

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**EXTRA SESSION 1994**

**H**

**1**

HOUSE RESOLUTION 230

---

Sponsors: Representatives Smith; Bowman, McLawhorn, and Yongue.

---

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

---

March 7, 1994

1 A HOUSE 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

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

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

26 Now, therefore, be it resolved by the House of Representatives:

1           Section 1. The House of Representatives respectfully memorializes the  
2 Congress of the United States to propose an amendment to the United States  
3 Constitution, for ratification by the states, specifying that Congress and the states shall  
4 have the power to prohibit the physical desecration of the flag of the United States.

5           Sec. 2. The Principal Clerk of the House of Representatives shall transmit a  
6 certified copy of this resolution to the Secretary of the United States Senate, to the Clerk  
7 of the United States House of Representatives, and to each member of the North  
8 Carolina congressional delegation.

9           Sec. 3. This resolution is effective upon adoption.