

The November 2013 Clark

Sixth Clark of the 45th Ziu

1. Results of the October 2013 Clark

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

45RZ22 – Incorporation Act of Corporative Corporations

Introduced by Baron Alexandreu Davinescu (MC-RUMP)

Agreed to by the Cosä 104-59 (26 abstained), by the Senäts 5-2 (1 abstained)

45RZ23 – The One More Step Toward (Hopefully) Ending the Bug Wars Act

Introduced by Sir Cresti Siervicül (MC-RUMP)

Agreed to by the Cosä 143-39 (7 abstained), by the Senäts 6-2

The Cosä passed a Vote of Confidence in the Government 112-77 .

Members of the Cosä voted as follows:

Name	Party	Seats	RZ 22	RZ 23	VoC
Owen Edwards	CSPP	7	Per	Per	Non
Flip Molinar	CSPP	3	Did not vote		
Éovart Grischun	CSPP	7	Per	Per	Non
Eiric Biançéu	CSPP	4	Per	Per	Üc
Istefan Perþonest	IND	3	Per	Per	Üc
Litz Cjantscheir	IND	6	Con	Con	Üc
Bénéditsch Ardpresteir	IND	1	Aus	Aus	Üc
Txosuè Veirnarac'h Pologn	IND	3	Did not vote		
Mximo Carbonel	LPR	7	Con	Per	Non
Alexandreu Soleighfred	MRPT	7	Aus	Per	Non
Lüc da Schir	MRPT	7	Per	Per	Non
Ben Putnam	MRPT	7	Aus	Per	Non
Dieter Vercária	NPW	6	Con	Aus	Non
Vitxalmour Conductour	NPW	5	Did not vote		
Marti-Páir Furxhéir	RUMP	1	Per	Per	Üc
Ma la Mha	RUMP	11	Per	Con	Üc
Cresti Siervicül	RUMP	11	Per	Con	Üc
Ian da Bitour	RUMP	11	Aus	Per	Üc
Alexandreu Davinescu	RUMP	11	Per	Per	Üc
Danihel Txechescu	RUMP	11	Con	Per	Üc
Pól d'Auribuérg	RUMP	11	Per	Per	Üc
Dien Tresplet	RUMP	11	Per	Con	Üc
Txec dal Nordselvä	RUMP	11	Per	Per	Üc
Chelli dal Nordselvä	RUMP	9	Per	Per	Üc
			104-59 (26)	143-39 (7)	112-77

Name	Party	Seats	RZ 22	RZ 23	VoC
Gödafrîeu Válcadác'h	ZRT	5	Con	Per	Non
Miesträ Schivă	ZRT	5	Con	Per	Non
C. Carlüs Xheraltescu	ZRT	5	Con	Per	Non
Óin Ursüm	ZRT	5	Con	Per	Non
Bella Üchescu	ZRT	4	Con	Per	Non
Moritz Fernaodescu	ZRT	5	Con	Per	Non
			104-59 (26)	143-39 (7)	112-77

Senators voted as follows:

Name	Province	RZ22	RZ23
Brad Holmes	Atatürk	Per	Con
Tric'hard Carschaleir	Belacostă	Con	Per
Glüc da Dhi	Cézembre	Aus	Per
Audradă d'Auribuérg	Florenciă	Per	Per
Ián Anglatzară	Fiovă	Per	Per
Iusti Canun	Maricopa	Per	Per
Mick Preston	Maritiimi-Maxhestic	Per	Con
Viteu Marcianüs	Vuode	Con	Per
		5-2 (1)	6-2

2. This Month's Business

The Sixth Clark of the 45th Ziu runs from November 1st to 21st 2013/XXXIV.

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

The following bills have been presented for consideration:

45RZ24 – Yer Outa Here Act

Introduced by Sir Cresti Siervicül (MC-RUMP)

45RZ25 – The Circumscribe the Scribe Act

Introduced by Sir Cresti Siervicül (MC-RUMP)

45RZ26 – The Inside-Out World of Espionage Act (2)

Introduced by C. Carlüs Xheraltescu (MC-ZRT)

45RZ27 – The Share the Cosa Take Two Amendment

Introduced by Sir Cresti Siervicül (MC-RUMP)

45RZ28 – The Time! Time! (Elections Take Time) Amendment

Introduced by Sir Cresti Siervicül (MC-RUMP)

45RZ29 – The Streamlining the Senäts Amendment

Introduced by Sir Glüc da Dhi (Senator-CZ)

45RZ30 – The Cosa Seats Reform Amendment

Introduced by Sir Lüc da Schir (MC-MRPT)

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, November 1st 2013/XLVI
The Secretary of State / El Secretar d'Estat
Iustì Canun*

A. Full text of all bills on the Clark

45RZ24 - Yer Outa Here Act

WHEREAS 39RZ18 created a Magistrate's Court "for the trial of all cases arising under the laws of the Kingdom of Talossa, both civil and criminal", and **WHEREAS** in the creation of the Magistrate's Court it was overlooked that lower courts cannot organically impose a penalty of expulsion from Talossa, now **THEREFORE** the Ziu hereby amends 39RZ18 to add the following section: 6. In any criminal trial, no sentence of banishment or revocation of citizenship recommended by the Magistrate's Court shall be effective unless approved by a unanimous vote of the Uppermost Cort.

Noi urent q'estadra sã,
Sir Cresti Siervicül (MC-RUMP)
Dien Tresplet (MC-RUMP)

45RZ25 - The Circumscribe the Scribe Act

WHEREAS the legislative power of the Kingdom of Talossa is vested in the Ziu by the Organic Law, and **WHEREAS** certain laws on the books purport to give individual unelected officials the authority to change duly-enacted statutes, and **WHEREAS** this authority is supposed to be limited to such edits as do not affect the "scope" or "intent" of the statutes, but such determinations are subjective and may be abused, **THEREFORE** the Ziu hereby: 1. Repeals 31RZ5, The Making Sense Bill, and 31RZ16, The Really Make Sense Act. 2. Amends 35RZ24, The Royal Household Cleaning Act, to delete the words "perform any clerical improvements to the same" from the description of the Scribery of Abbavilla in section 1 of that Act. 3. Directs the Scribe of Abbavilla to maintain all laws in L'Anuntzia dels Legeux, insofar as possible, with the same content that was approved by the Ziu, except that amending acts that refer to section numbers in pre-existing statutes that were changed by the Scribery shall be construed as referring to the equivalent section numbers in the amended statutes as originally enacted.

Uréu q'estadra sã,
Sir Cresti Siervicül (MC-RUMP)

45RZ26 - The Inside-Out World of Espionage Act (2)

WHEREAS John le Carre was probably right when he said that once you start leading the "inside-out world of espionage, you never shed it". and **WHEREAS** unlike our larger state counterparts we should never need to employ such illicit tactics, and **WHEREAS** it makes me uncomfortable that government spies could be among us now, unbeknownst to the general public, unaccountable to the people, and sanctioned by one individual, and **WHEREAS** Talossa is a country that should be built on trust and friendship, and **WHEREAS** these particular tactics of espionage hark back to the days of King Robert I, and **WHEREAS** it has never been known for us to implement such tactics in modern Talossa before, and we have still managed to effectively catch fraudsters, now **THEREFORE**, be it enacted by the Ziu that Clause 2 of 36RZ10 The Anti-Imposter and Liar Act, which reads Officials of the Kingdom of Talossa who create or use false identities as a means to investigate suspicious citizenship applications or other activities involving fraudulent or misleading identities or statements may, if prosecuted under this act, claim exemption from the provisions of this act by demonstrating that any subterfuge employed met all of the following criteria:

1. Was in response to a suspicious circumstance, as reasonably understood;
 2. Was reasonably expected to be effective in uncovering fraud; and,
 3. Was used only for a brief time and limited to discovering suspected fraud.
 4. Can demonstrate that Prime Minister authorized the subterfuge and that the Minister of Defence and the Uppermost Cort were informed of the subterfuge.
- is hereby repealed in full, and replaced with the following text: Clause 2. Charges brought under this Act shall be heard in the Magistrate's Court, subject to appeal to the Uppermost Cort. **FURTHERMORE**, Clause 1 of 36RZ10 is to be amended to read as follows: Clause 1. Except as provided in Clause 2, Whoever does any of the following is guilty of a crime subject to punishment by banishment, revocation of citizenship, any combination of civil disabilities and any other authorized punishments as described in 35RZ34: **FURTHERMORE**, Clause 1.2 is to be amended to read as follows: Uses another person's identity or uses an identity that creates the impression of another person to post or convey messages via email or on any public forum in the Kingdom of Talossa.

Noi urent q'estadra sã,

C. Carlüs Xheraltescu (MC-ZRT)

Dame Miesträ Schivă (MC-ZRT)

King Txec (MC-RUMP)

45RZ27 - The Share the Cosa Take Two Amendment

WHEREAS Article VIII Section 3 of the Organic Law reads, "Seats won by each party shall be divided by that party among its own members and supporters as it sees fit, with the proviso that each Member of the Cosa may hold no more than thirty seats", but

WHEREAS in today's more populous Talossa, thirty seats is way too many for any one MC to hold, and

WHEREAS in tomorrow's even more populous Talossa, it would be cool (and cool is what we're all about) if the number of seats per MC would maybe drop proportionally, enabling more and more Talossan citizens to become involved in the national government, and

WHEREAS letting the Ziu decide and re-decide things that are worth changing with the times is better than setting them forever in stone in the Organic Law, and

WHEREAS we just spent a couple **WHEREAS** 's showing that this seating thing is just such a "worth changing with the times" kind of thing, now

THEREFORE the Senäts and Cosa hereby approve the following Amendment to the Organic Law, and transmit it to the populace for ratification.

Article VIII Section 3 of the Organic Law is amended to read:

Each party shall assign its seats to such individuals as it sees fit, provided that each such individual is eligible to serve in the Cosa under this article and is assigned a whole number of seats. The Ziu may by law establish a maximum number of seats that any one Member of the Cosa may hold by law, but the minimum number of Members of the Cosa shall be no less than the number of Senators, and the same limit shall apply to all Members of the Cosa, and any changes to the limit shall take effect no earlier than the distribution of seats after the next General Election.

FURTHERMORE, the King, the Senäts, and the Cosa in this present Ziu assembled, hereby enact, effective for the distribution of seats after the ratification and proclamation of the above amendment, that:

No person shall hold more seats in the Cosa than ten times the total number of seats in the Cosa divided by the number of ballots cast for the Cosa in the most recent General Election, rounded up to the next integer.

Noi urent q'estadra sã,
Sir Cresti Siervicül (MC-RUMP)
Ma la Mha, Contã Thord (MC-RUMP)
King Txec (MC-RUMP)
Sir Martì-Páir Furxhéir (MC-RUMP)

45RZ28 - The Time! Time! (Elections Take Time) Amendment

WHEREAS the timing of the next General Election in the second half of December suggests that one month is not an excessive length of time to conduct an election by absentee ballot (as Talossan elections are}, and

WHEREAS a two-week election period will likely have the effect of disenfranchising a significant number of citizens, particularly during unfortunately-timed elections such as the next one, and will also likely have the effect of prematurely terminating citizenships that could have been saved with a longer election period; and

WHEREAS it is possible to retain the benefit of a longer period for organising a new government (which was one of the objectives of 44RZ4) while still having an election period longer than two weeks; and

WHEREAS some uncertainty has been expressed about whether 6RC3, the Vote in Advance Act, could still be in effect; and

WHEREAS 6RC3 is probably the most corrupt piece of legislation ever enacted in the Kingdom of Talossa, and could as well have been titled the "I seriously want to have pocket votes that I can literally keep in my pocket and pull out whenever I need them act"; now

THEREFORE BE IT RESOLVED by the Ziu of the Kingdom of Talossa that the following amendment to the Organic Law be recommended to the citizenry for ratification:

Section 3 of Article VII of Organic Law ("Elections to the Cosa"), which currently reads:

All elections to the Cosa are to be conducted during a period beginning from the fifteenth day of the calendar month following the dissolution of the prior Cosa until 7:30 p.m. on the first day of the subsequent month. The first

day of this period (the fifteenth) is called the "Balloting Day" and the final day is called the "Election Deadline." is replaced in full by the following text: All elections to the Cosa are to be conducted during a period beginning from the first day of the calendar month following the dissolution of the prior Cosa until 11:59 p.m. Talossan time on the last day of that month. The first day of this period (the first) is called the "Balloting Day" and the final day is called the "Election Deadline."

BE IT FURTHER RESOLVED that 6RC3, the Vote in Advance Act, is hereby formally repealed (even assuming it has any current legal force).

Uréu q'estadra sã,
Sir Cresti Siervicül (MC-RUMP)

45RZ29 - The Streamlining the Senäts Amendment

WHEREAS the Organic Law contradicts itself, and **WHEREAS** according to Article XV amendments require a vote of two-thirds in the Senäts, and

WHEREAS according to Article V most amendments only require a majority, with a few exceptions, and

WHEREAS all amendments to the OrgLaw already need to be passed by a two-thirds majority of the Cosa and a majority of the people in a referendum, and

WHEREAS this creates enough safeguards against abuse, and

WHEREAS a very small group of people, potentially representing only a very small part of the citizens should not be able to veto the wishes of a large majority forever, and

WHEREAS , because of this, Article V is preferable to Article XV, and

WHEREAS the list of exceptions in Article V does not include the one exception that would make the most sense to protect, the covenant of rights and freedoms, and

WHEREAS it does include all amendments related to the Senäts, and

WHEREAS organic articles related to the Senäts contain a number of subjects that could as well be part of statutory law and don't need to be in the constitution, and

WHEREAS this amendment solves the conflict between Articles V and XV, now

Therefore, Article V , Section 10 of the OrgLaw, which currently reads:

"Questions arising in the Senäts shall be determined by a majority of votes, and each senator shall have one vote. The Mençei shall in all cases be entitled to vote; and when the votes are equal the question shall not have passed." is amended to read:

"Questions arising in the Senäts shall be determined by a majority of votes, unless otherwise provided in the organic law, and each senator shall have one vote. The Mençei shall in all cases be entitled to vote; and when the votes are equal the question shall not have passed.", Furthermore, Article V, Section 11 of the OrgLaw, which currently reads:

"Section 10 takes precedence over bills requiring two-thirds of the Senäts to vote such as amendment to the organic law, with the exception of:

- bills changing sections of articles regarding the Senats
- bills changing sections of the article "Amendments to the Organic Law"
- bills changing sections of the article "Territorial Subdivisions"
- bills creating new provinces or changing the number of provinces in any way which always require two-thirds of the Senäts."

will be repealed

Furthermore Article XV, Section 1 of the OrgLaw, which currently reads:

"An amendment to the Organic Law may be made by proclamation by the King where so authorized by:

- A vote of two-thirds in both chambers of the Ziu, and
- Approval of the majority of voters participating in a referendum on the question of the amendment no later than during the next scheduled general election following the approval of the Ziu.
- Proposed changes to this Organic Law that affect the representation of a province in the Senäts, or of the territory or equal sovereignty of a province, shall only be passed with the approval of a majority of participating voters in that province."

shall be amended to read:

"An amendment to the Organic Law may be made by proclamation by the King where so authorized by:

- A vote of two-thirds in the Cosa, and
- A vote of a majority in the Senäts or a vote of two-thirds in the Senäts if so required by Section 3 of this article, and
- Approval of the majority of voters participating in a referendum on the question of the amendment no later than during the next scheduled general election following the approval of the Ziu.
- Proposed changes to this Organic Law that affect the representation of a province in the Senäts, or of the territory or equal sovereignty of a province, shall only be passed with the approval of a majority of participating voters in that province."

Furthermore a new section will be added to Article XV of the OrgLaw, after section 2, which will read:

"Section 3: The following bills must always be authorized by a vote of two-thirds in the Senäts:

- Bills amending the Covenant of Rights and Freedoms
- Bills creating new provinces or changing the number of provinces in any way
- Bills abolishing the Senäts
- Bills amending this section
- Bills amending Article XVII: Territorial Subdivisions"

Noi urent q'estadra sâ,

Sir Glüc da Dhi (Senator-CZ)

Sir Lüc da Schir (MC-MRPT)

45RZ30 - The Cosa Seats Reform Amendment

WHEREAS last time we proposed this bill it was said by many that there had not been enough time to discuss the subject, and

WHEREAS now we have had almost an entire term to think about it now, so:

WHEREAS there are more Cosa seats than citizens, and

WHEREAS this reduces competition for Cosa seats, and

WHEREAS we need more Talossan citizens who don't hold seats to fill other offices, and

WHEREAS a 200 seat Cosa means we would probably have to wait an eternity for this to be realistic, and

WHEREAS with a smaller Cosa this goal might actually be realistic on the medium long term, but

WHEREAS switching to a 20 seat Cosa now would have some unwanted consequences, and

WHEREAS this compromise leaves smaller parties a better chance of getting back in the Cosa as long as they can get more than one vote than a threshold or a 20 seat Cosa would, and

WHEREAS a 60 seat Cosa is much more proportional than a 20 seat Cosa or a Cosa with a threshold, now

THEREFORE WE, the Ziu, hereby enact the following:

Article VIII, Section 1 of the Organic Law, which previously read: "The Cosà is composed of 200 seats, apportioned among political parties based on their performance in the General Election"

Will be amended to read: "The Cosà is composed of 60 seats, apportioned among political parties based on their performance in the General Election";

FURTHERMORE:

Article VIII Section 3, which previously read: "Seats won by each party shall be divided by that party among its own members and supporters as it sees fit, with the proviso that each Member of the Cosà may hold no more than thirty seats."

Will be amended to read: "Seats won by each party shall be divided by that party among its own members and supporters as it sees fit, with the proviso that each Member of the Cosà may hold no more than nine seats and seats must be assigned as a whole and cannot be divided among multiple MCs."

UNLESS "The Share the Cosa Take Two Amendment" is approved in a referendum at the same date as this amendment, in which case the Share the Cosa Take Two Amendment takes precedence regarding Article VIII, section 3"

Noi urent q'estadra sà,

Sir Lüc da Schir (MC-MRPT)

Sir Glüc da Dhi (Senator-CZ)

C. Carlüs Xheraltescu (MC-ZRT)