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# HOUSE JOINT RESOLUTION NO. 94

House Amendments in [ ] — February 10, 2012

*Memorializing the Congress of the United States to propose an amendment to the Constitution of the United States to allow for* [ *public* ] *voluntary school prayer and prayer in public meetings.*

Patron Prior to Engrossment—Delegate Marshall, D.W.

Referred to Committee on Rules

WHEREAS, the framers of the Constitution, recognizing free exercise of religion as an unalienable right, secured its protection with the First Amendment of the Constitution of the United States; and

WHEREAS, statements of belief in a Supreme Power and the virtue of seeking strength and protection from that Power are prevalent throughout our national history; and

WHEREAS, today there are numerous signs of harmonious church-state coexistence, including organized prayer at every Congressional session, the use of the Bible while administering the oath of office, and the imprinting of "In God we trust" on the national currency; and

WHEREAS, prayer in public schools existed for nearly 200 years before the United States Supreme Court ruled in *Engel v. Vitale, 370 U.S. 421 (1962)* that a government-composed nondenominational "Regents" prayer recited by students was unconstitutional as a violation of the establishment of religion clause of the First Amendment; and

WHEREAS, this decision has severely constrained the exercise of religious freedom guaranteed by the First Amendment; and

WHEREAS, in the aftermath of recent tragic events at public schools around the country, many believe that providing for school prayer would help to prevent these incomprehensible acts of violence from recurring at other schools; and

WHEREAS, Christian [ and other ] prayer in the public sphere, such as at public events and before public meetings, has garnered considerable attention and engendered debate regarding its efficacy and whether prayer is constitutionally protected speech or a disregard for other religious beliefs; and

WHEREAS, in recent years, legislation has been introduced in Congress proposing an amendment to the Constitution of the United States to allow for individual or group prayer in public schools and in the public square; and

WHEREAS, religion and the sanctity and exercise of one's faith is an important subject of significant national and public concern; and

WHEREAS, the proposed amendments would not prescribe the content of the prayer, endorse one religion over another, or require any person to participate in prayer; and

WHEREAS, [ public ] voluntary prayer is a beneficial practice that provides the opportunity for free expression of religion and rebuilding a moral emphasis needed in a country troubled by unspeakable acts of crime and violence, a lack of civility, and a lack of respect for others; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Congress of the United States be urged to propose an amendment to the Constitution of the United States to allow for [ public ] voluntary school prayer and prayer in public meetings; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates transmit copies of this resolution to the Speaker of the House of Representatives, the President of the United States Senate, and the members of the Virginia Congressional Delegation in order that they may be apprised of the sense of the General Assembly of Virginia in this matter.

ENGROSSED

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