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MARTY J. JACKLEY
ATTORNEY GENERAL

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AUG 20 2024

SD Secretary of State

BRENT K. KEMPEMA
CHIEF DEPUTY

August 20, 2024

Honorable Monae L. Johnson
Secretary of State
500 E. Capitol
Pierre, SD 57501

RE: Draft Attorney General's Statement (Proposed Initiated Measure
To Require a Daily Non-denominational Prayer in Public Schools)

Dear Secretary Johnson,

Enclosed is a copy of a proposed Initiated Measure, in final form, that the sponsor submitted to this Office. In accordance with state law, I hereby file the enclosed *draft* Attorney General's Statement for the purposes of receiving public comment on the same.

By copy of this letter, I am providing a copy of the *draft* Statement to the sponsor.

Very truly yours,

Marty J. Jackley
ATTORNEY GENERAL

MJJ/dd
Enc.

Filed this 20th day of
August 2024

SECRETARY OF STATE

Cc/encl: Hillel Hellinger
John McCullough – Legislative Research Council

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AUG 20 2024

SD Secretary of State

INITIATED MEASURE

DRAFT ATTORNEY GENERAL'S STATEMENT

Title: An Initiated Measure to Require a Daily Non-denominational Prayer in Public Schools.

Explanation:

This initiated measure requires each public-school teacher, in grades Kindergarten through 12th grade, to lead students every morning in the following prayer: "Almighty God, who is aware of His creation, who keeps it going and judges it, please have mercy on us." The measure requires students to repeat each phrase after the teacher. The measure allows both teachers and students who object to the prayer on religious grounds to seek an exemption from participating in the prayer. The request for an exemption must be submitted in writing to the school principal.

The measure may be challenged in court on constitutional grounds. Judicial or legislative clarification of the measure may be necessary.

Filed this 20th day of
August 2024

Monae L. Johnson

SECRETARY OF STATE

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AUG 20 2024

SD Secretary of State

From: Hillel Hellinger <hhellinger@gmail.com>
Sent: Friday, June 28, 2024 12:14 PM
To: ATG Help; Elections; McCullough, John
Subject: [EXT] Intiated measure for a non-denominational prayer in public schools

Good afternoon

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AUG 20 2024

SD Secretary of State

I am submitting a final copy of my proposed initiated proposal as stated in SD **12-13-25.1**

Be it enacted by the people of South Dakota:

Each school district shall require that every school day begin with each teacher Grades K through 12 leading their students in the non-denominational prayer provided in this section.

The teacher shall lead their students in the prayer reciting phrase by phrase with each student repeating each phrase. The text of this prayer is as follows:

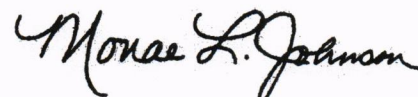
"Almighty God, who is aware of His creation, who keeps it going and judges it, please have mercy on us."

This act excuses the participation of both teachers and students whose parents object on religious grounds to the saying of the prayer mentioned in this section.

Those seeking a religious exemption from participating in prayer shall submit their request in writing to the school principal.

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Hillel Hellinger
Hellinger Trading company
1081 NE 175 Street
North Miami Beach, Fl 33162
Tel# 305-992-1348

Filed this 20th day of
August 2024



SECRETARY OF STATE