

CONSTITUTION OF

THE GREAT STATE

OF

NEW CALIFORNIA

PREAMBLE

We, the undersigned representatives on behalf of Counties within the State of California, do acknowledge and humbly invoke the favor of Almighty God for continued civil and religious liberty to ourselves and our posterity, seek a Republican Form of Government, protection against foreign invasion and domestic violence guaranteed by Article 4, Section 4 of the United States Constitution, and all privileges and immunities of citizens in the several states guaranteed by Article 4, Section 2 of the United States Constitution, do ordain and establish New California as a fully vested State of the Union of States in the United States of America.

Paul Preston,
President, New California State

Robert Righetti,
Senate President Pro Tempore

Elizabeth Ritchie,
Speaker of the Assembly

ARTICLE I

BILL OF RIGHTS

To guard against transgressions of the high powers herein delegated, we declare that everything in this “Bill of Rights” is excepted out of the general powers of government, and shall forever remain inviolate, and all laws contrary thereto, or to the following provisions, shall be null and void.

SECTION 1.

All individuals are by nature free, individual and independent, and have certain unalienable rights, among which are the natural right to life at conception, liberty, and the pursuit of happiness, the right to express, possess and protect freedom of conscience and thought, the enjoyment of the rewards of their own industry or labor, the right to unrestricted travel and movement. All individuals are equal at conception and free to exercise their equal rights, opportunities, and protection under the law; and in that freedom embrace the right to defend life, liberty and property, including the right to acquire, possess, transfer and protect their property and the fruits of their labor.

SECTION 2.

All political power is inherent in the people. Authority for Government originates with the people, and is founded upon their will only, and is instituted for the protection, security, and benefit of the people and their unalienable rights. The Citizens of New California State shall be guaranteed a republican form of government and subject to this limitation only, that they have at all times the unalienable right to alter, reform or abolish the same whenever the public good may require it. All powers not expressly given to the Government are reserved to the people. The Constitution for New California State does not have a “penumbra” and no powers are to be added by implication or added beyond a plain reading of the text and its original intent.

SECTION 3.

New California State is a free, sovereign and independent state, and is an inseparable part of the American Union. The U.S. Constitution is the supreme law of the land; however, the powers of the Federal government are limited to those powers specifically delegated. All powers not so delegated are reserved to the citizens of New California State, who are bound by this Constitution as the supreme law of New California State. No other source of law that is inconsistent with these two supreme standards shall be recognized within the boundaries of New California State. The maintenance of our free institutions and the perpetuity of the Union depend upon the preservation of the right of local self-government, as unimpaired to all the States.

SECTION 4.

New California State shall have limited government that is accountable to the citizens of the state, with its primary mission being the protection of the rights embraced by Sections 1 and 2. To the fullest extent possible the State government shall be no larger than necessary to achieve the purposes of this Constitution, and wherever possible any individual serving in a position to enforce laws, promulgate regulations, or otherwise administrate governmental affairs should be an elected position so there is accountability to the voters of the state.

SECTION 5.

No person shall be denied the enjoyment of any civil or political right because of race, color, creed, biologic sex, or national origin. No property qualification shall ever be required for any person to vote or hold office. Nor shall the state employ or discriminate to achieve or assign unequal benefits on the basis

of these rights. All freemen, when they form a social compact, have equal rights, and no man, or set of men, is entitled to exclusive separate public emoluments, or privileges, but all compensation shall be fair and reasonably related to the public services rendered.

SECTION 6.

New California State shall be a “Right to Work” state and no membership in a union shall be required as a condition of employment. All citizens shall be free to move anywhere in the United States, and any citizen living in another State in a regulated profession who is in good standing with his state’s regulatory body shall not be denied the opportunity to seek reciprocity to transfer his license to practice in New California State.

SECTION 7.

The free exercise and enjoyment of religious profession and worship, without discrimination, infringement upon conscience or preference, shall forever be guaranteed in New California State except to the extent a religion advocates unconstitutional actions or advocates the unconstitutional overthrow of the Government. No person shall be required or forced to receive instruction in or to take part in any ceremony or act of worship of religion other than his own choosing. No person shall be rendered incompetent or disqualified to be a witness or juror on account of his opinions on matters of religious belief; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of this State and of this Nation. All oaths or affirmations shall be administered in the open mode most binding upon the conscience, and shall be taken subject to the pains and penalties of perjury. No religious test shall ever be required as a qualification to any office, or public trust, in this State; nor shall anyone be excluded from holding office on account of their religious sentiments, provided they acknowledge the existence of a Supreme Being or a higher moral authority.

SECTION 8.

Every citizen may freely speak, write, and publish his sentiments, on all subjects, being responsible for the abuse of that right; and no law shall be passed to restrain or abridge the liberty of speech or of the press. No individual may restrain the speech of another unless their exercise of free speech is inciting violence or the destruction of property they do not own. No individual may restrain or abridge the liberty of speech of the press or media except for any allegation of bodily harm, libel or slander.

SECTION 9.

The people shall have the right to freely and peaceably assemble together to consult for the common good, to preserve open government, to instruct their Representatives, and to petition the Legislature for redress of grievances. The Government shall not in way restrict, suspend or interfere this unalienable right to peaceably assemble.

SECTION 10.

No person shall be deprived of life, liberty, or property without due process of law. The right of all persons to fair and just treatment in the course of legislative, executive and administrative investigations shall not be infringed. All court proceedings shall be open to the public, and every person shall have due process of law to seek relief for an injury done him, in his lands, goods, person or reputation.

SECTION 11.

No person shall be held to answer for a capital, or otherwise infamous crime, unless on presentment or indictment of a grand jury, except in cases arising in the armed forces in time of war or public danger.

The grand jury shall consist of at least twelve citizens, a majority of whom concurring may return an indictment. The power of grand juries to investigate and make recommendations concerning the public welfare or safety shall never be suspended. This presumption of innocence extends not just to criminal accusations, arrests or indictments but also for any governmental action or enforcement of an alleged violation of an Administrative rule or regulation.

SECTION 12.

Treason against the State shall consist only in levying war against it, adhering to its enemies, or giving them aid and comfort. No person shall be convicted of treason unless on the evidence of two witnesses to the same overt act, or confession in open Court. Enemies of the State are defined as any entities who intend to cause severe harm to the general public, or who seek the annihilation or invasion of, the political, financial, or religious take over of New California State.

SECTION 13.

In all criminal prosecutions, the accused shall have the right to a speedy and public trial by an impartial jury. He shall have the right to demand the nature and cause of the accusation against him and to have a copy thereof, and to have the process of the Court to compel the attendance of witnesses in his behalf, and to appear and defend, in person and with counsel. No person shall be twice put in jeopardy for the same offense; nor be compelled, in any criminal case, to be a witness against himself; nor be deprived of life, liberty, or property without due process of law. The Legislature shall have power to provide for the taking, in the presence of the party accused and his counsel, of depositions of witnesses in criminal cases, other than cases of homicide, when there is reason to believe that the witness, from inability or other cause, will not attend at the trial.

SECTION 14.

Excessive bail shall not be required, nor excessive fines imposed; nor shall cruel or unusual punishments be inflicted. Witnesses shall not be unreasonably detained, nor confined in any room where criminals are actually imprisoned. All persons shall be bailable by sufficient sureties, except for capital offenses. Bail shall also be denied for a person accused of a felony less than capital and meets one of the following conditions: (1) has been theretofore twice convicted of a felony; (2) was committed while on bail for a prior felony, (3) involves the use of a deadly weapon after being convicted of a prior felony, or (4) is accused of a violent or sexual offense. In this section: "Violent offense" means: murder; aggravated assault, if the accused used or exhibited a deadly weapon during the commission of the assault; aggravated kidnapping; or aggravated robbery. "Sexual offense" means: aggravated sexual assault; sexual assault; or indecency with a child.

SECTION 15.

The privilege of the writ of habeas corpus shall not be suspended unless when, in cases of rebellion or invasion, the public safety may require its suspension. Any suspension by the Executive Branch requires the consent of the Senate by a two-thirds vote.

SECTION 16.

The responsibility of the state to ensure Mens Rea shall prevail. All legislation that includes a criminal or punitive penalty must clearly define the requirements to prevent unjust prosecutions, criminalization and punishment, and must be consistent with the Common Law rule of lenity that defends the innocence of every person when the legislative intent is not clear; Every bill or legislative instrument that includes a criminal or punitive penalty must be reviewed and tested by a judiciary committee to measure whether inclusion of Mens Rea has been applied; Every new bill or legislative instrument of law must include justification and purpose behind new criminalization.

SECTION 17. _

The right of the people to be secure in their persons, houses, property, papers or electronic devices, data, and other personal effects against seizures and searches without probable cause shall not be violated. No

warrant shall issue, unless supported by a written oath or affirmation setting forth probable cause, which also particularly describes the place to be searched and the persons and things to be seized.

SECTION 18.

No bill of attainder, ex post facto law, or law impairing the obligation of contracts, shall ever be passed. No special privileges or immunities shall ever be granted which may not be altered, revoked, or repealed by the Legislature; nor shall any citizen, or class of citizens, be granted privileges or immunities which, upon the same terms, shall not be granted to all citizens. No citizen or legal resident shall be transported out of the State for any offense committed within the same. This section does not prohibit an agreement with another state providing for the confinement of inmates of this State in the penal or correctional facilities of that state.

SECTION 19.

The right of trial by jury shall be secured to all, and remain inviolate. A criminal conviction shall be by unanimous verdict of the jury; and in civil actions three fourths of the jury may render a verdict. A trial by jury may be waived in all criminal cases; not amounting to felony, by the consent of both parties, expressed in open Court, and in civil actions by the consent of the parties, signified in such manner as may be prescribed by law. In civil actions, and cases of misdemeanor, the jury may consist of twelve, or of any number less than twelve upon which the parties may agree in open Court.

SECTION 20.

No person shall be imprisoned for debt in any civil action, unless in cases of fraud, nor in civil actions for torts, except in cases of willful injury to person or property; and no person shall be imprisoned for a militia fine in time of peace.

SECTION 21.

Private property shall not be taken, proclaimed, awarded, reserved or damaged for public use without just compensation having been first made to, or paid into Court for, the owner, and no right of way shall be appropriated to the use of any corporation other than municipal until full compensation therefor be first made in money or ascertained and paid into Court for the owner, irrespective of any benefit from any improvement proposed by such corporation, which compensation shall be ascertained by a jury, unless a jury be waived, as in other civil cases in a Court of record, as shall be prescribed by law. Public benefit may not be equated as a public use.

SECTION 22.

Every citizen shall have the right to acquire, keep and bear arms, including any components and materials necessary for their use or effect, in the lawful defense of himself, his possessions, his residence, his family, his community or the State. The phrase “bear arms” shall include the right to open carry firearms. “Arms” shall be defined as any weapon or technology required to meet and repel the aggression or threat posed by an individual, or group of individuals who use any weapon or technology to intimidate, threaten, harm, destroy or otherwise infringe upon the natural rights of the sovereign individual or State or Nation. The individual right to keep and bear arms shall not be denied or infringed by any act, law or other action by the State or a political subdivision of the State. The right of citizens to own and open carry firearms shall not be denied or infringed except in the case of parolees, felons and the incompetent.

SECTION 23.

The people have the right to hunt, fish, and harvest wildlife, subject to laws or regulations to conserve and manage wildlife and preserve the future of hunting and fishing. Hunting and fishing are preferred methods of managing and controlling wildlife. This section does not affect any provision of law relating to trespass, property rights, or eminent domain. This section does not affect the power of the legislature

to authorize a municipality to regulate the discharge of a weapon in a populated area in the interest of public safety.

SECTION 24.

No standing army shall be kept up by New California State in time of peace, and no soldier shall, in time of peace be quartered in any house without the consent of the owner; nor in time of war, except in the manner prescribed by law. The military shall be subordinate to the civil power.

SECTION 25.

Foreigners eligible to become citizens of the United States under the naturalization laws thereof who are legal residents of the United States and of New California State, shall have the same rights in respect to the possession, enjoyment, transmission, and inheritance of property as native-born citizens.

SECTION 26.

Citizenship in the United States is required for any person to vote or hold office, or to practice in any regulated profession. Residence within the district of the office being held is required for anyone holding office in New California State.

SECTION 27.

No special privileges or immunities shall ever be granted which may not be altered, revoked, or repealed by the Legislature; nor shall any citizen, or class of citizens, be granted privileges or immunities which, upon the same terms, shall not be granted to all citizens.

ARTICLE II

VOTING AND ELECTIONS

SECTION 1.

Every citizen, and every person who shall have acquired the right of citizenship of the United States of America, who has been a permanent resident of the Restored State of California for 90 days prior to an election, and who is at least 21 years of age, and who meets registration and residency requirements as prescribed by law may vote in all State and Local elections.

SECTION 2.

No citizen may vote who has been convicted of a felony unless his civil rights have been restored. No citizen may vote who has been judicially determined to be of unsound mind.

SECTION 3.

Qualified Voters shall in all cases, except treason, felony, or breach of the peace, be privileged from arrest on the days of election, during their attendance at such election, going to and returning therefrom. No Qualified Voter shall be obliged to perform militia duty on the day of election, except in time of war or public danger.

SECTION 4.

For the purpose of voting, no person shall be deemed to have gained or lost a residence by reason of his presence or absence while employed in the service of the United States, nor while engaged in the navigation of the waters of this State, or of the United States, or of the high seas. Qualified voters shall be eligible to vote once only in the district of their primary residence, and shall not be eligible to vote in New California State if they are registered to vote in another jurisdiction of the United States. A valid State or Federal identification shall be required for all in person voting to confirm their eligibility to vote in their district or voting location.

SECTION 5.

All elections by Qualified Voters shall be by ballot. Methods of voting shall be prescribed by law, including provisions for Absentee Voting. No absentee ballot shall be provided to a Qualified Voter unless requested by themselves in writing. Absentee ballots may only return by mail or collected at a designated polling location and must be received on or before the time voting closes on the day proscribed for in person voting. Harvesting of ballots shall not be allowed. Secrecy of voting shall be preserved. The procedure for determining election contests, with right of appeal to the courts, shall be prescribed by law.

SECTION 6.

General elections shall be held on the on the first Tuesday after the first Monday in November of every even-numbered year, but the month and day may be changed by law. All ballots shall have been received by the Registrar of Voters office no later than the time specified for voting to close on the day of the election. Ballots sent by mail must be signed and testified to by the voter, postmarked before the date the election occurs, and must be received by the Registrars of Voters office no later than the time specified for voting to close on the day set for election. Military ballots must be accepted by the Registrar of Voters office for up to two weeks from the date of the election.

ARTICLE III

POWERS

SECTION 1.

The powers of the Government of New California State shall be divided into three separate departments; the Legislative Branch, Executive Branch and the Judicial Branch. No person, or collection of persons, being of one of these departments, shall exercise any power properly attached to either of the others, except in the instances herein expressly permitted.

SECTION 2.

The Legislative body shall be a bicameral body with an upper house or Senate who shall represent the Counties, and a lower body or House of Representatives who shall represent the people of New California State. When a reference is needed to refer to both of these bodies collectively, these two bodies shall be referred to as the Legislature.

SECTION 3.

No power shall be assumed by any of the separate departments that deprive the people of their unalienable rights. Nor shall any power or authority be imposed upon the people of New California State that creates, causes or results in class divisions by any form of identity by creed, color, race, gender, ethnicity, orientation, unfair redistribution of wealth or property, racial privileges or bias, speculative economic burdens or taxations.

SECTION 4.

No member of any of the separate, or combination of, departments, shall enrich themselves exclusively in any manner, or directly or indirectly benefit others, through the exercise of their power of voting upon legislation.

SECTION 5.

New California State will always maintain and/or build, if necessary, the required number of prisons to adequately house all lawfully convicted criminals. The Legislature will enact laws to ensure that criminals to the fullest extent possible are not released before completion of their sentence. Early release for all violent crimes is not in the best interest of the peace and safety of the public.

ARTICLE IV

LEGISLATIVE BRANCH

SECTION 1.

The legislative power of this State shall be vested in a Senate and House of Representatives, which together shall be designated The Legislature of New California State, and the enacting clause of every law shall be as follows: "The People of New California State, represented in Senate and House, do enact as follows."

SECTION 2.

- a) The sessions of the Legislature shall commence as soon as possible upon completion the requirements of Article 3, Section 4 of the United States Constitution consenting to the formation of New California State, which shall consist of the Temporary Legislature set forth in Sections 3 and 4 as the valid, proper and Constitutional Government acting on behalf of the people of New California State. The responsibilities and duties of said Temporary Legislature include but are not limited to the following:
 - 1) Schedule and Establish elections for the purpose of electing members of the Senate and House of Representative to be held no sooner than 120 days and no later than 180 days from the first date the Temporary Legislature of New California State meets. Said representatives shall be sworn in between 30 and 60 days after certification of the election results. Once those new members are duly elected and sworn in all Temporary Legislature members will cease to serve.
 - 2) Review and Prepare a final version of this Constitution for the purpose of presenting it to the elected members of the Senate and House of Representative for their consideration & ratification as set forth in Article XIV.
 - 3) Prepare Resolutions to present to the elected members of the Legislatures for the purpose of providing said representatives with policy reasoning behind the Articles of the final version of the Constitution prepared under Section 2 above, as well as provide guidance on the laws and statutes that future Legislatures will adopt on behalf of the Citizens of New California State.
 - 4) The Temporary Legislature shall also be empowered to take any and all actions necessary to secure the peace and safety of the United States Citizens living within the borders of New California State until the members of the Senate and House of Representatives are elected and sworn in.
- b) Once Elected members of the Legislature have been sworn in, they shall meet for a special session to last no longer than ninety (90) days with the sole purpose of the following actions:
 - 1) Adopting and ratifying the final Constitution presented from the Temporary Legislature for submission to the voters of New California State for approval. Ratification and Adoption shall comply with Article XIV, and
 - 2) Any other legislation necessary and appropriate to ensure the peaceful transition from California to New California State.
- c) Following the close of the above Special Session, the regular sessions of the Legislature shall commence every other year starting the following January and held every other year thereafter. Each session shall commence at twelve o'clock p.m. on the first Monday after the first day of the January and continue day to day as needed however each session shall be concluded no later than the last day of February of that year. No bill shall be introduced in either Body of the Legislature after the expiration of thirty days from the commencement of their biennial session. Any bill not successfully passed by both bodies before that session concludes shall survive but shall lapse unless there be consent of two-thirds of the members thereof for said bill to be continued until the

next Legislative session.

- d) No pay shall be allowed to members for any session for a longer time than sixty days, except for the first Special Session set forth above, for which they may be allowed pay for sixty days.

- e) The Legislature may meet for any special session necessary for the exercise of powers under Article II of the United States Constitution regarding the selection of Electors to represent New California State to cast votes in the Electoral College. Said sessions do not require the approval or consent of any other branch of Government.

SECTION 3.

- a) The initial Members of the House of Representatives shall be the two individuals per county recognized and designated to serve as temporary Representatives who shall serve until the elections set forth in Section 2 have taken place and the elected Representatives have been sworn in.
- b) Those Representatives elected shall serve for a term of two years. No person shall be a member of the House who has not been a citizen and permanent full-time inhabitant of the State for at least three years, and a permanent full-time resident of the district for which they shall be chosen for at least one year before their election. Thereafter, members of the House shall be chosen biennially, and each election shall be on the first Tuesday after the first Monday in November.

SECTION 4.

- a) The initial Senators the one individual per county recognized and designated to serve as a temporary Senator who shall serve until the elections set forth in Section 2 have taken place and the elected Senators have been sworn in.
- b) Those Senators elected shall serve for a term of four years, at the same time and places as members of the House. No person shall be a member of the Senate who has not been a citizen and permanent full-time inhabitant of the State for at least three years, and a permanent full-time resident of the district for which they shall be chosen for at least one year before their election.

SECTION 5.

- a) The Senate shall consist of one member representing each County, and the House of Representatives members that equal at least twice the number of Senators, to be elected by districts, numbered as hereinafter provided. The seats of the Senators elected in the year [date TBD]- from the odd numbered districts shall be vacated at the expiration of the second year, so that one half of the Senators shall be elected every two years.
- b) For the purpose of choosing members of the Legislature, the State shall be divided into a Senatorial Districts that matches each county boundary. Each County is a separate Senate District, and they shall be numbered consecutively by county, inclusive, in numerical order commencing at the northern boundary of the State, and ending at the southern boundary thereof.
- c) The House districts shall be composed of contiguous territory, as nearly equal in population as may be. Each district shall be numbered consecutively commencing at the northern boundary of the State, and ending at the southern boundary thereof. Each county shall be represented by a minimum of two members in the House of Representatives.
- d) In the formation of such districts, no city shall be divided, unless it contains a sufficient population within itself to form two or more districts. The boundaries of districts shall follow the convention of existing city or county boundary lines, except where two or more districts occupy one county based on population size. Districts shall not be created based upon distinctions of any human characteristic or identity or political affiliation. The census taken under the direction of the Congress of the United States in the year 2020, and every ten years thereafter, shall be the basis of fixing and adjusting the legislative, districts, and the Legislature shall, at its first session after each census, adjust such districts and reapportion the representation so as to preserve them as near equal in population by number as may be. But in making such adjustment no persons who are not eligible

to become citizens of the United States, under the naturalization laws, shall be counted as forming a part of the population of any district. Until such districting as herein provided for shall be made, the House Representative shall be elected by the districts according to the apportionment now provided for by law.

SECTION 6.

Each Body shall choose its officers, and judge of the moral or ethical standing of the qualifications, elections, and returns of its members. The presiding member of the Senate shall be called the President of the Senate, and the presiding member of the House of Representatives shall be called the Speaker of the House.

SECTION 7.

A majority of each House shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and may compel the attendance of absent members in such manner, and under such penalties, as each House may provide.

SECTION 8.

Each house shall determine the rules of its proceedings, and may, with the concurrence of two thirds of all the members elected, expel a member but only after a full and fair hearing where the accused member is afforded due process.

SECTION 9.

Each Body shall keep a Journal of its proceedings, and publish the same.

SECTION 10.

Members of the Legislature shall, in all cases, except treason, felony, and breach of the peace, be privileged from arrest, and shall not be subject to any civil process during the session of the Legislature.

SECTION 11.

When vacancies occur in either House, the Governor, or the person exercising the functions of the Governor, shall issue writs of election to fill such vacancies. Said elections shall be held within 120 days.

SECTION 12.

The doors of each House shall be open, except on such occasions as, in the opinion of each House, may require a closed session as prescribed herein.

SECTION 13.

Neither House shall, without the consent of the other, adjourn for more than three days, nor to any place other than that in which they may be sitting. Nor shall the members of either House draw pay for any recess or adjournment for a longer time than three days.

SECTION 14.

No law shall be passed except by bill. Nor shall any bill be put upon its final passage until the same, with the amendments thereto, shall have been printed for the use and review of the members and the public for no less than 72 hours prior to acting upon the bill; nor shall any bill become a law unless the same be read on three several days in each House, unless, in case of an emergency and temporary act, two thirds of the House where such bill may be pending shall, by a vote of yeas and nays, dispense with this provision. All Bills for raising Revenue shall originate in the House of Representatives; but

the Senate may propose or concur with Amendments as on other Bills. All other bills may originate in either Body, but may be amended or rejected by the other. On the final passage of all bills, they shall be read at length, and the vote shall be by yeas, and nays upon each bill separately, and shall be entered on the Journal; and no bill shall become a law without a reasonable review and comment period by the public for a period of not less than 72 hours and the concurrence of a majority of the members elected to each House.

SECTION 15.

Every bill which may have passed the Legislature shall, before it becomes a law, be presented to the Governor. If he approves it, he shall sign it; but if not, he shall return it, with his objections, to the House in which it originated, which shall enter such objections upon the Journal and proceed to reconsider it. If, after such reconsideration, it again passes both Houses, by yeas and nays, two thirds of the members elected to each House voting therefor, it shall become a law, notwithstanding the Governor's objections. If any bill shall not be returned within ten days after it shall have been presented to the Governor (Sundays excepted), the same shall become a law in like manner as if he or she had signed it, unless the Legislature, by adjournment, prevents such return, in which case it shall not become a law, unless the Governor, within ten days after such adjournment (Sundays excepted), shall sign and deposit the same in the office of the Secretary of State, in which case it shall become a law in like manner as if it had been signed by him or her before adjournment. If any bill presented to the Governor contains several items of appropriation of money, he or she may object to one or more items, while approving other portions of the bill. In such case the Governor shall append to the bill, at the time of signing it, a statement of the items to which he or she objects, and the reasons therefor, and the appropriation so objected to shall not take effect unless passed over the Governor's veto, as hereinbefore provided. If the Legislature be in session, the Governor shall transmit to the House in which the bill originated a copy of such statement, and the items so objected to shall be separately reconsidered in the same manner as bills which have been disapproved by the Governor.

SECTION 16.

The House of Representatives shall have the sole power of impeachment, and all impeachments shall be tried by the Senate. When sitting for that purpose, the Senators shall be upon oath or affirmation, and no person shall be convicted without factual evidence, an opportunity to present a defense, and the concurrence of two thirds of the members elected.

SECTION 17.

The Governor, Lieutenant-Governor, Secretary of State, Controller, Treasurer, Attorney- General, , Chief Justice and Associate Justices of the Supreme Court, Judges of the Courts of Appeal and Judges of the Superior Courts, shall be liable to impeachment for any misdemeanor in office; but judgment in such cases shall extend only to removal from office, and disqualification to hold any office of honor, trust or profit under the State; but the party convicted or acquitted shall nevertheless be liable to indictment, trial, and punishment according to law. All other civil officers shall be tried for misdemeanor in office in such manner as the Legislature may provide.

SECTION 18.

No Senator or member of the House of Representatives shall, during the term for which they shall have been elected, be appointed to or employed by any other governmental agency or department where compensation is received.

SECTION 19.

No person convicted of the embezzlement or misappropriation of the public funds of the United States, or of any State, or of any county or municipality therein, shall ever be eligible to any office of honor, trust, or profit under this State, and the Legislature shall provide, by law, for the punishment of embezzlement or misappropriation of funds by a person trusted with its charge as a felony.

SECTION 20.

No money shall be drawn from the treasury but in consequence of appropriations made by law, and upon warrants duly drawn thereon by the Controller.

SECTION 21.

The members of the Legislature shall receive for their services a per diem and mileage, to be fixed by law, and paid out of the public treasury. No increase in compensation or mileage shall take effect during the term for which the members of either House shall have been elected.

SECTION 22.

Every Bill shall embrace but one subject, which subject shall be expressed in its title. But if any subject shall be embraced in an Act which shall not be expressed in its title, such Bill shall be void only as to so much thereof as shall not be expressed in its title. No law shall be revised or amended by reference to its title; but in such case the Bill revised or section amended shall be reenacted, and published at length as revised or amended; and all laws of New California State, and all official writings, and the executive, legislative, and judicial proceedings shall be conducted, preserved, and published in no other than the English language.

SECTION 23.

The Legislature shall have the power to enact general civil and criminal laws for the whole of New California State, however it shall not pass local laws that affect only a limited region.

SECTION 24.

Neither the Legislature, nor any county, city and county, township, school district, or other municipal corporation, shall ever make an appropriation, or pay from any public fund whatever, or grant anything to or in aid of any religious sect, church, creed, or sectarian purpose, or help to support or sustain any school, college, university, hospital, or other institution controlled by any religious creed, church, or sectarian denomination whatever; nor shall any grant or donation of personal property or real estate ever be made by the State, or any city, city and county, town, or other municipal corporation for any religious creed, church, or sectarian purpose whatever; provided, that nothing in this section shall prevent the Legislature enacting a system to provide for the use of public funds for School Choice with a public voucher to be used at one of the institutions listed in this section.

SECTION 25.

The Legislature shall pass laws for the regulation and limitation of the charges for services performed and commodities furnished by public utilities. Any persons needed to oversee said regulations shall be elected, not appointed so as to provide for public accountability.

SECTION 26.

- a) Any person who seeks to influence the vote of a member of the Legislature by bribery, promise of reward, intimidation, or any other dishonest means, shall be deemed guilty of a felony; and it shall be the duty of the Legislature to provide, by law, for the punishment of this crime.
- b) Any member of the Legislature who shall be influenced in his vote or action upon any matter pending before the Legislature by any reward or financial benefit, or promise of future reward or financial benefit, shall be deemed guilty of a felony, and, upon conviction thereof, in addition to such punishment as may be provided by law, shall be disfranchised and forever disqualified from holding any office or public trust.
- c) Any person may be compelled to testify in any lawful investigation or judicial proceeding against any person who may be charged with having committed the offense of bribery or corrupt solicitation, or with having been influenced in his or her vote or action, as a member of the Legislature, by reward, or promise of future reward, and shall not be permitted to withhold his or her testimony upon the ground that it may criminate himself or herself or subject him or her to

public infamy; but such testimony shall not afterwards be used against him or her in any judicial proceeding, except for perjury in giving such testimony.

SECTION 27.

No law shall be enacted by the Legislature that the members of the Legislative Branch are also not subject to.

ARTICLE V

EXECUTIVE DEPARTMENT

SECTION 1.

The Executive Department of the State shall consist of a Governor, who shall be the Chief Executive Officer of the State, a Lieutenant Governor, Secretary of State, Comptroller of Public Accounts, a Treasurer, an Attorney-General. The supreme executive power of this State shall be vested in the Governor.

SECTION 2.

All the above officers of the Executive Department shall be elected by the qualified voters of the State at the time and places of election for members of the Legislature and shall hold his or her office four years from and after the first Monday after the first day of January subsequent to the Governor's election, and until his or her successor is elected and qualified.

SECTION 3.

No person shall be eligible to the office of Governor who is not a citizen of the United States and a permanent full-time resident of this State for the five years next preceding their election, and attained the age of thirty years at the time of such election.

SECTION 4.

The returns of every election for Governor shall be sealed up and transmitted to the seat of government, directed to the President of the Senate, who shall, during the first week of the session, open and publish them in the presence of the Legislature. The person having the highest number of votes shall be Governor; but, in case any two or more have an equal and the highest number of votes, the Legislature shall, by joint vote of both Houses, choose one of such persons so having an equal and the highest number of votes for Governor.

SECTION 5.

The Governor shall be Commander-in-Chief of the military forces of the State, except when they shall be called into the service of the United States. The Governor shall have power to call out the militia to execute the laws, to suppress insurrection, or to repel invasion which must be confirmed by a two-thirds vote of the Senate within five (5) days.

SECTION 6.

The Governor shall transact all executive business with the officers of government, civil and military, and may require information, in writing, from the officers of the executive department, upon any subject relating to the duties of their respective offices.

SECTION 7.

The Governor shall see that the laws are faithfully executed.

SECTION 8.

When any office shall, from any cause, become vacant, and no mode is provided by the Constitution and law for filling such vacancy, the Governor shall have power to fill such vacancy by granting a commission, which shall expire at the end of the next session of the Legislature, or at the next election by the people.

SECTION 9.

The Governor may, on extraordinary occasions, convene the Legislature by proclamation, stating the purposes for which he or she has convened it, and when so convened it shall have no power to legislate on any subjects other than those specified in the proclamation, but may provide for the expenses of the session and other matters incidental thereto. In no instance shall any special session such called last more than ten (10) days unless consented to by a majority of the Legislature.

SECTION 10.

The Governor shall communicate by message to the Legislature, at the start of every session, the condition of the State, and recommend such matters as her or she shall deem expedient.

SECTION 11.

No person shall, while holding any office under the United States or this State, exercise the office of Governor except as hereinafter expressly provided.

SECTION 12.

There shall be a seal of this State, which shall be kept by the Governor, and used by the Governor, which shall be called "The Great Seal of New California State."

SECTION 13.

All grants and commissions shall be in the name and by the authority of the People of New California State, sealed with the great seal of the State, signed by the Governor, and countersigned by the Secretary of State.

SECTION 14.

A Lieutenant-Governor shall be elected at the same time and places, and in the same manner as the Governor; and his or her term of office and his or her qualifications of eligibility shall also be the same. The Lieutenant-Governor shall be President of the Senate, but shall have only a casting vote therein in case of a tie vote among the members of the Senate. If, during a vacancy of the office of Governor, the Lieutenant-Governor shall be impeached, displaced, resign, die, or become incapable of performing the duties of his or her office, or be absent from the State, the President pro tempore of the Senate shall act as Governor until the vacancy be filled or the disability shall cease. The Lieutenant-Governor shall be disqualified from holding any other office, except as specially provided in this Constitution, during the term for which he or she shall have been elected.

SECTION 15.

In case of the impeachment of the Governor, or the Governor's removal from office, death, inability to discharge the powers and duties of the said office, resignation, or absence from the State, the powers and duties of the office shall devolve upon the Lieutenant-Governor for the residue of the term, or until the disability shall cease. But when the Governor shall, with the consent of the Legislature, be out of the State in time of war, at the head of any military force thereof, he shall continue Commander-in-Chief of all the military force of the State.

SECTION 16.

The Secretary of State shall keep a correct record of the official acts of the legislative and executive departments of the government, and shall, when required, lay the same, and all matters relative thereto, before either branch of the Legislature, and shall perform such other duties as may be assigned to the Secretary of State by law.

SECTION 17.

The Governor, Lieutenant-Governor, Secretary of State, Controller, Treasurer, and Attorney-General, at stated times during their continuance in office, receive for their services a compensation which shall not be increased or diminished during the term for which they shall have been elected.

SECTION 18.

The Governor shall not, during his term of office, be elected a Senator to the Senate of the United States, nor shall he appoint himself to fill an empty Senate seat.

SECTION 19.

The Governor shall have the power to grant reprieves, pardons, and commutations of sentence, after conviction, for all offenses except treason and cases of impeachment, upon such conditions, and with such restrictions and limitations, as he or she may think proper, subject to such regulations as may be provided by law relative to the manner of applying for pardons.

SECTION 20.

The Governor shall have the power to veto by line any portion of a funding authorization bill that affects the ability of the state to maintain a balanced budget. Veto's by line may include the funding to create new administrative departments and programs that exceed the revenues or impact the solvency of the state.

SECTION 21.

The Governor shall not exercise an emergency power or authority to address a physical or natural crisis for a term longer than 30 days without a hearing before the public and the legislature of both houses to request a specified time for extension of those powers; no time extension shall exceed a period of 30 days; any request for additional time must be heard before the public and the legislature of both houses, and must be approved by a 2/3 vote of both houses. All Executive Orders issued by the Governor during a declared emergency shall be ratified by a majority vote of both houses within 20 days from the date they are issued; otherwise, the Executive Orders shall expire at the end of said 20 days.

ARTICLE VI

THE JUDICIARY

SECTION 1.

The judicial power of the State is vested in one Supreme Court, District Court of Appeals, Superior Courts, and other courts as established by the legislature. The jurisdiction of courts shall be prescribed by law. The courts shall constitute a unified judicial system for operation and administration. Judicial districts shall be established by law. To the extent the Judicial Branch shall operate and function in the same manner as it did under the prior State of California unless there is a conflict with the United States Constitution or the Constitution of New California State.

SECTION 2.

- (a) The Supreme Court shall be the highest court of the State, with final appellate jurisdiction. It shall consist of a Chief Justice of California and six Associate Justices. The number of justices may be increased by law only upon the request by a majority of the Supreme Court and a two-thirds vote by both houses of the Legislature.
- (b) The chief justice shall be selected from among the justices of the Supreme Court by a majority vote of the justices.

SECTION 3.

- (a) The state shall be divided into courts of appeals districts; with each district having a Chief Justice, two or more other Justices, and such other officials as may be provided by law. The Justices shall have the qualifications prescribed for Justices of the Supreme Court. The Court of Appeals may sit in panels as authorized by law. The concurrence of a majority of the judges sitting in a panel is necessary to decide a case. Said Court of Appeals shall have appellate jurisdiction co-extensive with the limits of their respective districts, which shall extend to all cases of which the District Courts or County Courts have original or appellate jurisdiction, under such restrictions and regulations as may be prescribed by law. Provided, that the decision of said courts shall be conclusive on all questions of fact brought before them on appeal or error. Said courts shall have such other jurisdiction, original and appellate, as may be prescribed by law.
- (b) Each of said Courts of Appeals shall hold its sessions at a place in its district to be designated by the Legislature, and at such time as may be prescribed by law. Said Justices shall be elected by the qualified voters of their respective districts at a general election, for a term of Seven years and shall receive for their services the sum provided by law.

SECTION 4.

A Superior Court shall be established in every county and is the trial court of general jurisdiction.

SECTION 5.

Supreme Court Justices, Court of Appeals Justices and Superior Court Judges shall be citizens of the United States and of the State, licensed to practice law in the State, and possessing any additional qualifications prescribed by law. Judges of other courts shall be selected in a manner, for terms, and with qualifications prescribed by law.

SECTION 6.

The Governor shall nominate, and with the Advice and Consent of the Senate, fill any vacancy in an office of Supreme Court, Court of Appeals or Superior Court judges.

SECTION 7.

Each Supreme Court Justice, Court of Appeals Justices and Superior Court judges shall, in the manner provided by law, be subject to approval or rejection on a nonpartisan ballot at the first general election held more than three years after his appointment. Thereafter, each Supreme Court justice and District Court Justices shall be subject to approval or rejection in a like manner every tenth year, and each Superior Court judge, every sixth year.

SECTION 8.

The office of any Justice of the Supreme Court, Court of Appeals or a Superior Court judge becomes vacant ninety days after the election at which he is rejected by a majority of those voting on the question, or for which he fails to file his declaration of candidacy to succeed himself.

SECTION 9.

Impeachment of any justice or judge for malfeasance or misfeasance in the performance of his official duties shall be according to procedure prescribed for civil officers.

SECTION 10.

Supreme Court and Court of Appeal Justices and Superior Court judges while holding office may not practice law, hold office in a political party, or hold any other office or position of profit under the United States, the State, or its political subdivisions. Any Supreme Court justice, Court of Appeal Justices or Superior Court judge filing for another elective public office forfeits his judicial position.

SECTION 11.

The Supreme Court shall make and promulgate rules governing the administration of all courts. It shall make and promulgate rules governing practice and procedure in civil and criminal cases in all courts. These rules may be changed by the legislature by two-thirds vote of the members elected to each house. The Supreme Court shall not impede or override the executive authority of the President of the United States except in cases exempted to the authority of the states by the Constitution of the United States.

SECTION 12.

The chief justice of the Supreme Court shall be the administrative head of all courts. He may assign judges from one court or division thereof to another for temporary service. The chief justice shall, with the approval of the Supreme Court, appoint an administrative director to serve at the pleasure of the Supreme Court and to supervise the administrative operations of the judicial system.

ARTICLE VII

HEALTH AND WELFARE

SECTION 1.

The Citizens of New California State are entitled to a private, non-government administrated system of health care coverage that encourages competition in the marketplace in order for there to be competitive insurance premiums available for them to choose from. Pre-existing health conditions shall to the fullest extent possible be covered. The Government shall not be the administrator of our health care system.

SECTION 2.

The Citizens of New California State shall be free to decide for themselves whether to purchase health insurance for themselves or their family. No law or rule shall compel, directly or indirectly, any person, employer or health care provider to participate in any health care system. No tax, penalty or other fee shall be levied against a citizen who chooses not to purchase health care coverage.

SECTION 3.

Citizens shall be free to decide for themselves whether to purchase health insurance for themselves or their family. No law or rule shall compel, directly or indirectly, any person, employer or health care provider to participate in any health care system. No tax, penalty or other fee shall be levied against a citizen who chooses not to purchase health care coverage.

SECTION 4.

It is the duty of the Legislature to ensure the above principals are protected to the fullest extent possible.

ARTICLE VIII

MILITIA

SECTION 1.

A well-regulated and equipped Militia, being necessary to the security of a Free State, the right of the people to keep and bear Arms, shall not be infringed.

SECTION 2.

The Militia of New California State is the free people of New California State. In times of peace, arms shall be held by the free people of New California State, to maintain security and the peace.

SECTION 3.

The purpose of the Militia shall be to suppress insurrections and repel invasions. When the resources of the Militia are unable to control lawless insurrection and rebellion, the Governor may request the President of the United States to exercise powers granted to him under The Insurrection Act of 1807 and the Emergency Economic Powers Act to deploy, for a time period not to exceed 30 days, military troops, National Guard or other appropriate military forces within New California State to regain the ability of the Militia to put down lawless insurrection, and rebellion and the ability of the state to maintain order.

SECTION 4.

All military organizations provided for by this Constitution, or any law of this State, and receiving State support, shall, while under arms either for ceremony or duty, carry no device, banner, or flag of any State or nation, except that of the United States or New California State.

SECTION 5.

Members of the Free Militia shall be recognized and deputized by a County Sheriff when needed.

ARTICLE IX

EDUCATION

SECTION 1:

- a) The Legislature shall establish and maintain a system of public schools open to the children of New California State, and shall also promote and maintain through a public voucher system such private school enterprises that match at a minimum the fundamental principles of knowledge and comprehensive mastery set for public schools. A free education of at least 120 to 180 days of instruction in every year shall be supported in each district for children in pre-kindergarten through and including a 12th grade education.
- b) The public school system shall include primary, and grammar, charter schools, and such high schools, evening schools, Adult Education, and technical or trade schools as may be established by the Legislature, or by municipal or district authority; but the entire revenue derived from the State School Fund, and the State school tax, shall be applied exclusively to the support of pre-kindergarten, kindergarten, primary, grammar schools and High Schools.
- c) The right of parents to choose to homeschool their children shall not be infringed upon or restricted in any manner.
- d) The State shall require that the content of any educational material, including electronic or digital resources and textbooks shall be free of critical theory, post modernism or consensus driven social engineering designed to undermine the Constitution of the United States, including the Bill of Rights, or the Constitution of New California State and principles held therein.
- e) All schools, in the administration and implementation of this system, shall observe the “right to work” provisions of this Constitution, and no employee union or agency may interfere or prevent or diminish the funding, maintenance and operation of a school in New California State.

SECTION 2:

- a) To secure in the people a will and a means to recognize, protect and pass on to future generations those certain unalienable rights, the Legislature shall support and encourage the diffusion of knowledge, experience and intelligence for the promotion of intellectual, scientific, technical, moral and agricultural public improvement. All schools shall be responsible for the teaching of the content, history, culture, heritage and meaning of the Founding Documents of our nation and state, the Declaration of Independence, and the Constitution of the United States including the Bill of Rights. New California State shall support and encourage a comprehensive mastery and understanding in each of the below listed areas:
 - 1) Literacy, both passive and active,
 - 2) Arithmetic, advanced mathematics, personal accounting and finance,
 - 3) Natural, human, cultural, religious, societal, economic and political histories and their interrelationship,
 - 4) Nature and mastery of the sciences,
 - 5) Computer and electronic technology,
 - 6) Creative arts and music,
 - 7) Physical fitness and nutrition,
 - 8) Hands-on physical skills necessary for self-reliance, self-knowledge and skilled employment, and the natural and psychological development of the individual.
- b) The Legislature and local districts shall encourage by all constitutionally suitable means, the access to and promotion of said comprehensive understanding and mastery. The Legislature and local school districts shall likewise provide for internship and apprenticeship programs for

students transitioning to the work force.

- c) The State shall not impose its will above and beyond the will of the parent to homeschool or to provide other educational opportunities for their dependent child(ren). The State may make available and provide guidelines of comprehensive mastery and understanding as described in this section.
- d) At no time shall the State infringe on an individual's Inherent Rights as described in the Constitution of New California State, Article I or in the Constitution of the United States.

SECTION 3:

Local school boards shall have the responsibility for decision-making for the local school districts, to include the selection of educational resources and materials necessary to fulfill the requirements of the comprehensive mastery of a broad-based education and necessary life skills. All curriculums shall be approved by the local elected representatives who are accountable to their constituency to meet the standards and minimum requirements of this Constitution.

SECTION 4:

School choice shall be a basic tenant of New California State educational structure. All schools shall meet the requirements necessary to accommodate handicapped, gifted and special needs students. All schools will adapt their curriculum to the needs of their community while in accordance with Sections 1 and 2 of this Article.

SECTION 5:

School Boards and private educational agencies shall collaborate with the local authorities and comply with safety and emergency response plans, including preventative measures. It is incumbent upon educational agencies to be proactive in their training and preventive measures to provide safe environments for students and staff at all levels. All schools must have an emergency plan coordinated with staff to be properly trained and certified in accordance with State law and in conjunction with local authorities such as law enforcement, fire marshal, health officials, etc. All schools shall have at least two on site members of the school staff trained in use of firearms and approved to carry firearms to secure school grounds and provide for safety of students and staff until appropriate law enforcement officials can be summoned and arrive.

SECTION 6:

Public School fields and playgrounds shall be available to the public during non-school hours.

SECTION 7:

The entire revenue allocated from the State and any state, county or local school taxes shall be applied exclusively to the support of Public Schools as defined in Section 1.

SECTION 8:

- a) No child shall be refused access to the public education system because of non-compliance with mandatory vaccine policies. Parents' right to exercise their parental choice over whether or not to have their child vaccinated or decline shall be protected. No child shall be ostracized or otherwise punished for the exercise of parental rights.
- b) The State shall not administer or direct by any agency or school district the administering of any inoculation or vaccine to any student without the informed consent and signature of the parent of any student under 18 years of age or without the informed consent and signature of any student 18 years of age or older.

SECTION 9:

The Constitutionally guaranteed and protected natural right to personal privacy of each child or adult student shall not be infringed, surveilled or otherwise monitored by human, electronic, technological or any other means or for mandatory intervention for the purposes of: a separating the student from his or her family due to the family's non-compliance with vaccine policies or for the family's political beliefs; the data mining of the student's personal development and history for sale to any outside parties; the data mining of the student's personal development and history for psychological evaluation and subjective and politically motivated implementation of actions upon the student and his or her family by the local or state government.

SECTION 10:

The Constitutionally guaranteed and protected right to life and property in so much as the body, mind and spirit of each person, regardless of age, is his or her own property, subject only to necessary parental guidance, shall be protected.

SECTION 11:

Biologically accurate language including biologically accurate gender pronouns shall be recognized as protected speech. Instruction of sexual and reproductive biology shall be based in biologically accurate science. Parent(s) may choose to excuse their child(ren) from Sex Education classes or instruction.

No gender assignment of minors shall be promoted as a part of classroom curriculum or school policy.

SECTION 12:

The State Legislature may establish a system of higher education at or above the high school level. A State Board of Higher Education shall be established as an elected position to have the general supervision of post-secondary education including the community colleges and the control and direction of any State funds distributed thereto. Preference of school funds shall be directed towards local community colleges and local Trade Schools.

SECTION 13:

- a) The University of New California State shall constitute a public trust subject only to such legislative control as may be necessary to ensure compliance with the terms of its endowments, and the proper investment and security of its funds. It shall be entirely independent of all political or sectarian influence, and kept free therefrom in the appointment of its Regents, and the employment or contracting of academic and education staffing and in the administration of its Affairs.
- b) No person shall be barred admission to any of the collegiate departments of the University on account of gender, race or religion.

SECTION 14:

No school shall promote class distinctions of identity that promote divisions by race, gender, creed, religion or any other social or cultural proposition that divines or establishes rights and protections not shared by all persons.

ARTICLE X
COUNTIES, CITIES AND TOWNS

SECTION 1.

The several counties, as they now exist, are hereby recognized as legal subdivisions of New California State.

SECTION 2.

No county seat shall be removed or relocated unless two thirds of the qualified electors of the county, voting on the proposition at a general election, shall vote in favor of such removal or relocation. A proposition of removal shall not be submitted in the same county more than once in four years.

SECTION 3.

No new county shall be formed or erected within the Jurisdiction of New California State; nor any county be formed by the junction of two or more counties, or parts of counties, without the Consent of the governing bodies of the counties concerned as well as of the state Legislature.

SECTION 4.

The Legislature, by general and uniform laws, shall provide for the election in every county of Sheriffs, County Clerks, District Attorneys, and such other county, township, and municipal officers as public convenience may require, and shall prescribe their duties, and fix their terms of office. It shall provide for the strict accountability of county and township officers for all fees which may be collected by them, and for all public and municipal moneys which may be paid to them, or officially come into their possession. The Sheriff of every county shall be an elected office, and if the office should become vacant the Board of Supervisors shall appoint a temporary replacement, and an election shall be held within 120 days to elect their replacement. The Sheriff shall be the Constitutional Law Enforcement Authority for the county, and shall not be compelled to take or assert any action that conflicts with the Constitution of this state, and the Constitution of the United States.

SECTION 5.

The compensation of any county, city, town, or municipal officer, shall not be increased after his election or during his term of office; nor shall the term of any such officer be extended beyond the period for which he is elected or appointed. Benefits shall only be allowed for the time served in office.

SECTION 6.

Any county, city, town, or township, may make and enforce within its limits all such local, police, health, sanitary, and other regulations as are not in conflict with the Constitution of this state, the US Constitution or other general laws or public laws.

SECTION 7.

The power to impose and assess taxes upon counties, cities, towns, or other public or municipal corporations, or upon the inhabitants or property thereof, for county, city, town, or other municipal purposes rests solely with them and not the State or Legislature. Funds collected by said counties, cities, towns, or other public or municipal corporations shall identify the purpose for which said funds are to be used and cannot be used for another purpose except those set forth without approval of the public in a general election.

SECTION 8.

- a) The Legislature may not delegate to a private person or body power to make, control, appropriate, supervise, or interfere with county or municipal corporation improvements, money, or property, or to levy taxes or assessments.
- b) The Legislature may, however, provide for the deposit of public moneys in any bank in this State or in any savings and loan association in this State or any credit union in this State or in any federally insured industrial loan company in this State and for payment of interest, principal, and redemption premiums of public bonds and other evidence of public indebtedness by banks within or without this State. It may also provide for investment of public moneys in Securities and the registration of bonds and other evidences of indebtedness by private persons or bodies, within or without this State, acting as trustees or fiscal agents.

SECTION.9.

Private property shall not be taken or sold for the payment of the corporate debt of any political or municipal corporation.

SECTION 10.

All moneys, assessments, and taxes belonging to or collected for the use of any county, city, town, or public or municipal corporation, coming into the hands of any officer thereof, shall immediately be deposited with the Treasurer, or other legal depository, to the credit of such city, town, or other corporation respectively, for the benefit of the funds to which they respectively belong.

SECTION 11.

The making of profit out of county, city, town, or other public money, or using the same for any purpose not authorized by law, by any officer having the possession or control thereof, shall be a felony, and shall be prosecuted and punished as prescribed by law.

SECTION 12.

Regional or Council Governance that conflicts with the General Plans or Master Plans of any municipality or county is prohibited. Regional Plans involving two or greater cities and counties shall be adopted by a majority vote of the population within each jurisdiction affected by the plan or governance. To the maximum extent possible all positions of governance shall be elected positions to provide for accountability to the counties, cities and townships affected.

ARTICLE XI

FINANCE AND TAXATION

SECTION 1.

The power of taxation shall never be surrendered, suspended or contracted away, except as provided in this article. All new or increased taxes shall be submitted to the public for approval at the next general election and must be approved by a two-thirds vote.

SECTION 2.

The lands and other property belonging to citizens of the United States residing without the State shall never be taxed at a higher rate than the lands and other property belonging to the residents of the State.

SECTION 3.

Changes to property taxes can only be increased with the approval by a two-thirds vote of the public at the next General Election.

SECTION 4.

The real and personal property of the State or its political subdivisions shall be exempt from taxation under conditions and exceptions which may be provided by law. All, or any portion of, property used exclusively for non-profit religious, charitable, cemetery, or educational purposes, as defined by law, shall be exempt from taxation. Other exemptions of like or different kind may be granted by general law. All current valid existing exemptions or caps on taxes shall be retained until otherwise provided by law.

SECTION 5.

No tax shall be levied, or appropriation of public money made, or public property transferred, nor shall the public credit be used, except for a public purpose.

SECTION 6.

Any funds allocated for a specific purpose by the Legislature of validly passed public proposition must be spent on that purpose only and not added to the general fund.

SECTION 7.

No debt shall be contracted by any political subdivision of the State, unless authorized for capital improvements by its governing body and ratified by a majority vote of those qualified to vote and voting on the question.

SECTION 8.

The State and its political subdivisions may borrow money to meet appropriations for any fiscal year in anticipation of the collection of the revenues for that year, but all debt so contracted shall be paid before the end of the next fiscal year.

SECTION 9.

- a) The budget adopted by the state each fiscal year shall be a balanced budget, meaning that any proposed expenditures shall be funded by way of anticipated income of all departments, offices and agencies of the State, along with any funds received from the Federal government.

- b) The governor shall submit to the legislature, at a time fixed by law, a balanced budget for the next fiscal year setting forth all proposed expenditures and anticipated income of all departments, offices, and agencies of the State.

- c) The governor, at the same time, shall submit a general appropriation bill to authorize the proposed expenditures, and a bill or bills covering recommendations in the budget for new or additional revenues. If the proposed balanced budget is not timely submitted any salary, compensation or other pay shall be suspended until it is so submitted.
- d) The Legislature shall then consider the proposed budget and either approve as submitted, or approve with changes approved by a majority vote in both Houses. Any budget so approved by the Legislature shall also be a balanced budget. If the Legislature fails to approved a balanced budget before the time fixed by law their salary, compensation or other pay shall be suspended until it is so approved.

SECTION 10.

No money shall be withdrawn from the treasury except in accordance with appropriations made by law. No obligation for the payment of money shall be incurred except as authorized by law. Unobligated appropriations outstanding at the end of the period of time specified by law shall be void.

ARTICLE XII
NATURAL RESOURCES

SECTION 1.

The Natural Resources of New California State belong to the citizens of this state. They are those materials and substances that occur in nature and can be used for economic gain. These resources include, including but not limited to materials or substances such as minerals, precious metals, oils, natural gas, forests, water, and fertile land. These resources are critical resources and the highest priority is to make sure there are sufficient resources for the citizens of New California State. They shall not be sold, shared, distributed or otherwise made available to other states or countries without just and reasonable compensation.

ARTICLE XIII
LAND AND HOMESTEAD EXEMPTION

SECTION 1.

The Legislature shall protect, by law, from forced sale, any portion of the homestead and other property of any citizen of New California State.

SECTION 2.

The holding of large tracts of land, uncultivated and unimproved, by corporations, or individuals who are not citizens of the United States is against the public interest, and should be discouraged by all means not inconsistent with the rights of private property.

SECTION 3.

The sale of publicly held or public interest in land to anyone other than an American Citizen shall not be permitted.

ARTICLE XIV
ADOPTION, RATIFICATION AND AMENDMENT

SECTION 1.

- a) This Constitution has been enacted as a result of Consent of the Legislature of the State of California as well as of the Congress pursuant to Article 3, Section 4 of the United States Constitution.
- b) It is intended as a temporary Constitution until the following is completed:
 - a. Elections are completed and the duly elected members of the Senate and House of Representatives adopt and ratify the final Constitution presented by the Temporary Legislature pursuant to Article IV, Section 2.
 - b. Said Constitution so ratified by the Legislature the Constitution shall be submitted to the qualified electors within 60 days of said ratification. If approved by a majority of the electors voting thereon, said Constitution is thereby ratified and is the Constitution for the Citizens of New California State.
 - c. Upon said ratification the temporary Constitution shall expire.

SECTION 2.

Amendments to this constitution may be proposed by any member of the legislature. If adopted by an affirmative roll call vote of two-thirds of both bodies, the proposed amendment shall be submitted to the qualified electors at the next general election. If approved by a two thirds majority of the electors voting thereon, the amendment shall become a part of this constitution on the first day of July after certification of the election returns unless the amendment provides otherwise.

SECTION 3.

- a) The people may also propose constitutional amendments by initiative. Petitions including the full text of the proposed amendment shall be signed by at least ten percent of the qualified electors of the state. That number shall include at least ten percent of the qualified electors in each of at least one-half of the counties.
- b) The petitions shall be filed with the secretary of state. If the petitions are found to have been signed by the required number of electors, The Secretary of State shall send a full and complete copy of the proposed amendment or amendments to each county clerk who shall post the same in a public place at least 60 days prior to the election on said amendment and again at least 30 days prior to the election on said amendment.
- c) At that election, the proposed amendment shall be submitted to the qualified electors for approval or rejection. If approved by a two-thirds majority voting thereon, it shall become a part of the constitution effective the first day of July following its approval, unless the amendment provides otherwise.

ARTICLE XV
SCHEDULE OF TRANSITION

That no inconvenience may arise from the alterations and amendments in the Constitution of this State, and to carry the same into complete effect, it is hereby ordained and declared:

SECTION 1.

Upon the recognition of New California State through Consent of the Legislature of the State of California as well as of the Congress pursuant to Article 3, Section 4 of the United States Constitution. the government of the prior State of California shall have no authority or jurisdiction over citizens and property of New California State.

SECTION 2.

All laws in force under the prior State of California now belonging to New California State after the adoption of this Constitution, and not inconsistent therewith by intent, function or outcome, shall remain in full force and effect until altered or repealed by the Legislature; and all rights, actions, prosecutions, claims, and contracts of the State, counties, cities, individuals, or bodies corporate, and the administrative functions of departments and committees not inconsistent therewith, shall continue to be as valid as if this Constitution had not been adopted. The provisions of all laws which are inconsistent with this Constitution shall cease upon the adoption thereof, except that all laws which are inconsistent with such provisions of this Constitution as require legislation to enforce them shall remain in full force until the last day of the next regular Legislative session held by New California State, unless sooner altered or repealed by the Legislature.

ARTICLE XVI

BOUNDARIES

SECTION 1.

To intention of forming The State of New California out of the State of California is to balance the representation and divide the state as equitably as possible based on population of the entire state.

SECTION 2.

The State of New California shall consist of the whole territories of the counties listed below and the partial sections of the counties listed below:

- a) The entirety of the following Counties: Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Fresno, Glenn, Humboldt, Imperial, Inyo, Kern, Kings, Lassen, Lake, Madera, Mariposa, Mendocino, Merced, Modoc, Mono, Nevada, Orange, Placer, Plumas, Riverside, San Benito, San Bernardino, San Diego, San Joaquin, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Tulare, Tuolumne, Yolo, Yuba.
- b) The rural portions of the following Counties: Los Angeles, Monterey, Sacramento, San Luis Obispo, Santa Barbara, Santa Clara, Santa Cruz, Ventura.