

STORAGE NAME: h0023B.ei.doc
DATE: October 23, 2001

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
EDUCATION INNOVATION
ANALYSIS**

BILL #: HB 23B
RELATING TO: Recitation of the Declaration of Independence
SPONSOR(S): Representative(s) Jerry Melvin & Others
TIED BILL(S): None

ORIGINATING COMMITTEE(S)/COUNCIL(S)/COMMITTEE(S) OF REFERENCE:

- (1) EDUCATION INNOVATION
 - (2)
 - (3)
 - (4)
 - (5)
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I. SUMMARY:

This bill requires public school principals and teachers, at the beginning of each school day, to lead an oral recitation by students of a certain portion of the Declaration of Independence. The following portion of the Declaration of Independence must be recited:

“We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed.”

This bill provides that the aforementioned portion of the Declaration of Independence comprises a statement of the fundamental human principles of government upon which this country was founded and its recitation serves to reaffirm the American ideals of individual liberty.

This bill does not appear to have a fiscal impact on state or local governments.

SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|---|--|---|
| 1. <u>Less Government</u> | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | N/A <input type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

While statutorily requiring public school students to recite a portion of the Declaration of Independence may not support the principal of less government, this bill appears to support the principle of personal responsibility by encouraging responsible behavior that reaffirms the American ideals of individual liberty.

B. PRESENT SITUATION:

Among the subjects that public school teachers are statutorily required to teach, s. 233.061(2), F.S., requires public school teachers to teach the content of the Declaration of Independence and how it forms the philosophical foundation of our government; the arguments in support of adopting our republican form of government, as they are embodied in the Federalist Papers; the essentials of the United States Constitution and how it provides the structure of our government; the elements of civil government and the primary functions of and interrelationships between the federal government, the state, and its counties, municipalities, school districts, and special districts; the history of the state; and the sacrifices that veterans have made in serving our country and protecting democratic values worldwide.

Pursuant to s. 233.0655, F.S., each elementary and secondary public school student must recite the pledge of allegiance at the beginning of the school day. Upon written request by a student's parent or guardian, the student must be excused from reciting the pledge of allegiance.

Presently, public school students are not statutorily required to recite any portion of the Declaration of Independence.

C. EFFECT OF PROPOSED CHANGES:

This bill requires public school principals and teachers, at the beginning of each school day, to lead an oral recitation by students of a certain portion of the Declaration of Independence. The following portion of the Declaration of Independence must be recited:

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed."

This bill provides that the aforementioned portion of the Declaration of Independence comprises a statement of the fundamental human principles of government upon which this country was founded and its recitation serves to reaffirm the American ideals of individual liberty.

D. SECTION-BY-SECTION ANALYSIS:

SECTION 1: Creates s. 233.0659, F.S., to require public school principals and teachers, at the beginning of each school day, to lead an oral recitation by students of a certain portion of the Declaration of Independence.

SECTION 2: Establishes an effective date of upon becoming law.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

This bill does not appear to have a fiscal impact on state revenues.

2. Expenditures:

This bill does not appear to have a fiscal impact on state expenditures.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

This bill does not appear to have a fiscal impact on local revenues.

2. Expenditures:

This bill does not appear to have a fiscal impact on local expenditures.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

This bill does not appear to have a direct economic impact on the private sector.

D. FISCAL COMMENTS:

Please see above.

III. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to spend funds or to take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce the percentage of a state tax shared with counties or municipalities.

IV. COMMENTS:

A. CONSTITUTIONAL ISSUES:

This bill does not appear to violate any constitutional provisions.

B. RULE-MAKING AUTHORITY:

This bill does not grant additional rule-making authority.

C. OTHER COMMENTS:

None.

V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None.

VI. SIGNATURES:

COMMITTEE ON EDUCATION INNOVATION:

Prepared by:

Staff Director:

Daniel Furman

Daniel Furman