

HJR

30

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HJR 30
 (H) Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: LAA
 Title: Relating to an amendment to the Constitution BRU: _____
of the United States prohibiting Component: _____
 Sponsor: desecration of the Flag of the United States Component Number: _____
 Requester: H(STA)

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2001) cost: 0.0

POSITIONS

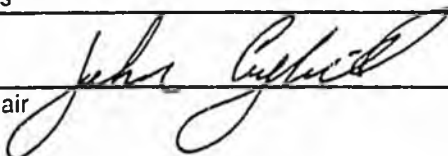
Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This resolution has no fiscal impact on state spending.

Prepared by: Rynniva Moss

Phone 465-3719

Representative John Coghill
 Committee Chair 

Date 1/22/2002

ALASKA STATE LEGISLATURE

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House of Representatives
House District 24

Sponsor Statement

HJR 30

This resolution authorizes the Congress of the United States to present a constitutional amendment to the states authorizing Congress to prohibit the physical desecration of the American flag. The resolution supports two measures that are currently in Congress: House Joint Resolution 36, which passed the House on July 17, 2001 on a vote of 298 to 125, and Senate Joint Resolution 7.

Does the First Amendment give us the right to desecrate the American flag? Or is the flag a sacred symbol of our nation, deserving the protection by law? In 1989, *Texas v. Johnson*, the U.S. Supreme Court overturned anti-flag desecration laws that 48 states had on the books. The Court held that flag burning was symbolic expression and must be afforded the complete protection of the First Amendment. *Uniform Flag Act of 1918.*

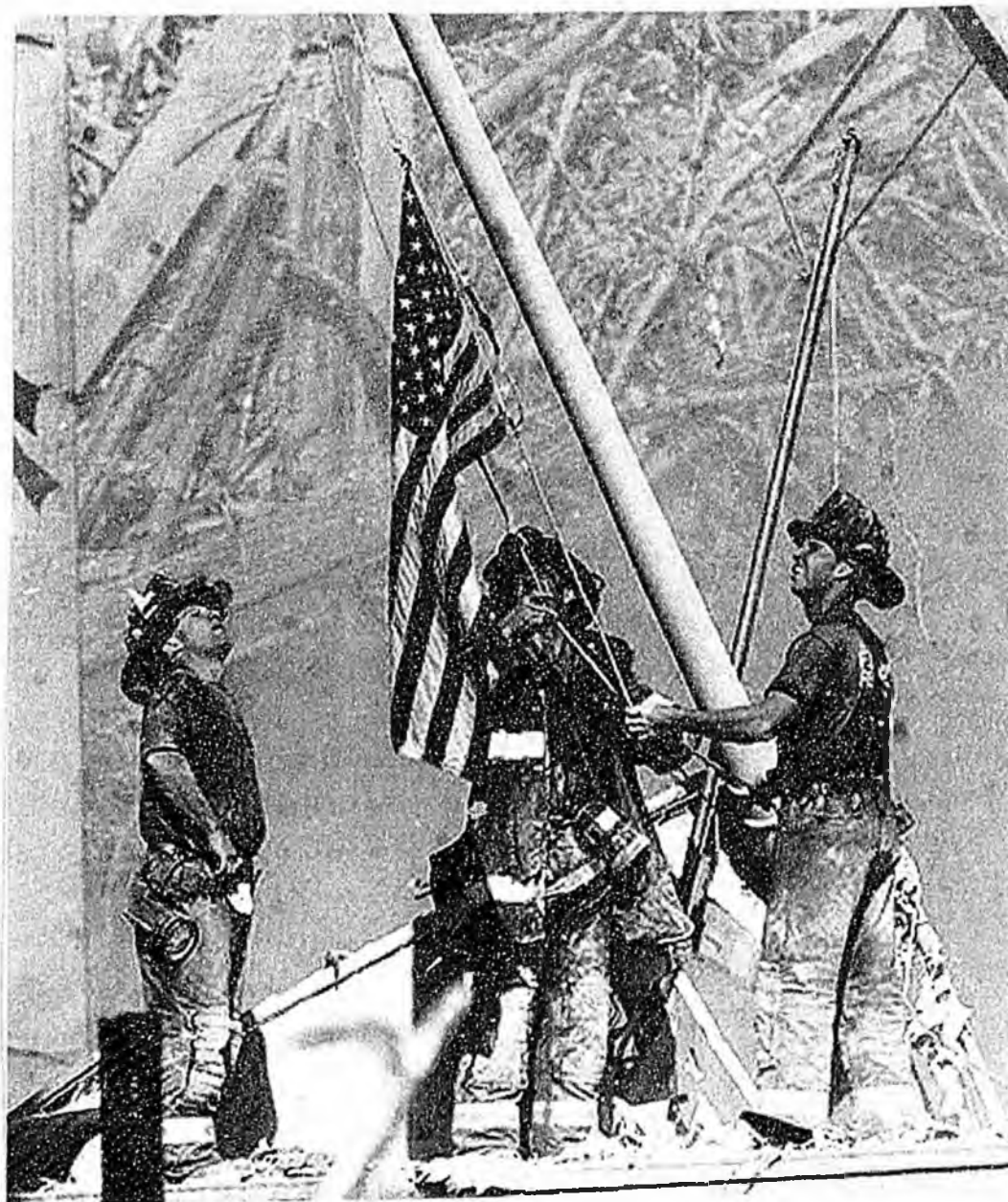
Dissenters to *Texas v. Johnson* argued that the anti-desecration laws protect the *use* of this particular symbol (the American flag), and in no way seek to restrict the ideas that flag desecrators convey. Chief Justice Rehnquist said, "This uniquely deep awe and respect for our flag felt by virtually all of us is bundled off under the rubric of "designated symbols" that the First Amendment prohibits." The dissenting opinion argued that restricting the physical desecration of our national symbol, the government recognizes as fact, the profound regard for the American flag created in the hearts of Americans by 200 colorful years of history.

The 1989 Supreme Court decision set in motion a grassroots campaign of unprecedented success. No other issue on Capitol Hill has the endorsement of 80% of the American people, the overwhelming majority of the US House and Senate and 100% of the state legislatures. HJR30 tells the US Senate to yield to the will of the people and send the proposed flag amendment to the states for ratification.

"The flag is a national property, and the Nation may regulate those who would make, imitate, sell, possess, or use it. I would not question those statutes which proscribe mutilation, defacement, or burning of the flag which otherwise protect its physical integrity, without regard to whether such conduct might provoke violence..... There would seem to be little question about the power of Congress to forbid the mutilation of the Lincoln Memorial.... The flag itself is a monument, subject to similar protection."

- Justice White

Rehnquist dissenting opinion



New York City
SEPTEMBER 11, 2001

Teleconference Order Form

Fax #465-2864

#4782

Sponsor and/or Committee Name			Date
HSTA- Rep. Coghill, Chair			1/22/02
Start/End Time	Chairing site	Juneau Room	Testimony
8 to 10 am	Juneau	Cap102	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Invitational <input type="checkbox"/>
Contact Person and	Phone Number	Other sites may add?	Testimony Limit
Rynniva Moss	465-4963	Yes	
Subject of meeting and/or Bills on agenda			

~~H.R.~~ H.R. 30 Desecration of US Flag

Sites - LIOs		Sites - Offnets	Phone #
Anchorage	<input checked="" type="checkbox"/>		
Barrow			
Bethel			
Cordova			
Delta Junction			
Dillingham			
Fairbanks	<input checked="" type="checkbox"/>		
Glennallen			
Homer			
Juneau			
Kenai			
Ketchikan			
Kodiak			
Kotzebue			
Matsu			
Nome			
Petersburg			
Seward			
Sitka			
Tok			
Valdez			
Wrangell			

Notes

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