

A RESOLUTION TO RESTORE PRAYER AND PLEDGE OF ALLEGIANCE

Legislative Background for Senate Resolution 19-

Adopting a Statement of Intent to affirm New California's commitment to the firm belief of the founders of the United States of America as established in our Declaration of Independence, that "we hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness."

It is the responsibility of government to protect and safeguard the exercise of these rights, and to promote a secure environment that allows individuals to express their conscience and embrace those truths within any public domain, forum or setting, most especially in any public education institution where the exchange of ideas is primary to its goals.

During the war of 1812, Francis Scott Key witnessed the success of the defense of Fort McHenry when saw that our nation's flag was raised as morning broke following a night of siege. His reaction was confirmed in a poem that would become our national anthem, "The Star-Spangled Banner", as later codified by Congress in 1931 under 36 U.S.C. SS 301.

In the midst of the second world war, the need arose to express the determination of the American people to stand their ground to protect not only their national heritage, but their existence as a country devoted to individual freedom to pursue their life, liberty and happiness, became codified when the U.S. Congress pass a joint resolution which became Public Law 829. It was not a law to impose penalties, either civil or criminal, but rather a law to stress the importance of the American flag to its people, and provide rules for its use and display. The flag was recognized as the symbol of our enduring national heritage as a Republic.

Key's emotional description signals the importance of what that flag, or banner, truly meant when he wrote: "O say can you see, by the dawn's early light, what so proudly we hailed at the twilight's last gleaming, whose broad stripes and bright stars through the perilous fight, O'er the ramparts we watched, were so gallantly streaming? And the rockets' red glare, the bombs bursting in air, gave proof through the night that our flag was still there; O say does that star-spangled banner yet wave o'er the land of the free and the home of the brave?" Thus, both our flag and our national anthem have become an expression of thankfulness and appreciation for the sacrifice that many have made a central element of preserving our national respect, honor and our heritage of freedom.

**NEW CALIFORNIA STATE
SENATE RESOLUTION NO. 19-_____**

WHEREAS, a destructive and radical movement within our academic system and our public media to distort history for the purposes of changing the nature and intent of the past to effect an agenda that reframes how American history will be taught in our public schools. This movement attempts to exclude and/or revise the historic role played in our past upon which our founding culture was established both in reverence for those founding ideals and within the principles of our religious convictions and moral values; and

WHEREAS, the Supreme Court of the U.S. has found, after much debate and consideration, that the “pledge of allegiance” to this national heritage, as summarized by Supreme Court Justice Jackson in *West Virginia State Board of Education v. Barnett* (1943), was not something that was to be instilled by force, but needed to be an individual expression that was both voluntary and heartfelt in its expression. Justice Jackson found that “If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion or force citizens to confess by word or act their faith therein;” and

WHEREAS, there is an abundance of primary sources and records, including actual historical events bearing out not only the force of their beliefs, but also the commitment of the players in the American Founding to a belief that the importance of certain symbols and actions are just as important as the monuments of memory to their perpetuation; and

WHEREAS, citizens of New California are determined to live under a state government in the United States of America under the Constitution of the United States of America; and

WHEREAS, citizens of New California have decided to exercise their right to form a new state as provided for in the United States Constitution under Article IV Sections 3 and Section 4 as a remedy for the abuse of power by the government of California; and

WHEREAS, the citizens of New California declared their Independence on January 15, 2018; and

WHEREAS, the Declaration of Independence states: “Whenever any form of government becomes destructive it is the right of the people to alter or abolish it, and to institute new government. And when a long train of abuses and acts to seize and hold the peoples power without legal authority and pursuing invariably the same Object that clearly demonstrates a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security; and

WHEREAS, these philosophical currents being promoted by academia to change the curriculum of our schools with revisionist histories are part of a radical effort that holds and harbors absolute contempt and disdain for America’s ideals by using their own utopian standards of today to revise the history of the past. As popularized in textbooks currently used in our schools, such as Howard Zinn’s “A People’s History of the United States,” they are attempting to indoctrinate our children with the Marxist narrative of the “oppressed” versus the “Oppressor.” Even with classroom tools such as documentaries and recordings, the mantra in the schools is to demonize our founding ideals and castigate those who pledged and sacrificed their lives,

fortunes and sacred honor to promote those ideals for the betterment of our nation. True to the Marxists real agenda, they want to diminish the role of personal responsibility and accountability by placing the role and purpose of the state as a replacement for our moral compass and individual conscience in expressing our personal beliefs and respect for the values we cherish; and

WHEREAS, Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; and

WHEREAS, under the Establishment Clause, government is forbidden to enact laws aiding any religion or creating an official religion; and

WHEREAS, under the Free Exercise Law, government is forbidden to interfere with an individual free exercise of religion, including the areas of belief, practice, and propagation; and

WHEREAS, Whereas, the Assembly and Senate begin each day with a prayer, New California State students in every school should also enjoy the freedom to start the day with time for a prayer or private reflection of their choosing; and

WHEREAS, the elimination of prayer in the school and in the classroom has removed the acknowledgment and central importance of natural rights as derived from our Creator and higher authority, which was valued as a universal standard of truth, causing students to lose an attitude of respect for all authority including administration, teachers and parents; and

WHEREAS, New California State believes that an absence of prayer in public schools is significantly to blame for drug use, violence, lack of respect for authority and societal decay in general. Schools may not prohibit students from praying voluntarily as long as it is done silently: does not disrupt others, and does not subject other students to peer pressure; and

WHEREAS, New California State believes in protected prayer in public elementary and secondary schools. Local educational agencies (LEA) will have no policy that prevents or otherwise denies participation in constitutionally protected prayer in public elementary and secondary schools under current California ED. Code Article 2.52720 yet it has been virtually eliminated; and

WHEREAS, henceforth, any teacher or professor in any public educational institution within the State of New California may, recognizing that our national heritage of the pursuit of individual freedom to preserve our life, liberty and happiness springs from our natural rights, at the beginning of any homeroom or any class may pray, lead willing students in silent prayer, or may lead the willing students in the prayer to God, just as our United States Assembly and Senate do at the opening of every session; and

WHEREAS, "God of all consolation, healer of all wounds and giver of every good gift, we ask that You pour forth the healing balm of Your grace, mercy and love. Grant to those who mourn Your comfort. Grant to the fearful Your hope. Grant to the lost and confused Your clear and guiding light. Amen" (this prayer was given 8/9/19 in the California Assembly); and

WHEREAS, it is the responsibility and the right of parents in each school to request that their student be allowed to practice their religious beliefs free of harassment, in silence, during this minute of silence; and

WHEREAS, under the Equal Access Act, a school district is required to give equal access to an outside organization that provides after-school religious instruction to secondary-school age children. The use of school facilities by religious organizations is in accordance with policies that also allow nonreligious groups to use the facilities. Student organized religious clubs are allowed to meet on school property anytime student led clubs are permitted; and

WHEREAS, the founding fathers recognizing natural rights given to all by God, and subsequent leaders included reference to God in our national motto national anthem, and on our monetary denominations – “Under God” will stand as included in the pledge of allegiance; and

WHEREAS, the Pledge of Allegiance is one of our nation’s most honored secular symbols, viewed by many in the same light as the National Anthem. A school administrative unit shall allow every student enrolled the opportunity to recite the Pledge of Allegiance each morning in which students are required to attend. A school administrative unit may not require a student to recite the Pledge of Allegiance, but each student will stand during the recitation. It denotes pride in our country and is important to instill in our students love of country and an appreciation of the liberty and justice it provides. Students not reciting the pledge shall not be punished in any way; and

WHEREAS, the American flag has 13 horizontal stripes in red and white representing the 13 colonies that had originally declared independence from the British rule. The white stars on a blue field adorn the top-left section and denote the number of states in this republic. Our flag stands for freedom, justice and self-governance; and

WHEREAS, the American flag is an enduring symbol of liberty and justice. The flag symbolizes pride, the pride of our country, ourselves and pride for our flag of America. It represents joy for the heroes who stood tall defending our country, joy when the warriors came home to us all; and

WHEREAS, American soldiers returning deceased from duty, in a casket draped by an American flag, signifies the appreciation of their service and a tribute to the ultimate sacrifice to this country; and

WHEREAS, patriotism plays a significant role in preparing our youth to become useful, self sustaining and participating citizens, and helps to build a sense of pride in our country and its rich history, which is important in nurturing great leaders in future generations who possess integrity and moral soundness; and

WHEREAS, the current California government now is openly and willingly hostile to the idea of government of, by, and for the people, proven by its repeated attempts to disenfranchise citizens and destroy both the state and Federal Republic through foreign influence; and

WHEREAS, the current California government has reneged on its obligation under Article IV, Section Four of the United States to guarantee to every State in this Union a republican form of government; and

WHEREAS, we as the citizens of New California State pray the President of these United States of America exercise his authority under the Insurrection Act of 1807 to end the tyranny being foisted upon United States citizens living in California.

BE IT RESOLVED by this joint resolution of the Senate and Assembly members of New California that in every school there shall be conducted daily appropriate patriotic exercises and allowance for a time of prayer and personal observance. The giving of the Pledge of Allegiance to the Flag of the United States of America and the allowance of some time for private individual prayer shall satisfy such requirement. Such patriotic exercises shall be conducted in accordance with the regulations which shall be adopted by the governing board of the district maintaining school; and

BE IT ALSO RESOLVED, that we as the citizens of New California State, having observed the takeover and corruption of our once proud republic, give and sound out a clarion warning to the other states of the union that the old California Republic, which has been the experimental laboratory for the radical agendas that the enemies of liberty seek to export to other states for the destruction of the republican forms of government they hate, shall no longer prevail.

NOW THEREFORE, BE IT RESOLVED

ADOPTED this _____ day of _____, 2019.

AYES: _____ (number of votes)

NOES: 0

ABSTAIN: 0

New California State Senate

New California State Assembly

Robert Righetti, Riverside County
President Pro Tempore
