

Initiative Measure No. 1040

Filed

JAN 28 2009

SECRETARY OF STATE

1 AN ACT Relating to the existence of the Supreme Ruler of the
2 Universe; and adding a new chapter to Title 1 RCW.

3 BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** (1) The purpose of this act is to defend
5 the liberty of the people of the state of Washington. According to the
6 founding documents of our democratic society, the United States
7 Declaration of Independence, the Constitution of the United States, and
8 the Constitution of the state of Washington, the purpose of our
9 government is to secure the liberties of the people which are governed.
10 According to these documents, our liberties have been endowed by a
11 higher power.

12 (2) This act is not about morality, or personal faith, or freedom of
13 thought. It is not about what individual citizens choose to believe or
14 disbelieve. It is not about repealing the First Amendment, denying the
15 citizens of this state their constitutional right to free speech,
16 prohibiting the free exercise of religion, or respecting an
17 establishment of religion. It is not about limiting the rights of
18 individual citizens; rather, it is about requiring our government to do
19 its job, to protect our liberty, a liberty which has been endowed by our
20 Creator, the one responsible for Blessing us, The Supreme Ruler of the
21 Universe.

22 (3) According to the founding documents of our democratic society,
23 the stated purpose of our government is to secure the liberties of the
24 people which are governed.

25 (a) Paragraph two of the United States Declaration of Independence
26 states, "That to secure these Rights, Governments are instituted among
27 Men, deriving their just Powers from the Consent of the Governed."

28 (b) The preamble to the United Sates Constitution states, "We the
29 People of the United States, in Order to form a more perfect Union,
30 establish Justice, insure domestic Tranquility, provide for the common
31 defense, promote the general Welfare, and secure the Blessings of
32 Liberty to ourselves and our Posterity, do ordain and establish this
33 Constitution for the United States of America."

34 (c) Section one of the Constitution of the state of Washington
35 states, "All political power is inherent in the people, and governments
36 derive their just powers from the consent of the governed, and are
37 established to protect and maintain individual rights."

38 (4) According to the founding documents of our democratic society,
39 our liberties have been endowed by a higher power.

40 (a) Paragraph two of the United States Declaration of Independence
41 states, "WE hold these Truths to be self-evident, that all Men are
42 created equal, that they are endowed by their **Creator** with certain
43 unalienable Rights, that among these are Life, Liberty and the Pursuit
44 of Happiness"

45 (b) The preamble to the United States Constitution states, "We the
46 People of the United States, in Order to form a more perfect Union,
47 establish Justice, insure domestic Tranquility, provide for the common
48 defense, promote the general Welfare, and secure the Blessings of
49 Liberty to ourselves and our Posterity, do ordain and establish this
50 Constitution for the United States of America."

51 (c) The preamble to the Constitution of the state of Washington
52 states, "We, the people of the State of Washington, grateful to the
53 Supreme Ruler of the Universe for our liberties, do ordain this
54 constitution."

55 In this nation, it is WE, the people, who are sovereign. Our
56 government has been instituted among us, with our consent, for the
57 purpose of protecting and maintaining our liberties. According to the
58 founding documents of our democratic society, our liberties are true and
59 valid because they are endowed by a higher power. By contending that a
60 higher power does not exist, our government removes the source of,
61 invalidates, and consequently denies we the people of the United States
62 our liberty. Thus, by denying the existence of a higher power our
63 government defeats its purpose. It is therefore, unconstitutional for
64 the government, as opposed to the individual citizens, of the state of
65 Washington to deny or attempt to refute the existence of the Creator,

66 the one responsible for Blessing us with liberty, the Supreme Ruler of
67 the Universe.

68 NEW SECTION. **Sec. 2.** The definitions in this section apply
69 throughout this chapter unless the context clearly requires otherwise.

70 (1) "Circulated document" means any flyer, brochure, or pamphlet
71 that is used to convey procedures, facts, or ideas.

72 (2) "Display" means any sign, billboard, advertisement,
73 announcement, or other posting.

74 (3) "Exercise" means any activity or operation designed to test or
75 train State Employees, members of the State armed forces, elected
76 officials, or students enrolled in the public schools, including both
77 public schools as defined in RCW 28A.150.010 and state colleges and
78 state and regional universities as defined in RCW 28B.10.016.

79 (4) "Higher power" means a form of existence that is above that of
80 human being.

81 (5) "Instruction" means any teachings, lessons, set of objectives,
82 or curriculum.

83 (6) "Public entity" means any organization, corporation, company,
84 partnership, association, trust, foundation, fund, club, society,
85 committee, political party, board, commission, agency, independent
86 office of this state, political subdivision of any county, city, town,
87 municipal corporation, school district, public educational institution,
88 or any group of persons, whether or not incorporated, permanently or
89 temporarily associated together for joint action or advancement of views
90 on any subject or subjects that is receiving public moneys or property.

91 (7) "Public moneys" has the same description as all moneys
92 described in RCW 43.79.010.

93 (8) "Public properties" has the same description as "lands"
94 described in RCW 79.02.010.

95 (9) "Research project" means any form of studious inquiry,
96 investigation, or experimentation.

97 (10) "Scientific endeavor" means any act, idea, theory,
98 intervention, conference, organization, or individual having to do with
99 science.

100 (11) "Textbook" means any book or book substitute, limited to books,

101 reusable workbooks, or manuals, whether bound or in loose leaf form,
102 intended for use as a principal source of study material for a given
103 class or a group of students, a copy of which is expected to be
104 available for the individual use of each pupil in such class or group.

105 NEW SECTION. **Sec. 3.** (1) Without denying the citizens of this
106 state their constitutional liberties, the government of the state of
107 Washington may not use public funds to deny or attempt to refute the
108 existence of the Supreme Ruler of the Universe.

109 (2) Respecting no establishment of religion, yet with respect to the
110 Supreme Ruler of the Universe, whose existence has been declared in the
111 preamble to the Constitution of the state of Washington, the state shall
112 make no appropriation for nor apply any public moneys or property in
113 support of anything, specifically including, but not limited to, any
114 display, exercise, instruction, textbook, scientific endeavor,
115 circulated document, or research project which denies or attempts to
116 refute the existence of the Supreme Ruler of the Universe.

117 NEW SECTION. **Sec. 4.** (1) In compliance with Article II Section
118 19 of the Constitution of the state of Washington, and as it relates to
119 the scope and manner of this act, this chapter presently contains no
120 additional provision for crimes, punishments, or enforcement
121 proceedings. However, citizens, elected officials, and officers and
122 employees of the public entities of this state are mutually responsible
123 for upholding the requirements of this chapter.

124 NEW SECTION. **Sec. 5.** (1) Nothing in this chapter shall be
125 construed as to warrant a government sponsored witch hunt. Individuals
126 shall not be held in contempt for their personal values, beliefs,
127 disbeliefs, or opinions regarding the existence of a Supreme Ruler of
128 the Universe or a higher power.

129 NEW SECTION. **Sec. 6.** (1) Nothing in this chapter shall be
130 construed to limit or infringe upon religious freedom within the meaning
131 and the manner guaranteed by the Constitution of the United States or
132 the state of Washington.

133 (2) No person shall be questioned, interrogated, harassed, bullied,
134 discriminated against, discharged from employment, or punished on

135 account of their personal values, beliefs, disbeliefs, or opinions
136 regarding the existence of a Supreme Ruler of the Universe or a higher
137 power.

138 (3) No public entity shall be held in contempt for the personal
139 beliefs regarding a Supreme Ruler of the Universe or a higher power of
140 its employees or associations who are acting independently of the
141 entity. However, the ideas set forth, regarding a Supreme Ruler of the
142 Universe or a higher power, and perpetuated by individuals when acting
143 on behalf of, or in a representative position, can be found to represent
144 the beliefs of the larger public entity.

145 NEW SECTION. **Sec. 7.** Nothing in this chapter shall be construed
146 to authorize, require, or establish any military or civilian censorship
147 or in any way to limit or infringe upon freedom of the press or freedom
148 of speech or assembly within the meaning and the manner as guaranteed by
149 the Constitution of the United States or of the State of Washington.

150 NEW SECTION. **Sec. 8.** The provisions of this chapter are to be
151 liberally construed to effectuate the intent and purpose of this act.

152 NEW SECTION. **Sec. 9.** If any provision of this act or its
153 application to any person or circumstance is held invalid, the remainder
154 of the act or the application of the provision to other persons or
155 circumstances is not affected.

156 NEW SECTION. **Sec. 10.** This act may be known and cited as the
157 Washington state defense of liberty and the existence of a higher power
158 act.

159 NEW SECTION. **Sec. 11.** Sections 1 through 10 of this act
160 constitute a new chapter in Title 1 RCW.