

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE JOINT RESOLUTION 1276

Sponsors: Representatives Smith; Alphin, Bowman, J. Brown, Church, Culp, DeVane, Dickson, Ellis, Gardner, Hill, Howard, Justus, McCrary, McLawhorn, Nichols, Nye, Redwine, Richardson, Spears, Sutton, Warner, Weatherly, Wilkins, and C. Wilson.

Referred to: Rules, Calendar and Operations of the House.

May 6, 1993

1 A JOINT RESOLUTION MEMORIALIZING CONGRESS TO PROPOSE AN
2 AMENDMENT TO THE UNITED STATES CONSTITUTION PROVIDING THE
3 STATES THE POWER TO PROHIBIT THE PHYSICAL DESECRATION OF
4 THE UNITED STATES FLAG.

5 Whereas, although the right of free expression is part of the foundation of the
6 United States Constitution, very carefully drawn limits on expression in specific
7 instances have long been recognized as legitimate means of maintaining public safety
8 and defining other societal standards; and

9 Whereas, certain actions, although arguably related to one person's free
10 expression, nevertheless raise issues concerning public decency, public peace, and the
11 rights of other citizens; and

12 Whereas, there are symbols of our national soul such as the Washington
13 Monument, the United States Capital Building, and memorials to our greatest leaders,
14 which are the property of every American and are worthy of protection from desecration
15 and dishonor; and

16 Whereas, the American flag is a most honorable and worthy banner of a
17 nation which is thankful for its strengths and committed to curing its faults, a nation that
18 remains the destination of millions of immigrants attracted by the universal power of the
19 American ideal; and

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

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

7 Now, therefore, be it resolved by the House of Representatives, the Senate concurring:

8 Section 1. The General Assembly respectfully memorializes the Congress of
9 the United States to propose an amendment to the United States Constitution, for
10 ratification by the states, specifying that Congress and the states shall have the power to
11 prohibit the physical desecration of the flag of the United States.

12 Sec. 2. The Secretary of State shall transmit a certified copy of this resolution
13 to the President of the United States Senate, to the Speaker of the United States House
14 of Representatives, and to each member of the North Carolina congressional delegation.

15 Sec. 3. This resolution is effective upon ratification.