

SENATE JOINT RESOLUTION NO. 19

INTRODUCED BY WILLIAMS, PAVLOVICH, GRINDE, PINSONEAULT,
QUILICI, SWIFT, GAGE, SWYSGOOD,
MENAHAN, ZOOK, HAMMOND, J. JOHNSON,
TVEIT, BURNETT, MADISON, HARP

IN THE SENATE

FEBRUARY 12, 1991 INTRODUCED AND REFERRED TO COMMITTEE
ON JUDICIARY.

 FIRST READING.

FEBRUARY 23, 1991 COMMITTEE RECOMMEND RESOLUTION
DO PASS AS AMENDED. REPORT ADOPTED.

FEBRUARY 25, 1991 PRINTING REPORT.

FEBRUARY 26, 1991 SECOND READING, DO PASS.

 ENGROSSING REPORT.

FEBRUARY 27, 1991 THIRD READING, PASSED.
AYES, 36; NOES, 14.

 TRANSMITTED TO HOUSE.

IN THE HOUSE

MARCH 7, 1991 INTRODUCED AND REFERRED TO COMMITTEE
ON STATE ADMINISTRATION.

 FIRST READING.

MARCH 19, 1991 COMMITTEE RECOMMEND RESOLUTION BE
CONCURRED IN. REPORT ADOPTED.

MARCH 21, 1991 SECOND READING, CONCURRED IN.

MARCH 23, 1991 THIRD READING, CONCURRED IN.
AYES, 56; NOES, 42.

 RETURNED TO SENATE.

IN THE SENATE

MARCH 25, 1991 RECEIVED FROM HOUSE.

 SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 *Senate* JOINT RESOLUTION NO. *19*
 2 INTRODUCED BY *William Rayburn* *George H. Cannon*
 3 *John A. Swift* *Samuel R. McPherson*
 4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
 5 REPRESENTATIVES OF THE STATE OF MONTANA PETITIONING THE
 6 UNITED STATES CONGRESS TO PROPOSE A CONSTITUTIONAL
 7 AMENDMENT, FOR RATIFICATION BY THE STATES, THAT WOULD
 8 PROHIBIT THE DESECRATION OF THE AMERICAN FLAG.

9
 10 WHEREAS, although the right of free expression is part
 11 of the foundation of the United States Constitution, very
 12 carefully drawn limits on the expression in specific
 13 instances have long been recognized as a legitimate means of
 14 maintaining public safety and decency, as well as
 15 orderliness and the productive value of public debate; and

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

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

25 WHEREAS, the American flag, to this day, is the most

1 honorable and worthy banner of a nation that is thankful for
 2 its strengths and committed to curing its faults and that
 3 remains the destination of millions of immigrants attracted
 4 by the universal power of American ideals; and

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

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

13
 14 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
 15 OF REPRESENTATIVES OF THE STATE OF MONTANA:

16 That the Legislature of the State of Montana
 17 respectfully petition the Congress of the United States to
 18 propose an amendment to the United States Constitution, for
 19 ratification by the states, specifying that Congress and the
 20 states have the power to prohibit the physical desecration
 21 of the flag of the United States.

22 BE IT FURTHER RESOLVED, that the Secretary of State send
 23 copies of this resolution to the Speaker of the United
 24 States House of Representatives, the President of the
 25 Senate, and each member of Montana's Congressional



LC 1699/01

1 Delegation.

-End-

APPROVED BY COMMITTEE
ON JUDICIARY

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A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA PETITIONING THE UNITED STATES CONGRESS TO ~~PROPOSE~~ CONSIDER A CONSTITUTIONAL AMENDMENT, FOR RATIFICATION BY THE STATES, THAT WOULD PROHIBIT THE DESECRATION OF THE AMERICAN FLAG.

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

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

WHEREAS, there are symbols of our national soul, such as the Washington Monument, the United States Capitol, and memorials to our greatest leaders, that are the property of

WHEREAS, the American flag, to this day, is the most honorable and worthy banner of a nation that is thankful for its strengths and committed to curing its faults and that remains the destination of millions of immigrants attracted by the universal power of American ideals; 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 the most noble experiment of a nation-state; 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.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Legislature of the State of Montana respectfully petition the Congress of the United States to ~~propose~~ CONSIDER an amendment to the United States Constitution, for ratification by the states, specifying that Congress and the states have the power to prohibit the physical desecration of the flag of the United States.

BE IT FURTHER RESOLVED, that the Secretary of State send copies of this resolution to the Speaker of the United States House of Representatives, the President of the

SJR 0019/02

1 Senate, and each member of Montana's Congressional
2 Delegation.

-End-

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22 expression, and the sacred values of others; and

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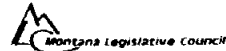
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