

HOUSE JOINT RESOLUTION NO. 59

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES KOTT, Martin, Austerman, Barnes, Kelly, Mulder, Ogan, Hodgins, Green, Phillips, Porter, James

SENATORS Halford, Taylor, Leman, Green, Duncan, Kelly, Phillips, Ward, Mackie, Miller, Pearce, Donley, Torgerson, Lincoln, Parnell

Introduced: 2/12/98

Referred: State Affairs

A RESOLUTION

1 Relating to an amendment to the Constitution of the United States prohibiting
2 desecration of the Flag of the United States.

3 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 **WHEREAS** certain actions, although arguably related to one person's free expression,
5 nevertheless raise issues concerning public decency, public peace, and the rights of expression
6 and sacred values of others; and

7 **WHEREAS** there are symbols of our national soul, such as the Washington
8 Monument, the United States Capitol Building, and memorials to our greatest leaders, that are
9 the property of every American and are therefore worthy of protection from desecration and
10 dishonor; and

11 **WHEREAS** the American Flag was most nobly born in the struggle for independence
12 that began with "The Shot Heard Round the World" on a bridge in Concord, Massachusetts;
13 and

14 **WHEREAS**, in the War of 1812, the American Flag stood boldly against foreign
15 invasion, symbolized the stand of a young and brave nation against the mighty world power
16 of that day and, in its courageous resilience, inspired our national anthem; and

1 **WHEREAS**, in the Second World War, the American Flag was the banner that led the
2 American battle against fascist imperialism from the depths of Pearl Harbor to the
3 mountaintop on Iwo Jima, and from defeat in North Africa's Kasserine Pass to victory in the
4 streets of Hitler's Germany; and

5 **WHEREAS** Alaska's star was woven into the fabric of the Flag in 1959, and that 49th
6 star has become an integral part of the Union; and

7 **WHEREAS** the American Flag symbolizes the ideals that good and decent people
8 fought for in Vietnam, often at the expense of their lives or at the cost of cruel condemnation
9 upon their return home; and

10 **WHEREAS** the American Flag symbolizes the sacred values for which loyal
11 Americans risked and often lost their lives in securing civil rights for all Americans, regardless
12 of race, sex, or creed; and

13 **WHEREAS** the American Flag was carried to the moon as a banner of goodwill,
14 vision, and triumph on behalf of all mankind; and

15 **WHEREAS** the American Flag proudly represents the United States at Olympic
16 events; and

17 **WHEREAS** the American Flag to this day is a most honorable and worthy banner of
18 a nation that is thankful for its strengths and committed to curing its faults and remains the
19 destination of millions of immigrants attracted by the universal power of the American ideal;
20 and

21 **WHEREAS** the law as interpreted by the United States Supreme Court no longer
22 accords to the Stars and Stripes that reverence, respect, and dignity befitting the banner of that
23 most noble experiment of a nation-state; and

24 **WHEREAS** House Joint Resolution 54, which passed the United States House of
25 Representatives and has been referred to the United States Senate, proposes an amendment to
26 the United States Constitution stating, "The Congress shall have power to prohibit the physical
27 desecration of the flag of the United States"; and

28 **WHEREAS** Senate Joint Resolution 40, introduced in the United States Senate,
29 proposes an amendment to the United States Constitution stating, "The Congress shall have
30 power to prohibit the physical desecration of the flag of the United States"; and

31 **WHEREAS** it is only fitting that people everywhere should lend their voices to a

1 forceful call for restoration to the Stars and Stripes of a proper station under law and decency;

2 **BE IT RESOLVED** by the Alaska State Legislature that the Congress of the United
3 States is requested to pass House Joint Resolution 54 or Senate Joint Resolution 40, or
4 comparable legislation, and present to the legislatures of the several states an amendment to
5 the Constitution of the United States that would specifically provide the Congress power to
6 prohibit the physical desecration of the Flag of the United States; this request does not
7 constitute a call for a constitutional convention; and be it

8 **FURTHER RESOLVED** that the legislatures of the several states are invited to join
9 with Alaska to secure ratification of the proposed amendment.

10 **COPIES** of this resolution shall be sent to the Honorable Al Gore, Jr., Vice-President
11 of the United States and President of the U.S. Senate; the Honorable Trent Lott, Majority
12 Leader of the U.S. Senate; to the Honorable Newt Gingrich, Speaker of the U.S. House of
13 Representatives; the governors of each of the several states; the presiding officers of each
14 house of the legislatures of the several states; and to the Honorable Ted Stevens and the
15 Honorable Frank Murkowski, United States Senators, and the Honorable Don Young, United
16 States Representative, members of the Alaska delegation in Congress.