

The April 2021 Clark

Sixth Clark of the 55th Ziu

1. Results of the March 2021 Clark

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

55RZ19 – An Act to Recodify El Lexhatx G (Justice)

Introduced by Dame Miesträ Schivä (Seneschal)

Agreed to by the Cosä 133-0, by the Senäts 3-2 (1 abstained)

55RZ20 – A Resolution in memory of John Carl Eiffler aka 'Art Verbotten'

Introduced by Sir Gödafriëu Válcadác'h (Senator-FL)

Agreed to by the Cosä 133-0, by the Senäts 6-0

The Cosä passed a Vote of Confidence in the Government 0-0 (133 abstained).

Members of the Cosä voted as follows:

Name	Party	Seats	RZ 19	RZ 20	VoC
Marti-Páir Furxhéir	FreeDems	17	Per	Per	
Miesträ Schivä	FreeDems	17	Per	Per	
Dien Tresplet	FreeDems	17	Per	Per	
Antagħha Xhenerös Somelieir	FreeDems	16	Per	Per	
Txoteu Davinescu	FreeDems	16	Per	Per	
Cresti Nouacastrea-Lăxhirescu	FreeDems	16	Per	Per	
Cresti Siervicül	LCC	20	Per	Per	
Breneir Tzaracomprada	LCC	20		Did not vote	
Tierçeü Rôibeardescù	LCC	20		Did not vote	
Jordan Placie	LCC	13		Did not vote	
Iason Taiwos	NPW	14		Did not vote	
Ián Txagħh	NPW	14	Per	Per	
			133-0	133-0	0-0 (133)

Senators voted as follows:

Name	Province	RZ19	RZ20
Sevastáin Pinátsch	Atatürk	Con	Per
Eiric Börnatfiglheu	Belacostă	Did not vote	
Ian Tamorán	Cézembre	Did not vote	
Açafat del Val	Florençiä	Aus	Per
Gödafriëu Válcadác'h	Fiovă	Per	Per
Bénéditsch Ardpresteir	Maricopa	Con	Per
Ian Plätschisch	Maritiimi-Maxhestic	Per	Per
		3-2 (1)	6-0

Name	Province	RZ19	RZ20
Ėovart Grischun	Vuode	Per	Per
		3-2 (1)	6-0

2. This Month's Business

The Sixth Clark of the 55th Ziu runs from April 1st to 21st 2021/XLII.
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:

55RZ21 – The Talossa Shall Choose Its King Amendment

Introduced by Dame Miestrā Schivā (Seneschal)

55RZ22 – The Amendment to the Organic Law (Seneschal Election Tweaks) Bill

Introduced by Dame Miestrā Schivā (Seneschal)

55RZ23 – The Due Process Reversion Amendment

Introduced by Dame Miestrā Schivā (Seneschal)

55RZ24 – The Talossan Law Repatriation (Crimes Repugnant to Talossanity) Bill

Introduced by Dame Miestrā Schivā (Seneschal)

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

The following motion is to be voted on by the Cosā 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 2021/XLVI
The Secretary of State / El Secretar d'Estat
King Txec*

A. Full text of all bills on the Clark

55RZ21 - The Talossa Shall Choose Its King Amendment

BE IT ENACTED by the Ziu, for the endorsement of the nation in referendum, that the Organic Law, Section II.3, shall be replaced in its entirety as follows:

- 1. The King of Talossa shall be chosen by a Convocation of:*
 - *eight MCs, chosen by the parties represented in the Cosa in proportion to their Cosa seats;*
 - *all Senators;*
 - *the Seneschál;*
 - *all Justices of the UC;*
 - *all provincial heads of government;*
 - *all officers of the Royal Civil Service;*
 - *all Talossans who have been a citizen for at least ten years*
- 2. Every member of the Convocation shall have one vote. All the discussions of the Convocation will be open, but its votes shall be by secret ballot.*
- 3. The Convocation shall be chaired by the Senior Judge of the Cpl, or in their absence the next available Cpl judge in order of seniority, unless the Convocation decides differently.*
- 4. The Convocation shall assemble upon the 6th anniversary of a King acceding to the Throne, or at any time that there is no King.*
- 5. The candidate who receives the expressed support of 2/3 of the Convocation shall immediately receive the title of "Heir Presumptive".*
- 6. Upon the demise, abdication, or removal from the Throne of the King, the Heir Presumptive shall swear an oath promising to protect and uphold the Organic Law of Talossa and the rights of all its citizens, and thereupon become King of Talossa. If there is no Heir Presumptive, the Uppermost Cort shall be a Council of Regency until an Heir Presumptive is chosen.*
- 7. Unless the King of Talossa is chosen as their own Heir Presumptive, they shall be deemed to have abdicated upon having served in that role for 7 years.*

Uréu q'estadra sã,
Dame Miestră Schivă (Seneschal)

55RZ22 - The Amendment to the Organic Law (Seneschal Election Tweaks) Bill

WHEREAS the first election of a Seneschál by the Cosa went ahead successfully and the principle should be preserved;

AND **WHEREAS** if we are to make some tweaks, those tweaks should be in the direction of increased flexibility;

AND **WHEREAS** a wider range of possible nominees for Seneschál is more democratic;

AND **WHEREAS** the incoming Seneschál will still be able to call for a month of recess after the Clark on which she is elected under OrgLaw IV.9, if necessary, but there is no reason for this to be compulsory;

BE IT ENACTED by the Ziu that the Organic Law of Talossa shall be amended as follows:

1. The second paragraph of Organic Law VI.5 shall be amended by striking out the words "only the recognized and commonly known leader of" and substituting the words "nominated by", so it will now read as follows:

The method of election of a Seneschál shall be Ranked Choice Voting. Each member of the Cosâ shall have as many votes in the election as the seats which he hold in the Cosâ, but shall cast his votes as one bloc and have no divided conscience. The candidates for each such election shall be nominated by each political party which shall have earned representation in the Cosâ at the most recent general election.

2. Organic Law VI.6 shall be amended to read in its entirety:

The Seneschál shall announce publicly both the members of the incoming Government and the Government's legislative agenda at least before, if not sooner than, the last day on which a member of the Ziu may submit a measure to the second Clark. Failing this, the King shall dissolve the Cosa and call new elections.

Uréu q'estadra sã,
Dame Miestră Schivă (Seneschal)

55RZ23 - The Due Process Reversion Amendment

WHEREAS , the Fifth Covenant to the Covenants of Rights and Freedoms once read as follows:

Any person charged with an offence shall be presumed innocent until proven guilty, and has the right to request information on his legal rights. No accused person shall be twice put in jeopardy of life, liberty, or property for the same offence, or without due process of law; nor shall any citizen be compelled in any criminal case to bear witness against himself. Excessive fines, and cruel and bizarre punishments, shall not be inflicted.

WHEREAS , the Due Process Amendment, 50RZ26, received sufficient support in the Ziu and the requisite majority during referendum to modify that language;

WHEREAS , the Still Into This Amendment, 53RZ18, inadvertently reverted this covenant to the foregoing language;

WHEREAS , said omission from 53RZ18 appears entirely accidental and unintentional.

WHEREAS , the Ziu desires to remedy this mistake by re-adopting, without modification, the Fifth Covenant as enumerated in 50RZ26.

THEREFORE, the Fifth Covenant to the Covenants of Rights and Freedoms, Article XI of the Organic Law, is repealed in its entirety.

FURTHERMORE, the following language is adopted as the Fifth Covenant, Organic Law, Article XI.5:

No person shall be deprived of life, liberty, or property without due process of law, nor denied equal protection of law. Any person charged with an offense must be informed of their legal rights upon seizure by the government, and must be presumed innocent until proven guilty by a court of law. No person shall be subject to answer to the same criminal offense after the criminal charge has been properly adjudicated in a court of law, nor shall any person be compelled in any criminal case to bear witness against himself, nor shall any person be subjected to excessive fines, nor shall any person be subjected to cruel and unusual punishment. The Ziu shall have the power to enforce this Covenant by appropriate legislation.

Uréu q'estadra sã,
Dame Miestrã Schivă (Seneschal)

55RZ24 - The Talossan Law Repatriation (Crimes Repugnant to Talossanity) Bill

WHEREAS the 31st Cosa chose to deal with the lack of Talossan law against "murder, rape, robbery" and other serious crimes against the person by incorporating the laws of the State of Wisconsin into Talossan law, where indigenous Talossan law does not contradict them;

AND **WHEREAS** the 35th Cosa amended this to specify only certain sections of the Wisconsin Statutes, which currently comprise sections A.1-4 of El Lexhatx;

AND **WHEREAS** this means that a thorough knowledge of Talossan law necessarily requires a knowledge of Wisconsin law;

AND **WHEREAS** Wisconsin law has never in fact been used to punish infamous crimes committed by Talossan citizens, such as statutory rape;

AND **WHEREAS** the practice of Talossan law and jurisprudence should be open to all Talossans, not just those who are already professional lawyers;

AND **WHEREAS** the only way Wisconsin law has been used in Talossa is by trained practitioners of United States law introducing Wisconsin precedent into their Talossan legal briefs, giving those trained in United States law an unfair advantage over those who are only trained in Talossan law;

AND **WHEREAS** we should find a different way to achieve the original intent of the measure, which was to make infamous crimes against the person a crime under Talossan law;

AND **WHEREAS** the basic principles of what is moral, right and good under Talossan law are already contained in our Covenant of Rights and Freedoms;

AND **WHEREAS** previous versions of the Organic Law specified "generally accepted principles of Anglo-American law" as a foundation for Talossan law, but this has been removed;

AND **WHEREAS** it is wise to re-establish some legislative basis for Talossan juridical practice;

BE IT ENACTED by the Ziu that:

1. Sections A.1-4 and A.7-8 of El Lexhatx are repealed in their entirety.
2. Sections A.1-3 of El Lexhatx shall henceforth read as follows:

- 1. The basis of all Talossan law and jurisprudence is the principles contained in the Covenant of Rights and Freedoms.*
- 2. Where Talossan statute law is silent, Talossan courts shall make decisions in accordance with Talossan juridical precedent. Judges may also use precedent from other legal systems with which they are familiar to guide their decisions, though such precedent shall not be binding.*
- 3. A Talossan citizen who is convicted in another jurisdiction, by a credible judicial authority, of an offence incurring penal servitude which is repugnant to the values expressed in the Covenant of Rights and Freedoms, shall be guilty of the crime of "repugnant behaviour bringing Talossa into*

disrepute", and be liable to a punishment of severity in strict proportion to the severity of the said offence.

3. The sections of Title A of El Lexhatx shall be subsequently renumbered consecutively.

Uréu q'estadra sã,

Dame Miestrã Schivã (Seneschal)