

**STATE OF ALASKA
THE LEGISLATURE**

2002

Source
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**Legislative
Resolve No.**
59



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

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

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

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

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

WHEREAS, in the War of 1812, the American Flag stood boldly against foreign invasion, symbolized the stand of a young and brave nation against the mighty world power

of that day and, in its courageous resilience, inspired our national anthem; and

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

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

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

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

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

WHEREAS the American Flag was raised by New York City fire fighters atop the rubble of the World Trade Center and became the symbol of a nation challenged as it had never been before; and

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

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

WHEREAS House Joint Resolution 36, which passed the United States House of Representatives and has been referred to the United States Senate, proposes an amendment to the United States Constitution stating, "The Congress shall have power to prohibit the physical desecration of the flag of the United States"; and

WHEREAS Senate Joint Resolution 7, introduced in the United States Senate, proposes an amendment to the United States Constitution stating, "The Congress shall have

power to prohibit the physical desecration of the flag of the United States"; and

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

BE IT RESOLVED by the Alaska State Legislature that the Congress of the United States is requested to pass House Joint Resolution 36 or Senate Joint Resolution 7, or comparable legislation, and present to the legislatures of the several states an amendment to the Constitution of the United States that would specifically provide the Congress power to prohibit the physical desecration of the Flag of the United States; this request does not constitute a call for a constitutional convention; and be it

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

COPIES of this resolution shall be sent to the Honorable Richard B. Cheney, Vice-President of the United States and President of the U.S. Senate; the Honorable Thomas Daschle, Majority Leader of the U.S. Senate; the Honorable J. Dennis Hastert, Speaker of the U.S. House of Representatives; the governors of each of the several states; the presiding officers of each house of the legislatures of the several states; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, United States Senators, and the Honorable Don Young, United States Representative, members of the Alaska delegation in Congress.