

The October 2016 Clark

Sixth Clark of the 49th Ziu

1. Results of the September 2016 Clark

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

49RZ20 – Rephrasing Cultural Suggestions Act

Introduced by Sir Ian Plätschisch (MC-MRPT)

Agreed to by the Cosä 109-20 (18 abstained), by the Senäts 5-1 (1 abstained)

49RZ21 – Provincial Assignment Simplification Act

Introduced by Sir Ian Plätschisch (MC-MRPT)

Agreed to by the Cosä 139-3 (5 abstained), by the Senäts 5-2

49RZ22 – The OrgLaw Standing Committee Bill No. 1 (Article 9)

Introduced by Sir Ian Plätschisch (MC-MRPT)

Agreed to by the Cosä 130-3 (14 abstained), by the Senäts 7-0

49RZ23 – The Mandatory Cosa Lists Act and Amendment

Introduced by Sir Ian Plätschisch (MC-MRPT)

Agreed to by the Cosä 118-24 (5 abstained), by the Senäts 5-2

The Cosä passed a Vote of Confidence in the Government 109-38 .

Members of the Cosä voted as follows:

Name	Party	Seats	RZ 20	RZ 21	RZ 22	RZ 23	VoC
Gödafrïeu Válcadác'h	FreeDems	5	Con	Aus	Aus	Aus	Non
Miesträ Schivä	FreeDems	15	Aus	Per	Per	Per	Non
Txec dal Nordselvä	FreeDems	15	Did not vote				
T. A. Zilect	FreeDems	15	Con	Per	Per	Per	Non
Glüc da Dhi	MRPT	9	Per	Per	Per	Per	Üc
Marti Vataldestreça	MRPT	9	Per	Per	Aus	Per	Üc
Erschéveþ da Schir	MRPT	9	Per	Per	Per	Per	Üc
Ian Plätschisch	MRPT	10	Per	Per	Per	Per	Üc
Owen Edwards	PP	3	Per	Per	Per	Con	Üc
Mximo Carbonel	REP	3	Aus	Con	Con	Con	Non
Cresti Siervicül	RUMP	12	Per	Per	Per	Per	Üc
Brad Holmes	RUMP	10	Per	Per	Per	Con	Üc
Alexandreu Davinescu	RUMP	12	Per	Per	Per	Per	Üc
Litz Cjantscheir	RUMP	12	Per	Per	Per	Per	Üc
Eovart Xhorxh	RUMP	15	Per	Per	Per	Per	Üc
Breneir Tzaracomprada	TNC	9	Did not vote				
Tamás Ónodi	TNC	8	Per	Per	Per	Con	Üc
			109-20 (18)	139-3 (5)	130-3 (14)	118-24 (5)	109-38

Name	Party	Seats	RZ 20	RZ 21	RZ 22	RZ 23	VoC
Tariq Zubair	TNC	4	<i>Did not vote</i>				
			109-20 (18)	139-3 (5)	130-3 (14)	118-24 (5)	109-38

Senators voted as follows:

Name	Province	RZ20	RZ21	RZ22	RZ23
Sevastáin Pinátsch	Atatürk	Per	Per	Per	Per
Lüc da Schir	Belacostă	Per	Per	Per	Per
Ián Anglatzară	Cézembre	Aus	Per	Per	Per
Ma la Mha	Florenciă	Per	Per	Per	Con
C. Carlüs Xheraltescu	Fiovă	<i>Did not vote</i>			
Dien Tresplet	Maricopa	Con	Con	Per	Con
Magniloqueu Épiqeu da Lhiun	Maritiimi-Maxhestic	Per	Con	Per	Per
Éovart Grischun	Vuode	Per	Per	Per	Per
		5-1 (1)	5-2	7-0	5-2

2. This Month's Business

The Sixth Clark of the 49th Ziu runs from October 1st to 21st 2016/XXXVII.

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

The following bills have been presented for consideration:

49RZ24 – The Summer is Magic amendment

Introduced by Sir Martî-Páir Furxhéir (Secretary of State)

49RZ25 – The 12 month calendar Amendment - 8 Clark version

Introduced by Sir Martî-Páir Furxhéir (Secretary of State)

49RZ26 – The Ranked Choice is the Best Choice Amendment

Introduced by Sir Ian Plätschisch (MC-MRPT)

49RZ27 – The OrgLaw Standing Committee Bill No. 2 (Article 10)

Introduced by Sir Ian Plätschisch (MC-MRPT)

49RZ28 – Túischac'h Disentrenchment Amendment

Introduced by Sir Cresti Siervicül (MC-RUMP)

49RZ29 – The Joseph McCarthy Amendment

Introduced by Dien Tresplet (Senator-MA)

49RZ30 – The 12 month calendar Amendment - 5 Clarks Version

Introduced by Sir Martî-Páir Furxhéir (Secretary of State)

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, October 1st 2016/XLVI
The Secretary of State / El Secretar d'Estat
Sir Marti-Páir Furxhéir*

A. Full text of all bills on the Clark

49RZ24 - The Summer is Magic amendment

WHEREAS We often have a July month of Recess due to inactivity, and often, the month of August isn't much better AND

WHEREAS we don't always have a month of recess AND

WHEREAS there can be only one! AND

WHEREAS Summer is Magic...

THEREFORE The Ziu resolves to put to a referendum the following addition to Section 3 of Article XIII of the Organic Law:

If no month of Recess was called in the previous Cosa and a recess is called for the month of July, the Seneschal may instead decide to create two months of recess for July and August.

So that the full section now reads:

Section 3

The Seneschál may insert between any two Clarks, or after the final Clark, a "month of recess" in which no Clark is published and no Cosâ or Senäts business is conducted. No more than one "month of recess" may be declared during any one term of office. If no month of Recess was called in the previous Cosa and a recess is called for the month of July, the Seneschal may instead decide to create two months of recess for July and August.

Uréu q'estadra sã,
Sir Martì-Páir Furxhéir (Secretary of State)

49RZ25 - The 12 month calendar Amendment - 8 Clark version

WHEREAS there were talks about creating fixed dates elections, in order to provide reliability and predictability for the electors AND

WHEREAS no one ever did anything about it AND

WHEREAS This proposal provides a single election per year, in January 15th, skipping the holiday season and two months of recess during the summer AND

WHEREAS we get exactly 4 Clarks before the summer break and 4 Clarks after the summer break, a perfect symmetry AND

WHEREAS We could call each of the 4 Clark period a "session" so that even if we have the same MC, we could ask the government to offer a different "agenda" for each AND

WHEREAS Nothing prevents us to later easily change the summer recess to a 2 months election if we later feel that 1 year is too long AND

WHEREAS This proposal, unlike the first version, doesn't have an election occurring at the same time as the Clark, staying closer to tradition AND

WHEREAS this proposal allows for a new coalition if the government fails AND

THEREFORE the Ziu resolves to put in a referendum the following changes to the Organic Law

Section 3 of article 6 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 with:

All elections to the Cosa are to be conducted during a period beginning from the fifteenth day of the calendar month of January until 7:30 p.m. on the first day of February. The first day of this period (the fifteenth) is called the "Balloting Day" and the final day is called the "Election Deadline."

Section 1 of Article XIII which currently reads:

Duration of the Cosâ. The Cosâ convenes on the first day of the month after general elections, to coincide with the publication of the first Clark. Its term is roughly six months, each month coinciding with a Clark. During its last month, the King shall issue a Writ of Dissolution ending its term. At the time the Cosâ is dissolved, all its members shall resign, but any Members holding positions in the Government may remain in those positions till the outcome of the election is resolved.

Is replaced by:

Duration of the Cosâ. The Cosâ convenes on the first day of the month after general elections (March), to coincide with the publication of the first Clark. Its term is exactly 10 months, each month (except for July and August) coinciding with a specific Clark (for example, September is Clark #5). During its last month (December) the King shall issue a Writ of Dissolution ending its term. At the time the Cosâ is dissolved, all its members shall resign, but

any Members holding positions in the Government may remain in those positions till the outcome of the election is resolved. **When this amendment is ratified, a transition period will be applied so that the following Cosa will have its election during the first of the following two events: After its 6th Clark is published, or in July of that year.**

In Section 2 of Article XIII, the word "six-month" is replaced by "eight-month", and the words "five Clarks" are replaced by "Seven Clarks"

Section 3 of Article XIII which currently reads:

The Seneschál may insert between any two Clarks, or after the final Clark, a "month of recess" in which no Clark is published and no Cosà or Senäts business is conducted. No more than one "month of recess" may be declared during any one term of office.

Is replaced by (explicitly overriding and taking priority over any other amendments put to referendum affecting this section in the same election):

The months of July and August are months of recess in which no Clark is published and no Cosà or Senäts business is conducted.

Section 4 of Article XIII is removed

The part os Section 6 of Article XIII which currently reads:

the King shall dissolve the Cosà and call new elections.

Is replaced by (unless another bill is ratified which proposed a similar mechanic in which case it would take priority over this replacement):

the King shall select a new Senechal he feels would be best able to succeed at a Vote of Confidence

Section 3 of Article IV which currently reads:

Each time the Cosa shall be dissolved, there shall be an election for one-third of the total Senate seats (rounded to the nearest whole number). The exact fixed order of rotation of provinces for elections shall be set by law and shall require two-thirds vote in the Cosa with approval by the King and the Senäts to be modified.

Is replaced by:

Each time the Cosa shall be dissolved, there shall be an election for **approximately one-half** of the total Senate seats (rounded to the nearest whole number) **so that each Senator is elected for 2 years**. The exact fixed order of rotation of provinces for elections shall be set by law and shall require two-thirds vote in the Cosa with approval by the King and the Senäts to be modified.

Uréu q'estadra sã,
Sir Martí-Páir Furxhéir (Secretary of State)

49RZ26 - The Ranked Choice is the Best Choice Amendment

WHEREAS The Chancery currently uses the First-Past-The-Post method of voting to conduct Senate elections, and

WHEREAS First-Past-The-Post voting is responsible for a variety of electoral ills, such as producing winners who do not actually have majority support, and forcing voters to cast ballots strategically instead of supporting the candidate they actually prefer the most, and

WHEREAS We all know how First-Past-The-Post voting is working out for our giant friendly neighbor this election cycle, and

WHEREAS Ranked Choice Voting (aka Instant Runoff Voting or Alternative Voting) is far superior to First-Past-The-Post and eliminates all of the aforementioned ills, because it allows voters to rank candidates in order of preference, and

WHEREAS [This video](#) is an brilliant explanation of why Ranked Choice Voting is so good

THEREFORE Section 6 of Article IV, which currently reads;

Any Senatorial election conducted by the Chancery shall be conducted according to the provisions given in Section 6 of Article VII concerning election to the Cosa, and the candidate receiving a plurality of the vote shall be declared the winner. In case of a tie between two or more candidates, the executive officer of the province shall select one of those candidates to be the Senator.

is amended to read;

Any Senatorial election conducted by the Chancery shall be conducted according to the provisions given in Section 6 of Article VII concerning election to the Cosa, **and utilize Ranked Choice Voting**. In case of a tie between two or more candidates, the executive officer of the province shall select one of those candidates to be the Senator.

Noi urent q'estadra sâ,

Sir Ian Plätschisch (MC-MRPT)

Sir Lüc da Schir (Senator-BE)

49RZ27 - The OrgLaw Standing Committee Bill No. 2 (Article 10)

WHEREAS The Organic Law has many provisions which would best be moved to statutory law, and

WHEREAS A simpler, clearer Organic Law would encourage more people to read it, which would result in a more knowledgeable citizenry, and

WHEREAS Section 4 of Article X is redundant given the public's "right to know" in the Fourth Covenant, and given that reporting on the votes of the Ziu are already a duty of the SoS according to Lexh.C.1.1, and

WHEREAS Section 7 is also redundant, because Section 5 says the same thing, and

THEREFORE Section 4 of Article X of the Organic Law, which currently reads;

After the close of Ziu business, the Secretary will make known to the press as soon as possible the results of the votes. The next Clark will publish a list of who voted for what bill, and which bills won or lost, and by how much.

is hereby repealed.

FURTHERMORE Section 7 of Article X of the Organic Law, which currently reads;

Except where otherwise provided in this Organic Law, when determining the outcome of a vote in either house of the Ziu, "austanéu" votes will not be counted.

is hereby repealed.

The other sections of Article X are renumbered accordingly.

Uréu q'estadra sã,
Sir Ian Plätschisch (MC-MRPT)

49RZ28 - Túischac'h Disentrenchment Amendment

WHEREAS recent well-intentioned reforms to the selection process for the office of Túischac'h have made it difficult to keep that office filled, and

WHEREAS the Túischac'h serves no essential organic function, so there appears to be no reason why it should not be easier to change the manner of his or her selection, therefore

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:

That Article XII, Section 9 of the Organic Law which currently reads:

The King shall appoint a Member of the Cosa to serve as Speaker of the Cosa (Talossan: el Túischac'h), on the advice of a simple majority vote in the Cosa for the upcoming term. The Speaker shall preside, direct and maintain order during Living Cosas, in an unbiased fashion. Otherwise, his function will be to advise Members of Cosa of appropriate decorum. He is considered the honourable President of the Cosà and shall be awarded all due veneration when serving as such.

be deleted.

ADDITIONALLY, be it enacted by the Ziu of the Kingdom of Talossa that upon the ratification of the amendment to Organic Law proposed above, the following shall come immediately into force:

El Lexhatx, Section H.19, which currently reads:

19. Before the first Clark of a new Cosà, and then again whenever the office of Túischac'h becomes vacant, the MCs shall convene as an Electoral Conclave under the leadership of the outgoing Túischac'h, or if none is available, the chronologically oldest MC. This Conclave shall decide upon a nominee for Túischac'h, who shall have the support of at least 50%+1 of the Cosa seats, and said nominee shall present himself for formal appointment to the King, as stated in OrgLaw XII.9. (48RZ29)

19.1 If there is no Túischac'h nor a nominee as chosen above on the first day of the month, a Warrant of Prorogation shall be issued as in OrgLaw XIII.2 if it is the first Clark of the Cosà; or otherwise, a month of recess shall be declared as in OrgLaw XIII.3

shall be amended to read:

19. The King shall appoint a Member of the Cosa to serve as Speaker of the Cosa (Talossan: el Túischac'h) for the upcoming term, on the advice of the Seneschal after consultation with the leaders of all parties represented in the Cosa. The Speaker shall preside, direct and maintain order during Living Cosas, in an unbiased fashion. Otherwise, his function will be to advise Members of the Cosa of appropriate decorum. He is considered the honourable President of the Cosà and shall be awarded all due veneration when serving as such.

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

49RZ29 - The Joseph McCarthy Amendment

The Joseph McCarthy Amendment

WHEREAS, expulsion from the Greatest (albeit unrecognized) Country on Earth is the highest form of punishment our judicial system can levy, and

WHEREAS, as such, imposing such a penalty should not be taken lightly, and

WHEREAS, currently, Organic Law permits the Uppermost Cort to impose the penalty upon citizens it convicts of "anti-Talossan activities", and

WHEREAS, it obviously fails to define what exactly "anti-Talossan activities" are, and

WHEREAS, this sounds very similar to the (US) House Un-American Activities Committee to me, and

WHEREAS, we don't need McCarthyism in Talossa, so

THEREFORE, the Ziu hereby resolves to put forward the following amendment to the Citizenry for ratification:

Article XVII, Section 5 of Organic Law which currently reads:

If the Uppermost Cort shall at any subsequent time find any fraud or dishonesty in a Citizen's original application for citizenship, including his statements to the Cort or to Cosà members; or if the Uppermost Cort shall convict the Citizen for anti-Talossan activities, it may impose the penalty of expulsion from Talossa. The King may commute such a sentence.

shall be amended to read:

If the Uppermost Cort shall at any subsequent time find any fraud or dishonesty in a Citizen's original application for citizenship, including his statements to the Cort or to Cosà members, it may impose the penalty of expulsion from Talossa. The King may commute such a sentence.

Uréu q'estadra sã,
Dien Tresplet (Senator-MA)

49RZ30 - The 12 month calendar Amendment - 5 Clarks Version

WHEREAS there were talks about creating fixed elections AND

WHEREAS no one ever did anything about it AND

WHEREAS I am not sure it's a good idea, but perhaps this can strike a discussion

THEREFORE the Ziu resolves to put in a referendum the following changes to the Organic Law, but only if this amendment gets more Cosa votes than RZ25, in which case the referendum for RZ25 is hereby cancelled and RZ25 is considered to have failed.

Section 3 of article 6 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 with:

All elections to the Cosa are to be conducted during a period beginning from the 1st day of the calendar months of December and June until 7:30 p.m. on the 15th day of the same month. The first day of this period (the 1st) is called the "Balloting Day" and the final day is called the "Election Deadline."

Section 1 of Article XIII which currently reads:

Duration of the Cosà. The Cosà convenes on the first day of the month after general elections, to coincide with the publication of the first Clark. Its term is roughly six months, each month coinciding with a Clark. During its last month the King shall issue a Writ of Dissolution ending its term. At the time the Cosà is dissolved, all its members shall resign, but any Members holding positions in the Government may remain in those positions till the outcome of the election is resolved.

Is replaced by:

Duration of the Cosà. The Cosà convenes on the first day of the month after general elections (either February or August), to coincide with the publication of the first Clark. Its term is exactly five months, each month coinciding with a Clark. During its last month the King shall issue a Writ of Dissolution ending its term. At the time the Cosà is dissolved, all its members shall resign, but any Members holding positions in the Government may remain in those positions till the outcome of the election is resolved.

In Section 2 of Article XIII, the word "six-month" is replaced by "five-month"

Section 3 of Article XIII is removed

Section 4 of Article XIII is removed

The part of Section 6 of Article XIII which currently reads:

the King shall dissolve the Cosà and call new elections.

Is replaced by:

the King shall select a new Senechal he feels would be best able to succeed at a Vote of Confidence

Uréu q'estadra sâ,
Sir Martì-Páir Furxhéir (Secretary of State)