

Passed
w/ amend

The Invocation Act of 2014

Senate Resolution 14-11

Senator Jake Loyer, At-Large
President Pro Tempore Emerson George, Liberal Arts
Senator Sam Hearn, Liberal Arts
Committee on Government Operations

A RESOLUTION OF THE ASSOCIATED STUDENT BODY SENATE SUSTAINING THE CONSTITUTIONAL RIGHT TO OPEN THE LEGISLATIVE SESSION WITH AN INVOCATION:

...

The President of Senate shall, at the beginning of his or her term, have the ability to decide whether or not to open the sessions of their term with a non-sectarian invocation from a Chaplain who shall be a part of the Legislative Council. This invocation shall have guidelines governing the content of the invocation. For the invocation to be acceptable it must meet these guidelines: 1) the invocation must not have the primary purpose of either advancing or inhibiting any particular religion, 2) the invocation must not involve prayer to any specified deity (i.e. Jesus Christ, Allah, Vishnu, etc.), 3) the invocation must not directly or indirectly quote a passage from any "Holy Scripture" (i.e. the Bible, the Torah, the Quran, etc.), and 4) the governmental session in which the invocation is given must have a secular purpose. All concerns regarding the content of the invocations will be addressed post ante and if the Chaplain is found to be disregarding the guidelines he or she will be removed from legislative council and replaced.

...

WHEREAS, this resolution shall be referred to as The Invocation Act of 2014;

WHEREAS, the United States Supreme Court has upheld the ability of a legislative session to open with an invocation in cases such as *Marsh v. Chambers* (1983);

WHEREAS, the United States Senate uses a Chaplain and opens its sessions with an invocation;

WHEREAS, the opening of legislative session with an invocation has become more than a simple nicety to be observed, it has become a part of the fabric of the United States of America;

WHEREAS, the motto of the United States is "In God We Trust";

WHEREAS, this resolution does not mandate an invocation, but rather simply provides it as an option;

~~WHEREAS, this resolution specifies that the prayer cannot be "sectarian" so as not to infringe upon the Establishment Clause of the First Amendment of the United States or the rights of those who do not believe in a divine being;~~

The Invocation Act of 2014

WHEREAS, the ability to pray to a divine being is not a breach of the Establishment, but instead simply a tolerable acknowledgement of beliefs widely held across this campus and this nation as cited by Chief Justice Warren E. Burger in the majority opinion written for the 1983 Supreme Court case *Marsh v. Chambers*; AND

WHEREAS, this resolution does not coerce anyone to adopt a particular religion, is not motivated by advancing or inhibiting any particular religion, and does not advance any particular religion.

THEREFORE, BE IT ENACTED THAT THE ASSOCIATED STUDENT BODY SENATE SUSTAINS THE CONSTITUTIONAL RIGHT TO OPEN THE LEGISLATIVE SESSION WITH AN INVOCATION, AS DETAILED ABOVE.

Date of Introduction _____ Date of Consideration _____

Committee Jurisdiction _____

Action of the Campus Senate _____

Senate President _____ Senate Clerk _____

ASB President _____

Administrative Acknowledgement:

Dean of Students _____ Vice Chancellor _____

Chancellor _____

*Marsh v. Chambers
Clause INC.*