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House Bill 5091 (Substitute S-4 as reported by the Committee of the Whole)
Sponsor: Representative Stephen Ehardt
House Committee: House Oversight and Operations
Senate Committee: Local, Urban and State Affairs

Date Completed: 11-28-01

RATIONALE

In 1956, the U.S. Congress passed a joint resolution declaring "In God We Trust" to be the national motto. Since then, all U.S. currency, as well as many public buildings and public schools display the motto. The use of the phrase "In God We Trust", however, has been somewhat controversial and its constitutionality has been challenged throughout the years. Apparently, some school board members discourage displaying the national motto in school buildings because of the word "God", which could be considered to promote a certain religion. Many people believe, however, that the national motto expresses a common belief and does not promote or endorse a particular religion. To ensure that schools and other governmental entities are permitted to display the motto, it has been suggested that the State encourage this practice in law.

CONTENT

The bill would create a new act to state, "This state strongly encourages each state agency and unit of local government to exercise their constitutional ability to place the national motto 'In God We Trust' in or on public buildings or land owned or occupied by that state agency or unit of local government."

Under the bill, "state agency" would mean a department, board, commission, office, agency, authority, or other unit of State government, including a State institution of higher education. "Unit of local government" would mean a political subdivision of the State, including a school district, community college district, intermediate school district, public school academy, city, village, township, county, and authority, if the political

subdivision had as its primary purpose the provision of local governmental service for citizens in a geographically limited area of the State and had the power to act primarily on behalf of that area.

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

By creating a statute to encourage State agencies and local governments, including schools, to display the national motto in or on public buildings or land, the bill would codify the State's endorsement of that practice. This should help dispel the concerns of those who would like to display the motto but wish to avoid controversy. "In God We Trust" is the official national motto and expresses an unifying and common belief accepted by most Americans.

Opposing Argument

The motto endorses a religious point of view and implies a preference for a particular religious perspective. The word "God" promotes monotheism over multitheism as well as over atheism. The best way to protect religious freedom is to keep religion and government separate.

Response: The motto is a respectful statement of belief in a higher power, and is well within the country's founding traditions and legal framework. As an editorial in the *Grand Rapids Press* (11-3-01) put it, the motto expresses a common belief and, "a conviction that God and faith are the sources of liberty

and morality and the underpinnings of the democratic system”.

Legislative Analyst: N. Nagata

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: J. Runnels

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.