

HOUSE CS FOR CS FOR SENATE JOINT RESOLUTION NO. 6 (JUDICIARY)

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 5/21/91

Referred: Rules

Sponsor(s): SENATORS ZHAROFF, Menard, Rodey, Jones, Fischer, Halford

REPRESENTATIVE Zawacki

A RESOLUTION

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

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

**4 WHEREAS, although the right of free expression is part of the foundation of the United States
5 Constitution, very carefully drawn limits on expression in specific instances have long been recognized
6 as legitimate means of maintaining public safety and decency, as well as orderliness and the productive
7 value of public debate; and**

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

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

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

16 WHEREAS in the War of 1812 the American Flag stood boldly against foreign invasion,

1 symbolized the stand of a young and brave nation against the mighty world power of that day, and in
2 its courageous resilience inspired our national anthem; and

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

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

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

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

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

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

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

21 **WHEREAS** it is only fitting that people everywhere should lend their voices to a forceful call
22 for restoration to the Stars and Stripes of a proper station under law and decency;

23 **BE IT RESOLVED** by the Alaska State Legislature that the Congress of the United States is
24 requested to prepare and present to the legislatures of the several states an amendment to the Constitution
25 of the United States that would specifically provide the Congress and the legislatures of the several states
26 the power to prohibit the physical desecration of the Flag of the United States; this request does not
27 constitute a call for a constitutional convention; and be it

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

30 **COPIES** of this resolution shall be sent to the Honorable Dan Quayle, Vice-President of the
31 United States and President of the U.S. Senate; the Honorable George J. Mitchell, Majority Leader of
32 the U.S. Senate; to the Honorable Thomas S. Foley, Speaker of the U.S. House of Representatives; the

1 governors of each of the several states; the presiding officers of each house of the legislatures of the
2 several states; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, United States
3 Senators, and the Honorable Don Young, United States Representative, members of the Alaska
4 delegation in Congress.