Kan. 2000), the court held that a county treasurer did not violate the Establishment Clause by placing posters containing the words "In God We Trust" in county buildings.

None of those cases, however, addressed placing the national motto in public schools. In school religion cases, the courts have applied a more stringent analysis because young minds are especially susceptible to influence and because students are captive audiences. State v. Freedom from Religion Found., 898 P.2d 1013, 1023 (Colo. 1995), cert. denied, 516 U.S. 1111 (1996). As noted in Edwards v. Aguilard, 482 U.S. 578, 583-84 (1987):

The [Supreme] Court has been particularly vigilant in monitoring compliance with the Establishment Clause in elementary and secondary schools. Families entrust public schools with the education of their children, but condition their trust on the understanding that the classroom will not purposely be used to advance religious views that may conflict with private beliefs of the student and his or her family. Students in such situations are impressionable and their attendance is involuntary.

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# OFFICE OF ATTORNEY GENERAL

STATE OF NORTH DAKOTA  
Honorable Joyce Kingsbury

July 10, 2001

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Wayne Stenehjem  
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See also Lee v. Weisman, 505 U.S. 577, 592 (1992) (stating "there are heightened concerns with protecting freedom of conscience from subtle coercive pressure in the elementary and secondary public schools"). Thus, what is constitutional on other government property or in other government buildings may not be constitutional in a public school.

I found only one case that specifically addresses whether it is constitutional to display the national motto in public schools. In Opinion of the Justices, 228 A.2d 161 (N.H. 1967), the court issued an advisory opinion to the state senate regarding the constitutionality of a proposed statute requiring a plaque be displayed on the wall of every classroom in public educational institutions, on which would appear the words "In God We Trust." Regarding this issue, the court simply stated:

The words "IN GOD WE TRUST" as a national motto appear on all coins and currency, on public buildings, and in our national anthem, and the appearance of these words as a motto on plaques in the public schools need not offend the Establishment Clause of the First Amendment.

Id. at 164.

The New Hampshire case contains very little analysis on the issue in question. Furthermore, it was issued over 34 years ago. There has been substantial development of case law in this area of the law in that time. Accordingly, the Opinion of the Justices decision sheds limited insight into this issue.

If displaying the National Motto Poster is challenged, it is very possible that a court will follow Gaylor and hold displaying the motto has a secular purpose and its primary effect is not to advance religion. However, the fact the motto is displayed in a public school may cause a court to reach a different conclusion. It is possible a court will find the primary purpose of displaying the poster in the school was to promote religion. Court looks beyond the challenged display to determine its actual purpose. Wallace v. Jaffree, 472 U.S. 38, 56 (1985). ("[I]t is appropriate to ask whether government's actual purpose is to endorse or disapprove of religion."). Thus, if evidence exists that the motive for displaying the poster was to endorse religion or promote religious observance, the court may find the display unconstitutional.

Furthermore, the context in which the poster appears is critical because it may determine what viewers fairly understand to be the purpose of the display. For example, displaying the poster in a civics or government history class, or accompanied by other historical documents, is less likely to cause viewers to believe the purpose of the poster is to endorse religion, than if it is posted in isolation in a school hallway.

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## OFFICE OF ATTORNEY GENERAL

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This is a complex and evolving area of the law. As noted by Justice Brennan, there are "few issues more intricate or more demanding than that of the relationship between religion and the public schools." School Dist. of Abington Township, Pa. v. Schempp, 374 U.S. 203, 230 (1963) (Brennan, J., concurring). Because of the limited case law regarding the constitutionality of displaying the national motto in public schools, I cannot provide a concrete answer regarding how a court would rule if a school is challenged for displaying the National Motto Poster. Whether a school's display of the poster is found constitutional may depend on evidence of the actual purpose of displaying the poster and the manner in which it is displayed.

I hope this memo has been of benefit.

Sincerely,

Wayne Stenehjem  
Attorney General

Jjt

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10/3/03

HB 1325

March 19, 2003

Good morning Chairman Freborg and members of the Senate Education Committee. It is a pleasure to appear before your committee this afternoon. For the record, I am Rep. Bill Devlin, District 23, from Finley.

I am here today to offer testimony in support of HB 1325 that we have introduced on behalf of one of our constituents.

The bill simply allows schools to place our national motto, "In God We Trust", in the classrooms and other rooms in the school facility across the state. It is permissive language, but we hope that all schools will take the opportunity to place this important historical material in their facilities.

The bill as originally introduced did not require that the local schools or the state fund this project. Instead, I hope that veterans groups and others will step forward to provide the posters. In one other state that passed similar legislation, a printer provided the posters as a public service. Whatever the case may be in North Dakota I believe our citizens will step forward to provide the materials needed by their local schools.

Since Sept. 11th there has been a renewed interest in providing our young people and others with the information they fully need to understand the basics of our country's history. Whether it is documents from when our country was formed or later materials that are historically significant we need to insure that interest and understanding does not lessen as time passes.

I would hope that by passing this bill we will help restore our faith in the historic ideals of what has made this county the greatest nation in the world. Thank you for allowing me to testify before you this afternoon. I will be happy to answer any questions if the committee has any at this time.

William R. Devlin  
State Representative, District 23

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