

**2001 DRAFTING REQUEST**

**Assembly Joint Resolution**

Received: 11/17/2000

Received By: dykmapj

Wanted: Soon

Identical to LRB:

For: Scott Suder (608) 267-0280

By/Representing: Thompson, Anne

This file may be shown to any legislator: NO

Drafter: dykmapj

May Contact:

Addl. Drafters:

Subject: **Constitutional Amendments  
Memorials - Congress to**

Extra Copies: **JTK**

Submit via email: YES

Requester's email: Rep.Suder@legis.state.wi.us

**Pre Topic:**

No specific pre topic given

**Topic:**

U.S. Flag amendment

**Instructions:**

See Attached AJR 26 (LRB 2029/1)

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	dykmapj 11/17/2000	gilfokm 11/17/2000		_____			
/1			martykr 11/20/2000	_____	lrb_docadmin 11/20/2000		
/2	dykmapj 05/17/2001	gilfokm 05/17/2001		_____			



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05/21/2001 \_\_\_\_\_

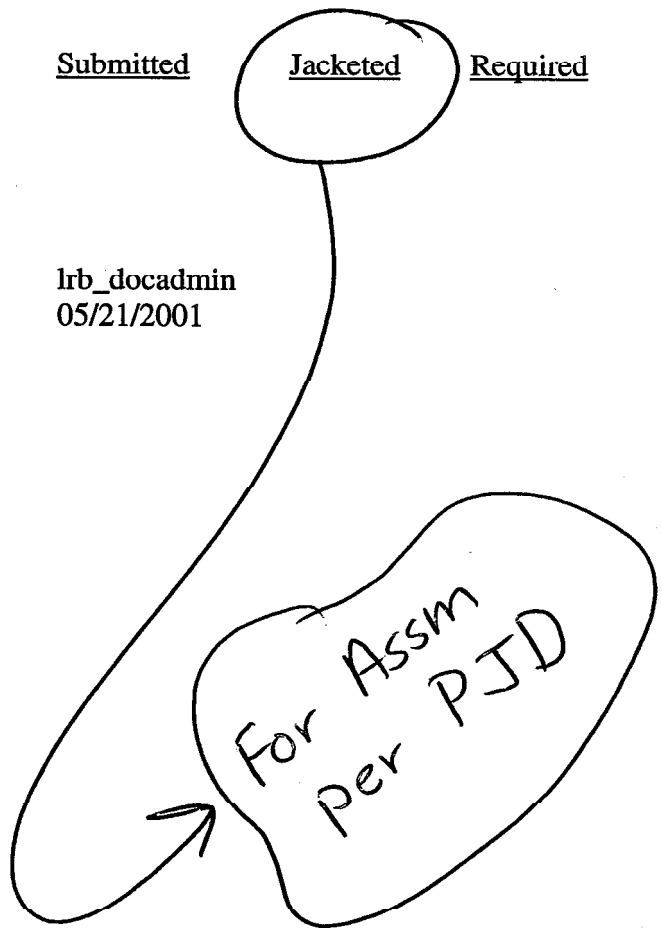
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FE Sent For:

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/1		<i>1-5/KMG</i> 11-17-01	martykr 11/20/2000 <i>[Signature]</i> 5-21-1		lrb_docadmin 11/20/2000 <i>[Signature]</i> 5-21-1		
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FE Sent For:

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1094/01

# 1999 ASSEMBLY JOINT RESOLUTION 26

~~February 25, 1999 – Introduced by Representatives SUDEB, PETTIS, PETROWSKI, GUNDRUM, AINSWORTH, ALBERS, GOETSCH, GROTHMAN, GUNDERSON, HAHN, HANDRICK, HOVEN, HUEBSCH, KEDZIE, LADWIG, MUSSER, OTT, OWENS, PLALE, RYBA, SPILLNER, SYKORA and NASS, cosponsored by Senators BRESKE, ZIEN, DRZEWIECKI and FITZGERALD. Referred to Committee on Rules.~~

1 **Relating to:** requesting appropriate action by the U.S. Congress to propose an  
2 amendment to the federal constitution empowering the Congress to prohibit  
3 physical desecration of the flag of the United States of America.

### *Analysis by the Legislative Reference Bureau*

This joint resolution applies to the U.S. Congress to submit to the states, for ratification, an amendment to the federal constitution "empowering the Congress to prohibit physical desecration of the flag of the United States of America" ✓

4 Whereas, the flag of the United States of America, our national symbol,  
5 embodies the spirit of liberty and freedom for the people of this nation and serves as  
6 inspiration for those who cherish the ideals of that most noble experiment,  
7 democracy; and

8 Whereas, although freedom of expression is a right guaranteed by the Bill of  
9 Rights as part of the U.S. Constitution, very carefully drawn limits on expression in  
10 specific instances have long been recognized as a legitimate means of maintaining

1 public safety and decency, and ensuring orderliness and the productive value of  
2 public debate; and

3 Whereas, certain actions against our national symbol raise serious issues  
4 concerning public decency, keeping of the public peace, property rights and the  
5 sacred values of the American people; and

6 Whereas, many state flag protection laws, including our own Wisconsin law  
7 that had its origins in a 1901 act, have been struck down by courts of last resort on  
8 constitutional grounds, and are no longer able to afford to the Stars and Stripes the  
9 reverence, respect and dignity befitting the symbol of the greatest democracy on  
10 earth; and

11 Whereas, in light of these court decisions, the last recourse on the federal level  
12 available to the American public is congressional action to amend the Constitution  
13 of the United States to protect "Old Glory"; and

14 Whereas, it is only fitting that people throughout our great state should lend  
15 their voices to a forceful call for restoration of the Stars and Stripes to a proper  
16 station of respect and decency under protection of the laws of this great land; now,  
17 therefore, be it

18 ***Resolved by the assembly, the senate concurring, That*** the legislature of  
19 the state of Wisconsin proposes to the Congress of the United States that procedures  
20 be instituted in Congress to add a new article to the Constitution of the United  
21 States, and that the state of Wisconsin requests Congress to prepare and submit to  
22 the several states an amendment to the Constitution of the United States,  
23 empowering the Congress to prohibit physical desecration of the flag of the United  
24 States of America; and, be it further



*Immediately transmit a duly attested copy*

1       **Resolved, That** the assembly chief clerk shall ~~provide a copy~~ of this joint  
2 resolution to the President of the United States, to the president and secretary of the  
3 ~~senate~~ senate of the United States, to the speaker and clerk of the ~~house of~~ house of representatives  
4 of the United States, to the majority and minority leaders of the ~~senate~~ senate of the United  
5 States, to the ~~majority and~~ majority and minority leaders of the U.S. house of representatives, to each member  
6 of the congressional delegation from this state and to the presiding officer of each  
7 house of each state legislature in the United States attesting to the adoption of this  
8 joint resolution by the legislature of the state of Wisconsin.

9

(END)

*2001*

*, to the National  
Conference of State Legislatures,  
to the Council of State Governments,*



*redraft*  
*[Signature]*

## 2001 ASSEMBLY JOINT RESOLUTION

*[Large Signature]*

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8 Whereas, although freedom of expression is a right guaranteed by the Bill of  
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10 specific instances have long been recognized as a legitimate means of maintaining

1 public safety and decency, and ensuring orderliness and the productive value of  
2 public debate; and

3       Whereas, certain actions against our national symbol raise serious issues  
4 concerning public decency, keeping of the public peace, property rights, and the  
5 sacred values of the American people; and

6       Whereas, many state flag protection laws, including our own Wisconsin law  
7 that had its origins in a 1901 act, have been struck down by courts of last resort on  
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11       Whereas, in light of these court decisions, the last recourse on the federal level  
12 available to the American public is congressional action to amend the Constitution  
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14       Whereas, it is only fitting that people throughout our great state should lend  
15 their voices to a forceful call for restoration of the Stars and Stripes to a proper  
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19 the state of Wisconsin proposes to the Congress of the United States that procedures  
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22 to the several states an amendment to the Constitution of the United States,  
23 empowering the Congress to prohibit physical desecration of the flag of the United  
24 States of America; and, be it further

1           **Resolved, That** the assembly chief clerk shall immediately transmit a duly  
2           attested copy of this joint resolution to the President of the United States, to the  
3           president and secretary of the senate of the United States, to the speaker and clerk  
4           of the house of representatives of the United States, to the majority and minority  
5           leaders of the senate of the United States, to the majority and minority leaders of the  
6           U.S. house of representatives, to each member of the congressional delegation from  
7           this state, to the National Conference of State Legislatures, to the Council of State  
8           Governments, and to the presiding officer of each house of each state legislature in  
9           the United States, attesting the adoption of this joint resolution by the 2001  
10          legislature of the state of Wisconsin.

11

**(END)**