



The October 2021 Clark Second Clark of the 56th Ziu

1. Results of the August 2021 Clark

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

56RZ02 – The Talossan Criminal Law Reform Bill #1

Introduced by Dame Miesträ Schivä (MC-FreeDems)

Agreed to by the Cosä 167-16 (17 abstained), by the Senäts 6-1

The Cosä and Senäts disagreed on the following bill:

56RZ01 – The Talossa Shall Choose Its King Amendment

Introduced by Dame Miesträ Schivä (MC-FreeDems)

Rejected by the Cosä due to not reaching the required supermajority 90-77 (33 abstained), agreed to by the Senäts 4-2 (1 abstained)

The Cosä passed a Vote of Confidence in the Government 165-19 (16 abstained).

Members of the Cosä voted as follows:

Name	Party	Seats	RZ 1	RZ 2	VoC
X. Pol Brigä	B	17	Con	Aus	Üc
Dixhet Fira	B	16	Con	Con	Üc
Dien Tresplet	DIEN	14	Con	Per	Üc
Miesträ Schivä	FreeDems	17	Per	Per	Üc
Antaglha Xhenerös Somelieir	FreeDems	17	Per	Per	Üc
Françal Ian Lux	FreeDems	17	Per	Per	Üc
Txoteu Davinescu	FreeDems	17	Per	Per	Üc
Cresti Nouacastra-Läxhirescu	FreeDems	17	Per	Per	Üc
Glüc da Dhi	KLüP	11	Con	Per	Aus
Tierçeu Rôibeardescù	LCC	12	Aus	Per	Üc
Jordan Placie	LCC	10	Aus	Per	Üc
Iason Taiwos	NPW	11	Aus	Per	Üc
Marcel Tafial	PT	5	Per	Per	Aus
Muhammed Yasir	TNC	19	Con	Per	Non
			90-77 (33)	167-16 (17)	165-19 (16)

Senators voted as follows:

Name	Province	RZ1	RZ2
Marti-Páir Furxhéir	Atatürk	Per	Per
		4-2 (1)	6-1

Name	Province	RZ1	RZ2
Eiric Börnatfiglheu	Belacostă	Per	Per
Ian Tamoran	Cézembre	<i>Did not vote</i>	
Breneir Tzaracomprada	Florenciă	Con	Per
Gödafrîeu Vălcadac'h	Fiovă	Per	Per
Bénéditsch Ardpresteir	Maricopa	Con	Con
Ian Plätschisch	Maritiimi-Maxhestic	Aus	Per
Éovart Grischun	Vuode	Per	Per
		4-2 (1)	6-1

2. This Month's Business

The Second Clark of the 56th Ziu runs from October 1st to 21st 2021/XLII.
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:

56RZ03 – The Talossan Criminal Law Reform Bill #2

Introduced by Dame Miestră Schivă (MC-FreeDems)

56RZ04 – The Legislative Process Improvement Bill #1

Introduced by Dame Miestră Schivă (MC-FreeDems)

56RZ05 – The 56th Cosa Budget

Introduced by Sir Ian Plätschisch (Minister of Finance, on behalf of His Majesty's Government)

56RZ06 – The Big Fat Chocolate-Covered Waste of Time Bill

Introduced by Dame Miestră Schivă (MC-FreeDems)

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 2021/XLVI
The Secretary of State / El Secretar d'Estat
King Txec*

A. Full text of all bills on the Clark

56RZ03 - The Talossan Criminal Law Reform Bill #2

WHEREAS the Kingdom of Talossa was rocked to its foundations in February 2016 by the conviction and sentencing of a prominent Talossan for abhorrent crimes in the United States;

AND **WHEREAS** the Kingdom of Talossa found at that point that there were no provisions for formally sanctioning this citizen for crimes committed outside the country;

AND **WHEREAS** it is beneficial for the Kingdom of Talossa to be able to effectively and legally disassociate itself from notorious criminals;

AND **WHEREAS** it is also necessary that this be through a properly constituted judicial process, rather than an administrative "banishment";

AND **WHEREAS** in debate around bringing in this measure, it was thought necessary and proper to simultaneously introduce additional safeguards promoting the right to a fair trial and discouraging malicious prosecution for all serious crimes at Talossan law;

BE IT ENACTED by the King, Cosa and Senäts in Ziu assembled as follows:

1. Crime of Bringing Talossa into Disrepute

A new section 7.2.10 shall be added to El Lexhatx Title A as follows:

Quote

*7.2.10. **Bringing Talossa into disrepute.** Any Talossan citizen who has been convicted by a credible foreign court, which has been deemed to abide by Talossan values, of a crime established at trial to have involved fraud, harassment, bribery, physical or sexual violence or threats thereof, has committed the crime of bringing Talossa into disrepute to the following degrees:*

7.2.10.1. A felony if sentenced to penal servitude of more than 2 years.

7.2.10.2. A serious misdemeanour otherwise.

2. Reform of Prosecution Procedures and Introduction of Preliminary Hearing to Preserve Defendant Rights

El Lexhatx Title G Section 6. shall be replaced in its entirety as follows:

Quote

6. Criminal Law: In the interest of providing the accused with the rights granted to them by the Ninth Covenant of Rights and Freedoms, the following rights shall be considered to be inalienable and shall be afforded to all citizens in civilian trials:

6.1. The Ministry of Justice, on behalf of the Crown, shall submit a charging instrument to the Clerk of the Cort identifying, in plain language, the charge to be brought against the accuse, and the factual allegations to be proven to support said charges. Nothing in this section shall limit the Ministry of Justice from relying on unpleaded allegations provided such does not prejudice the accused.

6.2. Upon receipt of the charging instrument, the Clerk of the Cort shall refer the matter to the appropriate tribunal of the Crown as defined by law.

6.3. The tribunal of the Crown shall test the sufficiency by making a prima facie determination that if the factual allegations contained therein were proven true beyond a reasonable doubt, then the accused would be guilty of the crime as alleged. Jeopardy shall only attach if the tribunal of the Crown accepts the charging instrument as sufficient. If the tribunal is not satisfied of such, then it shall reject the charging instrument as insufficient on its face and jeopardy shall not have attached.

6.4. The accused must be informed of the charges against him by the Crown within seven days of said charges being accepted by the Tribunal of the Crown.

6.5. Such notification must be submitted to the accused in writing, by either an electronic medium such as email, a typed letter, or by a handwritten letter. A copy of every such notice shall be archived in the Royal Archives by the Royal Archivist immediately after he receives a copy of said notice. If the notice is given in the form of a hand-written letter, the Royal Archivist shall make a copy of the letter in an electronic format, such that it may be added to the Royal Archives.

6.6. Preliminary Hearings

6.6.1. A preliminary examination is a hearing before a court for the purpose of determining if there is probable cause to believe a felony or a serious misdemeanour has been committed by the defendant.

6.6.2. The preliminary examination shall be commenced within 30 days after the receipt by a Cort of a charging instrument alleging a felony or serious misdemeanour, as described in El Lexhatx G. 6.2.

6.6.3. A plea shall not be accepted in any case in which a preliminary examination is required until the defendant has been bound over following preliminary examination or waiver thereof.

6.6.4. The defendant, or their Public Defender, may cross-examine witnesses against the defendant, and may call witnesses on the defendant's own behalf who then are subject to cross-examination.

6.6.5. If the court finds probable cause to believe that a felony or serious misdemeanour has been committed by the defendant, it shall bind the defendant over for trial.

6.6.6. If the court finds that it is probable that only a misdemeanour has been committed by the defendant, it shall amend the complaint to conform to the evidence. The action shall then proceed as though it had originated as a misdemeanour action.

6.6.7. If the court does not find probable cause to believe that a crime has been committed by the defendant, it shall order the defendant discharged forthwith.

6.7. The Prosecution shall have up to 90 days from the time of notification of the accused in which to prepare its case for trial. If a case is not prepared by the Prosecution within the allotted time, then the matter shall be dismissed, unless the Prosecution can show that such delay is through the fault of the accused.

6.8. If a case is not prepared within the 90-day limit, then the Prosecution may request up to an additional 30 days to prepare its case, which shall be granted or denied by the tribunal assigned to the case. This section takes precedence over G.1.6.

6.9. The decision shall be based on the legitimacy of reasons given by the Prosecution in the interests of justice, equity, and efficiency.

6.10. If a matter is dismissed for failure to prosecute, then final jeopardy shall attach unless the Prosecution is able to provide new evidence against the accused with which to build a case. A new case must meet the same statute of limitations for any offence.

6.11. The Prosecution may withdraw a charging instrument upon good cause shown to which jeopardy shall not attach.

Uréu q'estadra sã,
Dame Miestră Schivă (MC-FreeDems)

56RZ04 - The Legislative Process Improvement Bill #1

WHEREAS the quality of legislation passed by the Ziu of our Kingdom has always been of questionable quality, given not only the volunteer, part-time nature of our MCs and Senators, but also of the lack of "professional" legal advisers to proofread amateurishly-written bills;

AND **WHEREAS** the Hopper itself was an early attempt to improve the process; but has always been hampered by the disinterest or forgetfulness of MCs and Senators in reading legislation until it is Clarked, by which stage it is too late for amendments;

AND **WHEREAS** the last Cosa brought in la Comità da Redacziun Lexhislatiü (CRL) to streamline this process, but this body simply did not function in the last Cosa;

AND **WHEREAS** even if the CRL functions as foreseen in this Cosa, it does not solve the large problem mentioned above, that MCs and Senators do not pay attention to the details of bills until after they are Clarked;

AND **WHEREAS** the idea of a system of "multiple readings" of legislation before they become law has been raised in the past;

AND **WHEREAS** the incoming Attorney-General and Túischac'h have agreed on this proposal, which will require a form of "first reading", whereby bills will need a affirmative majority of both houses (along the same lines as a Túischac'h election) to go to the CRL, and subsequently cannot go to Clark for 30 days unless the CRL gives its affirmative say-so;

AND **WHEREAS** at the very, very worst this bill will only mean a 30-day delay in Clarking bills;

AND **WHEREAS** there is still an "escape hatch" for cases of legislative urgency, in the provisions of Organic Law VII.6: "The Seneschál shall have the right at his discretion to withdraw any legislative proposal from the Hopper and instruct the Secretary of State to treat it as a properly submitted bill"; and also in the provision for Prime Dictates;

AND **WHEREAS** a future reform, whereby the Cosä and Senäts will vote separately on legislation to allow even more opportunity for scrutiny and debate, may be presented later in this Cosä term, whether this bill passes or not;

BE IT ENACTED by the King, Cosä and Senäts of Talossa in Ziu assembled that

1. El Lexhatx H.6 shall be replaced in its entirety as follows:Quote

6. No bill may be published in a Clark unless it has passed the Hopper, as provided in this section.

6.1. All citizens of Talossa are entitled to participate fully in discussions and debates in the Hopper, within the bounds of law and of the decisions of the administering and presiding authorities of the Hopper. Any citizen may submit a draft of legislation to the Hopper, though these shall not be considered to be "legislative proposals" until sponsored by one or more individuals authorised to submit legislative proposals under Organic Law VII.5.

6.2 A bill has passed the hopper if it has spent at least 10 days in the Hopper, and is exclusively limited to the following:

6.2.1 Non-binding proclamations that have no effect other than express the wish of the Cosa, Senate, or Ziu as a whole, in which case the bill must contain the words "Sense of the Cosa", "Sense of the

Senate" or "Sense of the Ziu" in its title.

6.2.2. Proclamations that establish the position of the Ziu on a foreign policy issue.

6.2.3. Establishment of a committee that has no powers other than advisory powers and whose recommendations must still be approved by the Ziu in order to be binding and making appointments to such a committee.

6.2.4. Appointments to functions that are already defined in law and for which the Ziu is explicitly allowed to make appointments according to law.

6.2.5. Any decision which the law explicitly allows the Ziu to make without the bill containing such a decision having to go through committee.

6.2.6 Removing a regent or consenting to the re-appointment of a regent in accordance with Org.II.5

6.2.7 Revoking a Prime Dictate

6.2.8 Notices of reprimand in accordance with Org.VIII.5

6.2.9. The granting or restoration of citizenship

6.3. A bill has passed the hopper if it has spent at least 10 days in the Hopper and at least half of the Senators and 2/3 of Cosà seats express their support in the Hopper for clarking the bill.

6.4. After a legislative proposal has spent at least 10 days in the Hopper, its proposer may request that it "move to committee". No bill may be Clarked without being "moved to committee", except as provided by Lex.H.6.2 or Lex.H.6.3.

6.5. A Legislative Advisory Committee of Talossa (in Talossan, el Comità da Redacziun Legislatiù; and hereinafter, "the CRL") shall review or revise all legislative items from the Hopper once they have moved to committee; and may recommend acceptance or rejection, or suggest amendments in their best judgment.

6.5.1 The CRL shall conduct all its deliberations openly in the Hopper.

6.5.2 The CRL shall consist of the incumbent Mençéi, Túischac'h, and Avocat-Xheneral.

6.5.3. The CRL may create further committees to which their functions may be delegated, as concerns any bill or category of bills. Such a committee must have at least 3 members, including at least 1 MC and at least 1 Senator.

6.6. After the CRL has given its recommendation, or if it gives no recommendation within 30 days of the bill having passed to committee, the bill has passed the hopper and the sponsor of the bill may ask for it to be Clarked, with or without amendments.

6.6.1 The same bill can not be submitted to the Clark more than once in the same Cosa, unless the original bill was vetoed, the original bill had been retired or voted down by its main sponsor during the voting period, or the bill has been substantially amended, as judged by the Secretary of State.

6.6.2. Bills must be submitted to the Secretary of State more than 24 hours before the publication of the Clark. Bills received less than 24 hours before publication of the Clark shall be published in the next Clark or postponed for one Clark, at the Secretary of State's discretion.

6.7. The Secretary of State is empowered to refuse to put a certain bill on a Clark if said bill;

6.7.1. appears to him to be obviously on its face inorganic, or to have such grave errors as would make it ineffective and/or require further legislation or a Prime Dictate to make it effective.

6.7.2. does not specify exactly the Law(s) or Article(s) which it seeks to amend, change, or repeal, if the bill seeks to amend, change, or repeal any Article of the Organic Law or any Law

6.7.3. is not clearly typed or word-processed; and/or

6.7.4. is so substantially different from its form as a legislative proposal when "passed to committee" that it constitutes a significantly different proposal.

6.7.5. has not passed the hopper or is deemed by the sponsor to have passed the hopper in accordance with Lex.H.6.2. but is in the judgement of the Secretary of State not limited exclusively limited to the items listed in Lex.H.6.2.

6.7.6. Any such decision shall be subject to judicial review.

6.8. All bills submitted for the Clark shall be in one of the national languages.

6.9. The Secretary of State shall remove legislative proposals from "The Hopper" at the request of the author.

6.9.1 If a legislative proposal has remained in the "The Hopper" for more than 59 days, it shall be considered to have been removed, though any person entitled to do so may subsequently re-publish it.

6.10. Notwithstanding the rules about a bill's eligibility to be Clarked, if no bill was submitted to the Clark at the moment of publication, the Secretary of State shall be allowed to add to the Clark a simple bill asking for Quorum where Cosa Members and Senators can vote to confirm their presence for the Clark.

6.11. The Secretary of State is under no obligation to create a permanent record of legislative proposals in "The Hopper."

2.Lex.G.11.4. is amended to read:Quote

11.4. Retired status can be revoked only in the event of a conviction by a Talossan Court for misconduct while serving in a judicial capacity. In the event of such conviction, revocation of retirement privileges shall be contained as part of the sentencing order. Retired status can also be revoked by the Ziu through majority vote, **without needing to go through committee**, and approval by the Monarch. Such legislative action can be taken only after the retiree has been convicted by a Talossan Court for misconduct while serving in a judicial capacity and only after all appeals have been exhausted.

3. Lex.H.25.1 is amended to read:Quote

25.1 Members who cannot attend will not be denied the right to vote on that month's Clark. They may send their votes to the Secretary of State by any means feasible, so that they can be announced at the Living Cosâ. A member may, in writing, delegate his authority to vote (temporarily transfer his seats) to another person who can attend the Living Cosâ, but no individual may hold more than thirty seats, counting both proxy and permanently assigned seats, for purposes of the Living Cosâ. The Ziu may provide by law, **without needing to go through committee**, for quorum requirements, and for attendance via telephone, videoconference, or other remote means.

4. Lex.C.1.2.2.2. is amended to read:Quote

1.2.2.2. Other questions on the Talossan Census shall be identical to the questions on the last census. These questions may be changed by the Chancery, either of its own volition or on request from the Seneschal, but any changes shall be approved by the Ziu, **without needing to go through committee**. These questions will be marked as optional, and at no time shall a citizen be forced or required to respond to an optional question.

5. El Lexhatx H.7, H.11, H.12 and H.13 are hereby deleted in their entirety, and Title H of El Lexhatx will subsequently be renumbered.

Noi urent q'estadra sã,
Dame Miestrã Schivã (MC-FreeDems)
Sir Glüc da Dhi (MC-KLüP)

56RZ05 - The 56th Cosa Budget

WHEREAS the Organic Law directs that each government submit a budget by the second Clark of their Cosa term

PART A: Appropriations Request

His Majesty's Government hereby submits to the Ziu a request for the appropriation of funds from the Royal Treasury totaling **170¢6 (\$255.15)** for the specific purposes and subject to restrictions as outlined herein:

STUFF:

- Webhosting costs: 53¢26 (\$80.15)
- Google ads: 16¢40 (\$25)

FINANCE:

- Fees for a Registered Agent: 66¢40 (\$100)
- John Eiffler commemorative stamps: 33¢20 (\$50)

FURTHERMORE, notwithstanding the above allocations, no funds shall be disbursed without a notice of disbursement having first been transmitted to the Ziu at least fourteen days prior to the disbursement, except that disbursements solely for the purpose of postage may be made with no less than 24 hours notice. Notices shall contain details of the purchase and a cost estimate for the purchase, or the total amount paid if seeking funds for reimbursement. Copies of receipts and/or invoices will be provided upon request to Members of the Ziu.

FURTHERMORE, any funds allocated by this section shall be retained in the central fund by the Burgermeister of Inland Revenue until such time as they are disbursed. Funds not disbursed prior to the end of the government term shall remain in the central fund.

PART B. Fundraiser, Minting, and Other Authorizations

FURTHERMORE, the Minister of Finance, or her appointed deputy shall undertake to create manage and promote a voluntary fundraising campaign, to the citizens of Talossa and other interested parties over the course of the term. **The targeted amount for the campaign shall be ℓ133¢20 (\$200)**. The proceeds of seignorage, sales of stamps, TalossaWare proceeds, and other voluntary contributions shall be included in this total except as provided elsewhere. The expected income for the term is as follows:

Proceedings of sales (Coins/Stamps/Talossaware) + Donations to the Kingdom: ℓ133¢20 (\$200)

Registration fees for Cosa election: ℓ20 (\$30)

Registration fees for Senäts election: ℓ10 (\$15)

Interest on Talossa's bank accounts: ℓ3¢20 (\$5)

Total: +ℓ166¢40 (+\$250)

PART C: Investment Policy

FURTHERMORE, His Majesty's Government hereby directs the Burgermeister of Inland Revenue to invest all held funds into a high-interest savings account unless or until otherwise directed or advised by act of the Ziu.

Uréu q'estadra sã,

Sir Ian Plätschisch (Minister of Finance, on behalf of His Majesty's Government)

56RZ06 - The Big Fat Chocolate-Covered Waste of Time Bill

WHEREAS why do we even have a Council of Governors as all it does is elect a leader then fall silent;

AND **WHEREAS** there is nothing to stop informal interprovincial consultations as and when necessary

THEREFORE be it enacted by the Ziu of Talossa that El Lexhatx D.9 is deleted in its entirety.

Uréu q'estadra sã,

Dame Miestră Schivă (MC-FreeDems)