

The April 2009 Clark

Fifth Clark of the 39th Ziu

1. Results of the February 2009 Clark

The following bills received Royal Assent and have been passed into law:

39RZ12 – The Constitution for Benito Act

Introduced by Tímopi Asmourescu (MC-RUMP)

Agreed to by the Cosä 154-10, by the Senäts 7-0

39RZ14 – The Have a Coca and a Smile Act

Introduced by Ma la Mha, Contä Thord (MC-RUMP)

Agreed to by the Cosä 149-0 (15 abstained), by the Senäts 7-0

The Cosä and Senäts disagreed on the following bill:

39RZ13 – The Ziu Reform Amendment

Introduced by Tímopi Asmourescu (MC-RUMP)

Agreed to by the Cosä 98-66, rejected by the Senäts 2-5

The Cosä passed a Vote of Confidence in the Government 117-47 .

Members of the Cosä voted as follows:

Name	Party	Seats	RZ 12	RZ 14	RZ 13	VoC
Xhorxh Asmour	CCCP	4	Per	Per	Per	Non
Ian da Bitour	CCCP	1	Per	Per	Per	Üc
Mataiwos Vürinalt	CCCP	3		Did not vote		
Flip Molinar	CCCP	3	Per	Per	Per	Non
Iusti Canun	CCCP	3	Per	Per	Per	Üc
Dréu Gavárpic'h	CRO	11	Per	Per	Per	Non
Tony Weckström	DPD	3	Per	Per	Per	Non
Roi beard Laira	GRUMP	6	Per	Per	Per	Non
Davíu Sierviciül	GRUMP	3		Did not vote		
Mick Preston	LRT	1	Per	Per	Per	Üc
Viteu Marcianüs	PP	5	Per	Per	Per	Üc
Breneir Tzaracomprada	PP	5	Per	Per	Per	Üc
Vit Caçeir	PP	4		Did not vote		
Owen Edwards	PP	9	Per	Per	Per	Üc
Iac Marabuérg	PP	7		Did not vote		
Daniel Forestal	PP	7	Per	Per	Per	Üc
Tímopi Asmourescu	RDP	20	Per	Per	Per	Non
Ma la Mha	RUMP	21	Per	Con	Per	Üc
			154-10	149-0 (15)	98-66	117-47

Name	Party	Seats	RZ 12	RZ 14	RZ 13	VoC
Eugene Oh	RUMP	10	Con	Con	Per	Üc
Bleic'h Ianescu	RUMP	20	Per	Con	Per	Üc
Cjara Brainerd	RUMP	15	Per	Con	Aus	Üc
Danihel Lupulet	RUMP	15	Per	Per	Per	Üc
Cresti Caveglhet	RUMP	5	Per	Per	Per	Üc
Cari Defiançal	RUMP	10	<i>Did not vote</i>			
			154-10	149-0 (15)	98-66	117-47

Senators voted as follows:

Name	Province	RZ12	RZ14	RZ13
Brad Holmes	Atatürk	Per	Con	Per
Nic Casálmac'h	Belacostă	Per	Con	Per
X. Pol Brigă	Cézembre	Per	Per	Per
Ieremiac'h Ventrutx	Florenciă	Per	Con	Per
Olaf Brainerd	Maricopa	Per	Con	Per
Alexandreu Davinescu	Maritiimi-Maxhestic	Per	Per	Per
Trotxă Betiñéir	Vuode	Per	Con	Per
		7-0	7-0	2-5

2. This Month's Business

The Fifth Clark of the 39th Ziu runs from April 1st to 21st 2009/XXX.

Voting on the Clark is open until the 21st of April at 7:30 PM Talossan time.

The following bills have been presented for consideration:

39RZ15 – The I Can't Believe It's not a Talossa Website Act

Introduced by Viteu Marcianüs (MC-PP)

39RZ16 – The Talossan Government Transparency Act

Introduced by Flip Molinar (MC-FGP)

39RZ17 – Sense of the Ziu: Humanitarian Aid Fund, Redux

Introduced by Owen Edwards (MC-PP)

39RC18 – The Creation of a Magistracy Act

Introduced by Owen Edwards (MC-PP)

39RZ19 – The Order of the Bonacon Act

Introduced by Owen Edwards (MC-PP)

39RZ20 – The Senats Reform Amendment

Introduced by Tímopi Asmourescu (MC-RDP)

39RZ21 – The WTF Amendment

Introduced by Iustî Canun (MC-RUMP)

39RZ22 – The Pengöpäts: Land of Fun Amendment

Introduced by Danihel Lupulet (MC-RUMP)

The full text of these bills is available in the appendix.

The following motion is to be voted on by the Cosă only:

Vote of Confidence

Do you wish the current Government to continue in its term of office?

3. Judicial Decisions

Pursuant to Lex.G.12.1, the Chancery announces that no decisions were rendered by any national court since the publication of the last Clark.

4. Prime Dictates

Pursuant to Lex.H.2.7.1, the Chancery announces that no Prime Dictates were issued since the publication of the last Clark.

*Ordered printed today, April 1st 2009/XLVI
The Secretary of State / El Secretar d'Estat
Mick Preston*

A. Full text of all bills on the Clark

39RZ15 - The I Can't Believe It's not a Talossa Website Act

39RZ15 - The I Can't Believe It's not a Talossa Website Act

WHEREAS Talossa relies heavily on her many citizens to act as a face of the Kingdom;

WHEREAS the Kingdom of Talossa must work to protect itself from persons acting in the name of Talossa on the Internet;

WHEREAS any Prospective citizens or visitors could stumble upon fake or bogus information on random websites, turning them away or just terribly confusing them;

WHEREAS a list of known fake or bogus sites should be maintained as an aid to alleviate and prevent aforementioned confusion;

WHEREAS due to the advent of online social networking, pages on said sites should be set up in official capacity by an assigned Ministry within the government;

THEREFORE the Ziu hereby requires that any and all official or officially-sanctioned websites, social networking pages, online Embassies, and any other future form of Internet group be run by an assigned Ministry from the Prime Minister, assigned member of the government, or private citizens, when explicit permission is granted by the Prime Minister;

Non-government sanctioned web sites in relation to Talossa, including social networking sites and profile names, must have clear and visible text that says the page is an UNOFFICIAL website;

It is up to the Prime Minister or his delegate to decide and outline what constitutes "clear and visible" and determine any violations;

The Prime Minister or his delegate shall monitor both official and unofficial Talossan websites, contact the owner as needed, and maintain a public list of official and bogus or fake sites as they are brought to the government's attention;

The Government of Talossa has the right to require the transfer of a website or a deletion of website if it is not made clear, within the government's definition, that the existing site is UNOFFICIAL;

Violations of this Act may be considered acts of sedition or treason, punishable by warnings, fines, or revocation of citizenship.

Provincial websites shall be licensed by their respective governments under the same provisions of this Act.

Noi urent q'estadra sa:

Viteu Toctviac'hteir (MC-PP),

Brad Holmes (Senator-Atatürk)

Noi urent q'estadra sâ,
Viteu Marcianüs (MC-PP)
Brad Holmes (Senator-AK)

39RZ16 - The Talossan Government Transparency Act

39RZ16 - The Talossan Government Transparency Act

WHEREAS, transparency in government is vital to a free and active nation, and inspires both confidence and trust among the citizenry; and

WHEREAS, the activities of the Prime Minister and his appointed Ministers are benchmarks for progress within the Kingdom, and information about progress within the PM's government and ministries should be made available to all citizens on a regular basis; now

THEREFORE, the Prime Minister of the Kingdom of Talossa is directed to issue a report every two months, detailing actions taken by his or her office and appointed Ministers. The first report of a new Prime Minister will be delivered within the first month of taking office, and subsequent reports will be issued no less often than every two months thereafter. If possible reports will be posted in the primary forum, rather virtual or physical, however, they must emailed to all citizens immediately after their completion.

ADDITIONALLY a blog may be set up for the Prime Minister to post the report on instead of, or in addition to, the other requirements for distribution stated above

FURTHERMORE, each report must be issued no sooner than the first day of the month in which it is due to be filed, and no later than the last day of said month. If the Prime Minister is unable to file such a report by the deadlines specified above, he or she may delegate the task to the Distain or other member of the government, provided that their signature, as well as that of the Prime Minister, are affixed to the report.

Noi urent q'estadra sa:

Flip Molinar (MC-FGP),

Danihél Forestál (MC-PP),

Ma la Mha Baron Tepistà (MC-RUMP),

Matáiwsos Vürinalt (MC-Independent),

T.M. Asmourescu (MC-RDP),

Ieremiac'h Ventrutx (Senator-Florencia)

Noi urent q'estadra sà,

Flip Molinar (MC-FGP)

Ma la Mha, Contă Thord (MC-RUMP)

Danihel Forestal (MC-PP)

Mataiwsos Vürinalt (MC-Ind.)

Tímopi Asmourescu (MC-RUMP)

Ieremiac'h Ventrutx (Senator-FL)

39RZ17 - Sense of the Ziu: Humanitarian Aid Fund, Redux

WHEREAS Talossa exemplifies in extraordinary ways the true nature of nationhood; and

WHEREAS Talossa has a conscience, and a will to act on that conscience; and

WHEREAS Talossa consists of friends, countrymen and lovers, whose communal existence defines them; and

WHEREAS Talossa consists of humans - a species to which a high calling is to aid those in grave need; and

WHEREAS Talossa recognises, with its conscience, as a community, as humans, that it has a duty to its fellow man;

THEREFORE, the sense of the Ziu is that, under the auspices of the Ministry of Finance, a Humanitarian Aid Fund should be created, with the follows points of operation:

I. The fund shall consist of voluntary contributions held by the Ministry of Finance and accounted for in its regular reports; of budgetary earmarks, if the government operates under budgeting legislation; or of individual legislative earmarks, if the government does not operate under such.

II. The Ministry of Finance shall form a Guiding Committee to direct funding, consisting of (i) the Minister of Finance; (ii) the Seneschal; (iii) and an "opposition" MC or Senator, not elected from the governing party (or coalition), selected by the Minister of Finance.

If this "opposition" committee member should become a member of the governing party (or coalition) at any point, they shall be replaced by another "opposition" member, selected by the Minister of Finance. Non-governing parties who have members in the Cabinet are not disbarred in this manner, but those members within the Cabinet are.

III. All funding decisions must be announced, including full details of recipient(s) and funds assigned, at least 7 days before the planned date of donation.

Noi urent q'estadra sã,

Owen Edwards (MC-PP)

Baron Alexandreu Davinescu (Senator-MM)

39RC18 - The Creation of a Magistracy Act

39RZ18 - The Creation of a Magistracy Act (as amended)

WHEREAS the process of having the facts in every court case determined by all three justices of the Cort pü Inalt has proven unduly cumbersome, and

WHEREAS the interests of justice would be served by having an avenue for appeal of trial court decisions, so that judicial decisions made in the course of trial can be re-examined and reversed if they later appear to be inappropriate, now

THEREFORE the Ziu hereby enacts that:

1. There shall be a Magistrate's Court (Cort dels Edilicieux) for the trial of all cases arising under the laws of the Kingdom of Talossa, both civil and criminal.

2. The Magistrate Court shall consist of not less than two and no more than three Magistrates. No member of the Uppermost Cort and/or person(s) barred by Article XVI, Section 3 of the Organic Law, from being a Judge and/or non-citizens may be a Magistrate. Magistrates shall be chosen and removed as provided in Article XVI, Section 1 & Section 4 of the Organic Law.

3. Except as otherwise provided by law, or rule or order of court, the judicial power of the Magistrate's Court with respect to any action, suit or proceeding may be exercised by a single magistrate, who may preside alone and hold a regular or special session of court at the same time other sessions are held by other magistrates.

4. The business of the Magistrate's Court shall be divided among the magistrates as provided by the rules and orders of the court. The magistrates shall elect one of their number as Chief Magistrate, who shall be responsible for the observance of such rules and orders, and shall divide the business and assign the cases so far as such rules and orders do not otherwise prescribe.

5. Any final judgment of the Magistrate's Court (and such other magistrate's orders as are made appealable by the rules and orders of the Uppermost Court) may be appealed to the Uppermost Court. The time and procedures for bringing such appeals may be specified by the rules and orders of the Uppermost Court, but in the absence of such rules appeals of a Magistrate's Court judgment must be filed with the Uppermost Court within 15 days of the date the judgment is issued by the magistrate.

FURTHER the Cosa hereby elects Owen Edwards and Sir Samuhel Tecladeir as magistrates of the Magistrate's Court.

Scribe's Note: Originally, Section 2 of this Act read thusly: "The Magistrate Court shall consist of the justices of the Uppermost Cort (who shall serve ex-officio as magistrates in addition to their role as justices of the Uppermost Cort, and up to four other magistrates who shall be chosen and removed as provided in Article XVI, Section 1 of the Organic Law, and replaced as provided in Article XVI, Section 4 of the Organic Law."

Uréu q'estadra sã,
Owen Edwards (MC-PP)

39RZ19 - The Order of the Bonacon Act

39RZ19- The Order of the Bonacon Act

WHEREAS Talossa loves Gloria Estefan, and wishes to retain her as National Entertainer, and

WHEREAS despite this, Talossa is entertained by multitudinous entertainers and entertainments, and

WHEREAS one of these entertainments is the Bonacon, a noble beast of storied past, and

WHEREAS the Bonacon seems a fitting analogue for much celebrity, and

WHEREAS Talossa desires a way of rewarding those who bring it joy,

THEREFORE, the Ziu directs that:

i) An order of merit be founded, called the Order of the Bonacon, open to Talossans and non-Talossans alike, who, to qualify, must be considered suitably entertaining;

ii) That, excepting the nomination contained in section iii of this Act, all inductions shall only operate by public declaration of the Seneschal, who is to consider nominations brought to him or her in both public and private. Such declarations are to contain suitable (and suitably entertaining) explanations of the reason for induction.

iii) That the first inductee to the Order of the Bonacon is to be Charlotte Rae, a Milwaukeean, aka Mrs Garrett in Diff'rent Strokes and the Facts of Life, and most recently a major guest star in four episodes of the final season of ER.

Uréu q'estadra sa:

Owen Edwards, MC-PP (Cézembre)

[Vetoed by King John "in defense of the Organic Law and of the Royal prerogatives."]

Uréu q'estadra sã,

Owen Edwards (MC-PP)

39RZ20 - The Senats Reform Amendment

WHEREAS the Ziu is the bicameral legislative body of the Kingdom of Talossa, divided into the bodies of the Cosa and the Senats and

WHEREAS there exist conditions which place limits upon Members of the Cosa, such as provisions for the removal of an MC from Office and

WHEREAS the Senats remains under no such restrictions and

WHEREAS because the Senats is composed of only one senator from each province, the body is rather small and

WHEREAS this means a Senator, holds quite a bit of legislative influence yet may suffer no consequence for failing to fairly represent their constituents until re-election time and

WHEREAS Senators, as directly elected officials should be held accountable for their actions by the people who elected them, so

THEREFORE,

Article V Section 5 of the Organic Law is hereby amended to read:

A Senator vacates his seats if he fails to vote on two consecutive Clarks, or if he resign from office, loses his citizenship or dies. A Senator may also be removed following a recall election. Each Province is permitted to recall its Senator pursuant to applicable provincial law.

The recall shall be initiated by the Provincial Assembly in a measure presented during a legislative session, with a suitable replacement candidate being named at this point. If the measure is approved by the Assembly, the Premier or Cunstaval shall ensure a Referendum is conducted by whomever the Provincial Assembly should designate in accordance with Provincial law. No province shall be permitted to hold more than 3 senate recall referenda per term, per Senator. The Premier shall send notification of this referendum to each provincial citizen electronically, or by mail should electronic transmission be impossible or impractical and posted in a prominent location for public scrutiny. The referendum ballot shall last not less than 10 days to allow citizens to study the measure and cast their vote.

If the measure passes with a 2/3 majority vote, the Senator shall be considered recalled. The Referendum results shall then be transmitted to the Secretary of State and the Mençei, who shall ensure the Senator vacates his office by that end of that month and the named replacement shall be installed. Should the named replacement become unable, unwilling or ineligible to assume the Senate seat, a replacement shall be chosen according to applicable Provincial Law.

Noi urent q'estadra sã,
Tímoþi Asmourescu (MC-RDP)
Owen Edwards (MC-PP)

39RZ21 - The WTF Amendment

WHEREAS the third paragraph of Section 1 of Article XV of the Organic Law reads as follows:

For the purpose of this section territories shall form part of the province as they do in elections for senators.

a sentence which simply befuddles any student of Talossan law, and

WHEREAS at least two of the 100 finest legal minds in the Kingdom of Talossa were heard to utter the phrase "WTF" on reading this mysterious sentence, and

WHEREAS Section 2 of Article XV reads as follows:

The Covenants of Rights and Freedoms, being sacred and necessary to the defence of our free society, are entrenched provisions of this Organic Law. They may only be amended by a two-thirds vote of the Talossan people in a referendum, in addition to the normal amendment procedure.

which makes it sound like two referenda are required to amend the Covenants, and

WHEREAS two referenda would be both silly and pointless, and although we like silly, we don't like pointless, now

THEREFORE the third paragraph of Article XV, Section 1 of the Organic Law is hereby removed, and

FURTHERMORE Section 2 of Article XV is hereby amended to read:

The Covenants of Rights and Freedoms, being sacred and necessary to the defence of our free society, are entrenched provisions of this Organic Law. They may only be amended if the referendum required by Section 1 passes with a two-thirds majority.

Noi urent q'estadra sã,
Iustì Canun (MC-RUMP)
Ma la Mha, Contã Thord (MC-RUMP)
Flip Molinar (MC-CCCP)
Xhorxh Asmour (MC-CCCP)
Iac Marabuérq (MC-PP)

39RZ22 - The Pengöpäts: Land of Fun Amendment

WHEREAS Pengopats is generally an awesome place, and

WHEREAS Talossan Provinces are generally awesome places, and

WHEREAS it would seem a good idea to make Pengopats a province, and

WHEREAS the RUMP pledged to Clark this sort of amendment, and

WHEREAS it would be a good idea to actually do so,

THEREFORE Article XVII, section 11 of the Organic Law is amended to read

Section 11. Talossa's overseas colony, Pengöpäts Antarctic Territory, forms an irrevocable part of the national patrimony and shall never be abandoned. Its area comprises the province of Pengöpäts. This province is forever closed to immigration, but for counting purposes shall be considered to have 10,000 citizens

and FURTHERMORE Article XVII, section 13 of the Organic Law is amended to read

Section 13. No new province shall be constituted after the adoption of this Organic Law unless said proposed province shall contain a citizenry comprising at least 10 persons, or unless the year is 2009 CE

Noi urent q'estadra sâ,

Danihel Lupulet (MC-RUMP)

Baron Alexandreu Davinescu (Senator-MM)

Owen Edwards (MC-PP)