

**CONSTITUTION OF THE STATE OF PACIFICA**  
for Autonomous Regions of  
American Samoa, Commonwealth of the Northern Mariana Islands, and Guam.

**CHAPTER I.**

**A DECLARATION OF SOME OF THE RIGHTS THE INHABITANTS  
OF THE STATE OF PACIFICA ARE ENDOWED WITH BY THEIR CREATOR**

**Article 1. [Freedom of religion and of religious worship]**

That all persons have a natural and unalienable right, to worship Almighty God, according to the dictates of their own consciences and understandings, as in their opinion shall be regulated by the word of God; and that no person ought to, or of right can be compelled to attend any religious worship, or erect or support any place of worship, or maintain any minister, contrary to the dictates of conscience, nor can any person be justly deprived or abridged of any civil right as a citizen, on account of religious sentiments, or peculiar mode of religious worship; and that no authority can, or ought to be vested in, or assumed by, any power whatever, that shall in any case interfere with, or in any manner control the rights of conscience, in the free exercise of religious worship.

**Article 2. [Private property subject to public use; owner to be paid]**

That private property ought to be subservient to public uses when necessity requires it, nevertheless, whenever any person's property is taken for the use of the public, the owner shall receive an equivalent in money. At least two state executive branch elected officials or a Autonomous Region legislative body, must approve any taking of private property in a manner set by law.

**Article 3. [All persons born free; their natural rights; slavery prohibited].**

That all persons are born equally free and independent, and have certain natural, inherent, and unalienable rights, amongst which are the enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining happiness and safety; therefore no person born in this country, or brought from over sea, ought to be holden by law, to serve any person as a servant, slave or apprentice, after arriving to the age of eighteen years, unless bound by the person's own consent, after arriving to such age. The entitlement to life of every person shall not be infringed by anyone (except for self-defense or defense of another person) from when their heart starts beating till natural death.

**Article 4. [Remedy at law secured to all]**

Every person within this state ought to find a certain remedy, by having recourse to the laws, for all injuries or wrongs which one may receive in person, property or character; every person ought to obtain right and justice, freely, and without being obliged to purchase it; completely and without any denial; promptly and without delay; comfortably to the laws.

**Article 5. [Internal police]**

That the people of this state by their legal representatives, have the sole, inherent, and exclusive right of governing and regulating the internal police of the same. All armed law enforcement officers shall wear an audio and video recording device when on duty (except when working undercover) in a manner set by law.

**Article 6. [Officers servants of the people]**

That all power being originally inherent in and consequently derived from the people, therefore, all officers of government, whether legislative or executive, are their trustees and servants; and at all times, in a legal way, accountable to them.

**Article 7. [Government for the people; they may change it]**

That government is, or ought to be, instituted for the common benefit, protection, and security of the people, nation, or community, and not for the particular emolument or advantage of any single person, family, or set of persons, who are a part only of that community; and that the community hath an indubitable, unalienable, and indefeasible right, to reform or alter government, in such manner as shall be, by that community, judged most conducive to the public weal.

**Article 8. [Elections to be free and pure; rights of voters therein]**

That all elections ought to be free and without corruption, and that all voters, having a sufficient, evident, common interest with, and attachment to the community, have a right to elect officers, and be elected into office, agreeably to the regulations made in this constitution.

**Article 9. [Citizens' rights and duties in the state; bearing arms; taxation]**

That every member of society hath a right to be protected in the enjoyment of life, liberty, and property, and therefore is bound to contribute the member's proportion towards the expense of that protection, and yield personal service, when necessary, or an equivalent thereto, but no part of any person's property can be justly taken, or applied to public uses, without the person's own consent, or that of the Representative Body, nor can any person who is conscientiously scrupulous of bearing arms, be justly compelled thereto, if such person will pay such equivalent; nor are the people bound by any law but such as they have in like manner assented to, for their common good: and previous to any law being made to raise a tax, the purpose for which it is to be raised ought to appear evident to the General Assembly to be of more service to community than the money would be if not collected.

**Article 10. [Rights of persons accused of crime; personal liberty; waiver of jury trial]**

That in all prosecutions for criminal offenses, and misdemeanors, a person hath a right to be heard by oneself and by counsel; and to have the Assistance of Counsel for his defense; to demand the cause and nature of the accusation; to be confronted with the witnesses; to call for evidence in the person's favor, and a speedy public trial by an impartial jury of twelve United

States citizens who reside in the state; without the unanimous consent of which jury, the person cannot be found guilty; nor can a person be compelled to give evidence against oneself or their spouse; nor can any person be justly deprived of liberty, except by the laws of the land, or the judgment of the person's peers; provided, nevertheless, in criminal prosecutions, the accused may in open court, waive the right to a jury trial and submit the issue of the accused's guilt to the determination and judgment of the court without a jury. Offenses in the State of Pacifica shall never be punishable by death, nor shall anyone be allowed to take their own life. No person shall be held to answer for a crime has a penalty of more than a year of imprisonment, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall 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. No warrant for arrest shall be served between the hours of 10PM and 6AM the next day at any residence, unless the warrant is for a charge of killing a human being, and/or sexual assault and/or rape, or two judges sign it, finding it must be served at once to save human life; at least one of those serving it at any residence must loudly knock, at front door, and if available ring a doorbell, before entering; unless it must be served quietly to save a human life held captive in the residence. Unless waved by the defendant, in open court, all indictment(s) of a grand jury shall be accepted or revoked at preliminary hearing, in matter set by law, held within 30 days after being arrested under an indictment. Witnesses before any grand jury and/or any court shall be informed of these rights before testifying and may apply the right to refuse to answer any individual question asked. No person shall be detained, if sober, for more than twenty minutes, for a traffic stop, and/or for a pedestrian stop, unless there is probable cause that a felony or misdemeanor has been committed, or that person is using a vehicle is unsafe, and/or it is illegal for the person to operate the vehicle. No person shall be asked and/or required to exit their vehicle, unless there is probable cause that a felony or misdemeanor has been committed.

**Article 11. [Search and seizure regulated]**

That the people have a right to hold themselves, their houses, motor vehicles, papers, computers, phones, and possessions, against unreasonable searches and seizures, shall not be violated, and no warrants shall be issued, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized. No motor vehicle shall be searched without a warrant, even if permission is obtained, except to look for a hidden person. No such search warrant shall be served at any residence between the hours of 10PM and 6AM the next day, unless two judges sign it, finding it must be served at once to save human life; at least one of those serving it at any residence must loudly knock, at front door, and if available ring a doorbell, before entering; unless it must be served quietly to save a human life held captive in the residence. All such warrants must be signed by a Judge, or Justice. Law enforcement lacking a valid invitation, of an owner, a tenant, a search warrant, or an arrest warrant for an occupant, shall not enter a residence, unless entry is required as the result of a reasonable report, and/or visible evidence, of felony currently occurring and endangering human life, or a reasonable welfare check.

**Article 12. [Trial by jury to guaranteed]**

That when any issue in fact, proper for the cognizance of a jury is joined in a court of law, the parties have a right to trial by jury, which ought to be held sacred. in a civil, criminal case or determine mental competency case. The defendant and plaintiff have the right to have compulsory process for obtaining witnesses in his or her favor, and the defendant in criminal case or determine mental competency case has the right to the Assistance of Counsel for his or her defense. In all these cases the impartial jury shall be of twelve United States citizens; alternate jurors may be selected to replace an original juror if that juror is unable to continue..

**Article 13. [Freedom of speech and of the media]**

That the people have a right to freedom of speech, and of writing and publishing their sentiments, concerning the transactions of government, and therefore the freedom of the media ought not to be restrained. All persons have a right to record their conversations.

**Article 14. [Immunity for words spoken in legislative debate]**

The freedom of deliberation, speech, and debate, in the General Assembly, is so essential to the rights of the people, that it cannot be the foundation of any accusation or prosecution, action or complaint, in any other court or place whatsoever.

**Article 15. [Legislature only may suspend laws]**

The power of suspending laws, or the execution of laws, ought never to be exercised but by the General Assembly, or by authority derived from it, to be exercised in such particular cases, as this constitution, or the General Assembly shall provide for.

**Article 16. [Right to bear arms; military power subordinate to civil]**

That the people have a right to bear arms for the defense of themselves and the State All citizens except those who have been convicted of a crime requiring imprisonment of more than a year, or are currently out on bail for a crime requiring imprisonment of more than a year, or been found to be mentally incompetent by a jury of their peers shall be allowed to keep arms in their homes and businesses, and carry arms concealed. The military should be kept under strict subordination to and governed by the civil power.

**Article 17. [Martial law restricted]**

That no person in this state can in any case be subjected to law martial, or to any penalties or pains by virtue of that law except those employed in the army, and the militia in actual service.

**Article 18. [Regard to fundamental principles and virtues necessary to preserve liberty]**

That frequent recurrence to fundamental principles, and a firm adherence to justice, moderation, temperance, industry, and frugality, are absolutely necessary to preserve the blessings of liberty, and keep government free; the people ought, therefore to pay particular attention to these points, in the choice of officers and representatives, and have a right, in a legal way, to exact a due and

constant regard to them, from their legislators and magistrates, in making and executing such laws as are necessary for the good government of the State.

**Article 19. [Right to assemble, instruct and petition]**

That the people have a right to assemble together to consult for their common good--to instruct their Representatives--and to apply to the General Assembly for redress of grievances, by address, petition or remonstrance.

**Article 20. [No transportation for trial]**

That no person shall be liable to be transported out of this state for trial for any offence committed within the same.

**CHAPTER II.**

**PLAN OR FRAME OF GOVERNMENT**

**DELEGATION AND DISTRIBUTION OF POWERS**

**§ 1. [GOVERNING POWER]**

The State of Pacifica shall be governed by a Governor (or Lieutenant-Governor), a Senate, a House of Representatives, and Autonomous Regions in manner and form following:

**§ 2. [SUPREME LEGISLATIVE POWER]**

The Supreme Legislative power shall be exercised by a Senate and a House of Representatives.

**§ 3. [SUPREME EXECUTIVE POWER]**

The Supreme Executive power shall be exercised by a Governor, or in the Governor's absence, a Lieutenant-Governor.

**§ 4. [JUDICIARY]**

The judicial power of the State shall be vested in a unified judicial system which shall be composed of one Supreme Court which hear appeals from the Superior Courts or other subordinate courts in a matter set by law. There will be three to six Superior Courts with at least three judges on each; the maximum number of judges on each Superior Court the number of Superior Courts and the districts each Superior Court has jurisdiction over shall be set by law; Superior Courts hear appeals from State District Courts, and other subordinate courts in their jurisdiction as set by law. Other subordinate courts not part of the unified judicial system may be created by the Regions by regional charters, or regional law.

**§ 5. [BRANCHES TO BE DISTINCT]**

The Legislative, Executive, and Judiciary Branches, shall be separate and distinct, so that neither exercise the powers properly belonging to the others. The Autonomous Regions shall be American Samoa, Commonwealth of the Northern Mariana Islands, and Guam. The state capital shall be on Rota Island unless by state law another location is chosen by law.

## **LEGISLATIVE BRANCH**

### **§ 6. [LEGISLATIVE POWERS]**

The Senate and the House of Representatives shall be styled, The General Assembly of the State of Pacifica. Each shall have and exercise the like powers in all acts of legislation; and no bill, resolution, or other thing, which shall have been passed by the one, shall have the effect of, or be declared to be, a law, without the concurrence of the other. Provided, that all Revenue bills shall originate in the House of Representatives; but the Senate may propose or concur in amendments, as on other bills. Neither House during the session of the General Assembly, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting. They may prepare bills and enact them into laws, redress grievances, grant charters of incorporation, subject to the provisions of section 69, constitute towns, villages, cities and counties; and they shall have all other powers necessary for the General Assembly of a free and sovereign State; but they shall have no power to add to, alter, abolish, or infringe any part of this Constitution.

### **§ 7. [ANNUAL SESSIONS]**

The General Assembly shall meet annually on at noon on the tenth day of January; if the tenth day of January is a Sunday, they shall meet at noon on the Monday immediately following the tenth day of January.

All bills that will be brought for before the Senate and the House of Representatives shall be placed on that house's website five days before a vote is held. Unless the governor, shall have certified, under his or her hand and the seal of the state, the facts which in his or her opinion necessitate an immediate vote thereon, in which case the law must expire ten calendar days after passage, unless it is re-passed a second time after it has been on both houses' websites for seven days.

No bill passed by the General Assembly may alter any Autonomous Region's charter.

The General Assembly shall adjoin it regular session for the calendar year on or before May 31<sup>st</sup>. Any building where the General Assembly meets shall be known as the State House.

### **§ 8. [DOORS OF GENERAL ASSEMBLY TO BE OPEN]**

The doors of the House in which the General Assembly of this Commonwealth shall sit, shall be open for the admission of all persons who behave decently, except only when the welfare of the State may require them to be shut.

**§ 9. [JOURNALS; YEAS AND NAYS]**

The votes and proceedings of the General Assembly shall be placed on its website (when one-third of the members of either House think it necessary) the end each day session, with the yeas and nays of the House of Representatives on any question when required by five members, and of the Senate when required by one Senator, (except where the votes shall be taken by ballot), in which case every member of either House shall have a right to insert the reasons of the member's vote upon the minutes.

**§ 10. [STYLE OF LAWS]**

This style of the laws of this State shall be, it is hereby enacted by the General Assembly of the State of Pacifica.

**§ 11. [GOVERNOR TO APPROVE BILLS; VETO PROCEEDINGS THEREON; NONACTION]**

Every bill which shall have passed the Senate and House of Representatives shall, before it becomes a law, be presented to the Governor; if the Governor approve, the Governor shall sign it; if not, the Governor shall return it, with objections in writing, to the House in which it shall have originated; which shall proceed to reconsider it. If, upon such reconsideration, two-thirds of the members present of that House shall pass the bill, it shall, together with the objections, be sent to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of the members present of that House, it shall become a law.

But, in all such cases, the votes of both Houses shall be taken by yeas and nays, and the names of the persons voting for or against the bill shall be entered on the journal of each House, respectively. If any bill shall not be returned by the Governor, as aforesaid, within five days (Sundays excepted) after it shall have been presented to the Governor, the same shall become a law in like manner as if the Governor had signed it; unless the two Houses by their adjournment, within three days after the presentation of such bill shall prevent its return; in which case it shall not become a law.

**§ 12. [FEES FOR ADVOCATING BILLS, ETC.]**

No member of the General Assembly shall, directly or indirectly, receive any fee or reward, to bring forward or advocate any bill, petition, or other business to be transacted in the General Assembly; or advocate any cause, as counsel in either House of legislation, except when employed in behalf of the State.

**§ 13. [REPRESENTATIVES; NUMBER]**

The House of Representatives: there shall be 21 Representatives unless by law a higher number of Representatives is set. The voters of each representative district of equal population established by law shall elect one Representatives from that district. Each representative shall get the same budget for staff. Each Representative shall be provided one district office totaling approximately the same square footage, and an office at the capital. Every ten years the most recent United States Census will be used for population numbers.

In establishing representative districts, which shall afford equality of representation, the General Assembly shall seek to maintain geographical compactness and contiguity and to adhere to boundaries of islands and other existing political subdivisions.

**§ 14. [POWERS OF HOUSE]**

The Representatives so chosen (a majority of whom shall constitute a quorum for transacting any other business than raising a State tax, for which two-thirds of the members elected shall be present) shall meet as required by section 7, and shall be styled the House of Representatives: they shall have power to choose their Speaker, their Clerk and other necessary officers, sit on their own adjournment subject to the limitations of section 6, judge of the elections and qualifications of their own members; they may expel members by a two-thirds vote, but not for causes known to their constituents antecedent to their election, administer oaths and affirmations in matters depending before them, and impeach state criminals. No tax on income shall exceed (3%) three percent. The state of Pacifica may not enact any property tax only regions or local governments may. Any state sales tax may not exceed (3%) three percent; the total state and local sales taxes may not exceed (6%) six percent.

**§ 15. [SALARY RESIDENCE OF REPRESENTATIVES AND SENATORS]**

No person shall be elected a Representative or a Senator until the person has resided in this State two years, or a resident at the time of the creation of the state; the last month of which shall be in the legislative district for which the person is elected.

The Speaker and the President of the Senate, pro tempore shall receive the same salary as the lieutenant governor; the salaries of all other Senators and Representatives shall be a lower amount. The After the salary is set first time, no law varying salary of Senators or Representatives shall take effect until an election of Regional Assemblypersons shall have intervened.

**§ 16. [OATH OF SENATORS AND REPRESENTATIVES]**

The Representatives having met on the day appointed by law for the commencement of an Annual session of the General Assembly, and chosen their Speaker, and the Senators having met, shall, before they proceed to business, take and subscribe the following oath:

*I do solemnly swear (or affirm) I will faithfully execute my office, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States and the Constitution of the State of Pacifica. that as a member of this General Assembly, I will not propose, or assent to, any bill, vote or resolution, which shall appear to you injurious to the people, nor do nor consent to any act or thing whatever, that shall have a tendency to lessen or abridge their rights and privileges, as declared by the Constitution of this State; but will, in all things, conduct myself as a faithful, honest Representative/Senator and guardian of the people, according to the best of my judgment and ability. (In case of an oath) So help me God. (Or in case of an affirmation) Under the pains and penalties of perjury.*

**§ 17. [SENATORS; NUMBERS; QUALIFICATIONS]**

The Senate shall be composed one Senator from the senatorial district drawn by law from which they are elected. The voters of each senatorial district established by law shall elect one senator from that district, Commonwealth of the Northern Mariana Islands shall have three senate districts, Guam six senate districts and American Samoa three senate districts. Senate districts in each region shall be drawn by that region's board of elections Each senator vote shall be weighted by their districts' population. Each Senator shall get either the same budget for staff or a budget based on the population of the senator's district set by law. Each Senator shall be provided one district office totaling approximately the same square footage, and an office at the capital.

#### **§ 18. [POWERS OF SENATE; LIEUTENANT-GOVERNOR'S DUTIES]**

The Senate shall have the like powers to decide on the election and qualifications of, and to expel any of, its members with two thirds vote, make its own rules, and appoint its own officers, as are incident to, or are possessed by, the House of Representatives. A majority shall constitute a quorum. The Lieutenant-Governor shall be President of the Senate, except when exercising the office of Governor, or when the office of the Lieutenant-Governor shall be vacant, or in the absence of the Lieutenant-Governor, in which cases the Senate shall appoint one of its own members to be President of the Senate, pro tempore . And the President of the Senate shall have a vote only when they be equally divided.

#### **§ 19. [ANNUAL STATE BUDGET]**

The fiscal year of state will be from May 1 to April 30 of the following year. After reviewing the detailed budget recommendations from elected officials and other sources the General Assembly shall enact a budget and appropriations by law.

If at noon on the date a new fiscal year starts all the state's budget appropriation bills and revenue bills have not been enacted and sent to Governor, then the state's previous fiscal year's budget shall become the default budget. Once a default budget takes effect, no part budget appropriation bills shall be enacted into law. The appropriations shall remain the same as the previous fiscal year's appropriation laws. The appropriations given to each Autonomous Regions shall also remain the same as the previous fiscal year. No moneys may be transferred between appropriation laws or other changes to default budget may be enacted, unless approved by new supplemental appropriation bill(s) which are enacted into law. Any appropriations that were designed to be non-recurring appropriations shall be dropped from the default budget. Supplemental regional appropriation bill(s) voted on between May 1st and December 31st of any calendar year shall require at least three-fifths (3/5) vote of both of the General Assembly houses with the ayes and nays entered on the journal, to be enacted and sent to the Governor. The default budget shall be treated as a regular budget and expire at the end of the fiscal year. Supplemental appropriation bill(s) are any appropriation bill created by the General Assembly between May 1st and December 31st.

### **EXECUTIVE BRANCH**

#### **§ 20. [GOVERNOR; EXECUTIVE POWER]**

The Governor, and in the Governor's absence, the Lieutenant-Governor, shall have power to commission all officers, and also to appoint officers, except where provision is, or shall be, otherwise made by law or this Frame of Government; and shall supply every vacancy in any office, occasioned by death or otherwise, until the office can be filled in the manner directed by law or this Constitution. The Governor is to correspond with other States, transact business with officers of government, civil and military, and prepare such business as may appear necessary, to lay before the General Assembly. The Governor shall have power to grant pardons and remit fines in all cases whatsoever, except in treason in which the Governor shall have power to grant pardons except in cases of impeachment. The Governor is also to take care that the laws be faithfully executed. The Governor is to expedite the execution of such measures as may be resolved upon by the General Assembly. And the Governor may draw upon the Treasury for such sums as may be appropriated by the General Assembly. The Governor may also lay embargoes, or prohibit the exportation of any commodity, for any time not exceeding thirty days, in the recess of the General Assembly only. The Governor may grant such licenses as shall be directed by law; and shall have power to call together the General Assembly, when necessary. The Governor shall be Captain-General, Admiral and Commander-in-Chief of the forces of the State, but shall not command in person, in time of war, or insurrection, unless by the advice and consent of the Senate, and no longer than they shall approve thereof. And the Lieutenant-Governor shall, by virtue of office, be Lieutenant-General, Vice Admiral of all the forces of the State. The governor shall submit a detailed budget recommendation for entire state to the General Assembly and place that recommendation on the governor's website each February. Should a vacancy occur in a Pacifica United States senate seat; the Governor may appoint a person to fill the United States senate seat till an election can be held on next Election Day in a manner set by state law.

After the salaries of Governor, Lieutenant-Governor, Treasurer, Secretary of State, and Comptroller, are set for the first time, no law varying of their pay shall take effect during their term of office.

**§ 21. [SECRETARY OF CIVIL AND MILITARY AFFAIRS]**

The Governor may have a Secretary of Civil and Military Affairs, to be appointed during pleasure, whose services the Governor may at all times command; and for whose compensation provisions shall be made by law.

**§ 22. [COMMISSIONS; STATE SEAL]**

All commissions shall be in the name of The People of the State of Pacifica, sealed with the State Seal, signed by the Governor, and in the absence of the Governor by the Lieutenant-Governor, and attested by the Secretary; which Seal shall be kept by the Governor.

**§ 23. [VACANCY IN OFFICE OF GOVERNOR, and LIEUTENANT-GOVERNOR]**

The General Assembly shall provide by general law what officer shall act as Governor whenever there shall be a vacancy in both the offices of Governor and Lieutenant-Governor, occasioned by a failure to elect, or by the removal from office, or by the death or resignation of both Governor and Lieutenant-Governor, or by the inability of both Governor and Lieutenant-Governor to

exercise the powers and discharge the duties of the office of Governor; and such officer so designated, shall exercise the powers and discharge the duties appertaining to the office of Governor accordingly until the disability shall be removed, or a Governor shall be elected.

#### **§ 24. [DUTIES OF OTHER DEPARTMENTS]**

The Governor shall appoint with the advice and consent of the Senate, the Health Commissioner who will supervise the Department of Health, Commissioner of state police who will supervise the state police, Parks Commissioner who will supervise the Department of Parks and Recreation, and may remove them.

The Secretary of State shall be head of Department of State and shall appoint with the advice and consent the Senate the Attorney-General who will supervise the Department of Law and may remove him/her. Secretary of State shall submit a detailed budget recommendation for both departments to the General Assembly and place these recommendations on the Department of State website each January.

The Comptroller shall be the head of Department of Audits and Payments and be required: to audit all vouchers before payment and all official accounts, to audit the accrual and collection of all revenues and receipts; and to prescribe such methods of accounting as are necessary for the performance of the foregoing duties. The Department shall handle payment of any moneys of the state, or of any moneys under its control, or the refund of any moneys paid to the state. The Department of Audits and Payments shall audit local governments and school districts at least once every three years. The Comptroller shall submit a detailed budget recommendation for this department to the General Assembly and place that recommendation on the department's website each January.

There shall be Civil Service Commission. The Governor, Secretary of State and Treasurer shall each appoint one commissioner for a three-year term. The three commissioners shall be appointed with the advice and consent the Senate. The Civil Service Commission will supervise the Department of Civil Service and shall insure that unelected, non-policy making employees of the state, regions, school districts and those local governments are hired based on their merit and fitness in manner set by law. Any employee that requires senate confirmation shall be exempt from Civil Service rules. The Civil Service Commission shall submit a detailed budget recommendation for the Department of Civil Service to the General Assembly and place that recommendation on its website each January.

The General Assembly may by law set up pension plans and a pension fund for state, Autonomous Regions and local employees; and any private employers in our state that wish to participate in a pension plan; if the pension fund is created the Comptroller, Secretary of State and Treasurer shall be the trustees of the pension fund and appoint a pension administrator and may remove him/her. Money in the in this pension fund shall only be spent on pension benefits and investment costs; the trustees departments shall cover administrative costs in manner set by law. In order to prevent a conflict of interest no pension fund money may be invested in the debt of the State Pacifica, a local government, the United States government, any other government or government agency. Once a person retires under a pension plan paid for by this pension fund no future law may reduce their benefits. No annual pension benefit paid to a person may ever

exceed 50 percent of the current the salary of the Governor. The pension administrator shall submit a detailed budget recommendation for pension fund to the General Assembly and place that recommendation on its website each January.

The General Assembly may by a law passed by three-fifths (3/5) vote of both houses, the yeas and nays shall be entered on the journal, create a public authority corporation(s) by law or extend their expiration date; the word authority shall be part of its name; but any law creating a public authority corporation or any extension shall expire in fifteen (15) years or less after the law creating a public authority corporation or any extension takes effect; and will terminate on first day of July of the year the public authority corporation is set to expire; on expiration all of that public authority corporation's assets shall return to the state; any debt repayment schedule, leases, or contracts, entered into by an public authority corporation that extends passed its expiration date shall be void; no other type of government managed corporation may be created other than a public authority corporation; A public authority corporation's revenue must be generated by fees, tolls, or leases; no state tax, or local tax money, shall be used; all public authority corporation's may adopt regulations and their board members shall be appointed by the governor with the advice and consent of the senate; their board members shall have five years terms, they will be divided classes, so that as near as possible, around one-fifth of the board's terms end each year.

Other departments, colleges or a university, or legal subdivision of a department, may be created by the General Assembly by law. The law that creates them shall state which elected official appoints the head of the department, the college board of trustees, or university board of trustees, subject to confirmation by the senate and their duties; the leader of legal subdivisions of a department shall be appointed by and serve at the pleasure of the heard of department; but any law creating them, or any extension of the time limit, shall expire in fifteen (15) years or less after the law creating them or any extension takes effect; and will terminate on first day of July of the year the department, college(s), university, or legal subdivision of a department, is set to expire.

All administrative hearing shall be audio and video recorded as their official record. Executive Branch policies, rules, and/or regulations must be filed with the secretary of state before they can take effect, and all these policies, rules, and regulations shall expire on January 1st ten years after the date they were filed; the General Assembly shall define by law how policies, rules, and regulations are adopted and repealed.

**§ 25. [SECURITY GIVEN BY TREASURER]**

The Treasurer of the State shall, before entering upon the duties of office, give sufficient security to the Secretary of State, in behalf of the State of Pacifica, before the Governor of the State or one of the Justices of the Supreme Court, before entering upon the duties of their offices, shall give sufficient security in such manner and in such sums as shall be directed by the General Assembly.

**§ 26. [TREASURER'S ACCOUNTS]**

The Treasurer shall be the head of the Department of Tax and Finance which shall collect taxes owed to the state and regulate how property taxes imposed by local governments in a matter set by law. Other duties may by law be added to this department. The Treasurer shall submit a detailed budget recommendation for this department to the General Assembly and place that recommendation on the department's website each January.

The Treasurer's accounts shall be annually audited by the Comptroller, and a fair state thereof laid before the General Assembly at its Annual session in January.

**§ 27. [DRAWING MONEY FROM TREASURY]**

No money shall be drawn out of the Treasury, unless first appropriated by act of legislation.

**JUDICIARY BRANCH**

**§ 28. [COURTS OF JUSTICE]**

The Courts of Justice shall be open for the trial of all causes proper for their cognizance; and justice shall be therein impartially administered, without corruption or unnecessary delay.

**§ 29. [THE SUPREME COURT; COMPOSITION]**

The Supreme Court shall consist of the Chief Justice of the State and six associate justices of the Supreme Court. They shall be elected in seven Supreme Court districts of equal population drawn by law once every ten years by the General Assembly. The Supreme Court shall have the power to appoint from its members its Chief Justice of the State who will serve at the pleasure of the court. The Supreme Court shall have the power to appoint its clerk who will serve at the pleasure of the court. When districts are redrawn, the Justices remain with their districts number to serve until the till the end of their term. The Supreme Court shall have seven classes so that one Justice is elected on Election Day every year; When they first take office for the first time they will assigned as follows district #1-1 year, #2-2years, #3-3years, #4- 4years, #5-5 years, #6-6years, #7-7years. Any citizen of the State of Pacifica may run for Justice in any district.

**§ 30. [SUPREME COURT; JURISDICTION]**

The Supreme Court shall exercise appellate jurisdiction of the highest court each Autonomous Region and each Superior court, in all cases, criminal and civil, under such terms and conditions as it shall specify in rules not inconsistent with law. The Supreme Court shall have original jurisdiction only as provided by law, but it shall have the power to issue all writs necessary or appropriate in aid of its appellate jurisdiction. The Supreme Court shall have administrative control of the courts of the state, and disciplinary authority concerning all judicial officers, law enforcement, and attorneys at law in the State; and shall appoint three-member legal disciplinary board(s) which may suspend, disbar and/or remove from office state or regional, judicial officers, court clerks, law enforcement, and attorneys at law accused of misconduct and/or a violation of chapter I of this constitution; any appeals of a legal disciplinary board ruling shall be directly to

the Supreme Court; state laws may regulate these procedures. The Supreme Court shall have appellate jurisdiction over highest court in each region.

**§ 31. [LOWER COURTS; JURISDICTION]**

All other courts of this State shall have original and appellate jurisdiction as provided by law. All courts except the Supreme Court may be divided into geographical and functional divisions as provided by law or by judicial rules adopted by the Supreme Court not inconsistent with law. The jurisdiction of geographical and functional divisions shall be as provided by law or by judicial rules not inconsistent with law. The courts of this state may exercise equity jurisdiction as well as law jurisdiction in civil proceedings as may be provided by law or by judicial rules not inconsistent with law. Superior court judges shall be elected in districts set by law; the number Superior Judges elected in each district shall also be set by law. No person may be elected more than three times as a Judge or justice. Superior Court Judge may impanel Grand Juries in manner set by state law and shall assign each grand jury a legal adviser who will be a member of state bar but not a resident of or have an office in the same area as the Jurors. All Supreme Court or Superior Court proceedings shall be open to the public

**§ 32. [FILLING JUDICIAL VACANCIES]**

The Governor, with the advice and consent of the Senate, shall fill a vacancy in the office of the Chief justice of the State, associate justice of the Supreme Court or judge of any other court, except the office of State District Court, from a list of nominees presented by a judicial nominating body established by the General Assembly having authority to apply reasonable standards of selection. They shall serve the remainder of the term for that district or that court. When appointing a Supreme Court Justice, the Governor must state the district number to which the Justice is appointed.

**33. [INTERIM JUDICIAL APPOINTMENTS]**

When the Senate is not in session, the Governor may make an interim appointment to fill a vacancy in the office of chief justice, associate justice of the Supreme Court or judge of any other court, except the office of State District judge, from a list of nominees presented by the judicial nominating body. A justice or judge so appointed shall hold office, with all the powers incident to the office, until the Senate convenes and acts upon the appointment submitted by the Governor. Thereafter, the appointee shall continue in office if the Senate consents to the appointment. If the appointment is not confirmed upon vote of the Senate, the appointment shall be terminated and a vacancy in the office will be created.

**§ 34. [JUDICIAL TERM OF OFFICE]**

The justices of the Supreme Court shall have a term of seven years. Judges of all subordinate courts, except State District judges, shall elected by voters for terms of six years except when holding office under an interim appointment.

**§ 35. [MANDATORY RETIREMENT]**

All justices of the Supreme Court and judges of all subordinate courts shall be retired at such age, not less than seventy years of age, as the General Assembly may prescribe by law, or, if the General Assembly has not so provided by law, at the end of the calendar year in which they attain seventy years of age or at the end of the term of election during which they attain seventy years of age, as the case may be, and shall be pensioned as provided by law. The chief justice may from time to time appoint retired justices and judges to special assignments as permitted under the rules of the Supreme Court.

**§ 36. [SUSPENSION AND REMOVAL; IMPLEMENTATION PROCEDURES FOR SECTIONS 32 THROUGH 36]**

The justices of the Supreme Court and the judges of all subordinate courts shall hold office during good behavior for the terms for which they are elected. The Supreme Court in the exercise of its disciplinary power over the judiciary of the state may suspend justices of the Supreme Court and judges of all subordinate courts from the judicial function for such cause and in such manner as may be provided by law. The General Assembly may establish procedures for the implementation of the provisions of sections thirty-two through thirty-six.

**§ 37. [RULE-MAKING POWER]**

The Supreme Court shall make and promulgate rules governing the administration of all courts, and shall make and promulgate rules governing practice and procedure in civil and criminal cases in all courts. Any rule adopted by the Supreme Court may be revised by the General Assembly.

The Chief Justice of the Supreme Court shall appoint chief administrator of the courts who will serve at the pleasure of the of the Chief Justice. The chief administrator of the courts shall supervise the administration and operation of the court system; setup a bureau to investigative possible civil or criminal misconduct, by attorneys at law, district attorneys, judges, justices, law enforcement, or court clerks; the chief administrator of the courts shall transmit recommendations to the supreme court on when a legal disciplinary board should be appointed due to misconduct and/or violations of chapter I of this constitution. In the exercise of such responsibility, the chief administrator of the courts shall have such powers and duties as may be delegated to him or her by the Supreme Court and such additional powers and duties as may be provided by law. The chief administrator of the courts may temporarily transfer State District judges for a maximum of three months in a calendar year to work in another district's State District Court to ensure speedy trials and hearings. The chief administrator shall also setup a rotating schedule of State District judges to handle warrants in each region of the state 24 hours a day seven days a week. The chief administrator of the courts shall submit a detailed budget recommendation to the General Assembly and place that recommendation on the Supreme Court website each January.

**§ 38. [JURY TRIALS]**

Trials of issues, proper for the cognizance of a Jury as established by law or by judicial rules adopted by the Supreme Court not inconsistent with law, in the Supreme Court, the Superior Court and other subordinate courts, shall be by Jury, except where parties otherwise agree; and

great care ought to be taken to prevent corruption or partiality in the choice and return, or appointment of Juries.

**§ 39. [FORMS OF PROSECUTIONS AND INDICTMENTS; FINES]**

All prosecutions shall commence, By the authority of the State of Pacifica. All Indictments shall conclude with these words, against the peace and dignity of the State. And all fines shall be proportioned to the offences.

**§ 40. [EXCESSIVE BAIL PROHIBITED; PRISONERS BAILABLE; IMPRISONMENT FOR DEBT PROHIBITED]**

Excessive bail shall not be exacted for bailable offenses. All persons shall be bailable by sufficient sureties, except as follows:

(1) A person accused of an offense punishable life imprisonment may be held without bail when the evidence of guilt is great.

(2) A person accused of a felony, an element of which involves an act of violence against another person, may be held without bail when the evidence of guilt is great and the court finds, based upon clear and convincing evidence, that the person's release poses a substantial threat of physical violence to any person and that no condition or combination of conditions of release will reasonably prevent the physical violence. A person held without bail prior to trial under this paragraph shall be entitled to review de novo by a single justice of the Supreme Court forthwith.

(3) A person awaiting sentence, or sentenced pending appeal, may be held without bail for any offense.

A person held without bail prior to trial shall be entitled to review of that determination by a panel of three Supreme Court Justices within seven days after bail is denied.

Except in the case of an offense punishable by life imprisonment, if a person is held without bail prior to trial, the trial of the person shall be commenced not more than 60 days after bail is denied. If the trial is not commenced within 60 days and the delay is not attributable to the defense, the court shall immediately schedule a bail hearing and shall set bail for the person.

If a person is unable or unwilling to post bail and if the trial is not commenced within 60 days and the delay is not attributable to the request of the defendant in open court, the court shall immediately schedule a bail hearing and shall reduce the bail at least 50 percent for the person and schedule a date to start trial jury selection within 90 days.

No person shall be imprisoned for debt and/or being unable to pay a fine and/or court judgement; however, a court may order that person's property be taken to pay the fine and/or court judgement. The punishment of death shall never be imposed by a court nor shall anyone be allowed to take their own life.

**§ 41. [HABEAS CORPUS]**

The Writ of Habeas Corpus shall in no case be suspended. It shall be a writ issuable of right; and the General Assembly shall make provision to render it a speedy and effectual remedy in all cases proper therefor.

#### **QUALIFICATIONS OF FREEMEN AND FREEWOMEN**

##### **§ 42. [VOTER'S QUALIFICATIONS]**

Every person of the full age of eighteen years who is a citizen of the United States, having resided in this State for the period established by the General Assembly shall be entitled to all the privileges of a voter of this state:

#### **ELECTIONS; OFFICERS; TERMS OF OFFICE**

##### **§ 43. [ELECTIONS]**

The first Tuesday next after the first Monday in November shall be known as Election Day unless the United States Congress by law picks a different day. The third Tuesday in June shall be known as Primary Day unless the General Assembly by law picks a different day. Whenever population is cited in this constitution; the figures from the most recent decennial United States Census shall be used. The state will pay for elections held on Primary Day, Election Day or a state special election day; Autonomous Regions will pay for any election held on another day.

The Governor, Lieutenant-Governor, Treasurer, Secretary of State, and Comptroller, shall be elected every four years on Election Day. Senators, state Representatives, State District judges shall be elected in the years their terms will end on Election Day. The General Assembly shall by law but limited by this Constitution shall define how elections are held on Primary Day and Election Day.

Primaries will be held on Primary Day for races involving state wide office, the General Assembly, judges, justices or any other office that will have their final vote on Election Day. Special elections may be called in a manner set by law to fill the remainder of a term of a vacant office.

A political party that has received at least 10,000 votes for any of its statewide candidate(s) in the last four years or a political party whose candidate received the highest number or second highest number of votes for governor in most recent election shall be considered a permanent political party. A political party that has never received 10,000 votes for any statewide candidate or has not received 10,000 votes for any statewide candidate in the last four years or whose candidate never received the highest number or second highest number of votes for governor in the last four years shall be considered a non-permanent political party. Candidates of permanent political parties shall be listed higher on the ballot than nonparty candidates or non-permanent political party candidates on Election Day; the exact order to be set by state law. The General Assembly may by law allow permanent political parties enter a candidate in a permanent political party primary on Primary Day by the vote of a party convention. A vote for the candidate for President and Vice President on Election Day is a vote for the presidential electors nominated by the

candidate's political party or by petition; one presidential elector shall be chosen by the voters in each congressional district and two presidential electors by voters statewide. The General Assembly may by law set a special date for presidential primaries and rules for the United States presidential election.

Each of two commissioners of each Regional board of elections shall appoint at least two Election Inspectors for each polling place or early voting site. The Secretary of State shall appoint at least one Election Inspector for each polling place or early voting site. Insuring there will at least five Election Inspectors at each polling place or early voting site. Early voting times will be set by each regional board of elections or State law but shall not be less than 6 hours nor exceed 8 hours per day. Ranked-Choice Voting shall not be allowed. Unless otherwise stated in this constitution terms of those elected on Election Day shall begin at noon on first day of December following Election Day; those elected in a special election will take office as soon as the election is certified.

Polling places shall be set up according to state law in all areas on Primary Day, Election Day, Presidential primaries or special elections. When a polling place or early voting site closes for the day the vote counts shall posted by the Election Inspectors on that each regional board of elections website and all ballots that were cast shall be sealed in a box(es) with the Election Inspectors signing the seal and transport the boxes to a safe equipped with monitored a security system provided by that Regional 's board of elections; the ballots must be keep for at least six months after the day they were cast.

A driver's license photo Id, non-driving photo Id or other photo Id acceptable under state law such as will be needed to cast a vote at a Polling place or early voting site. A non-driving photo Id must be available free of charge by the department of motor vehicles to those who lack a driver's license.

An enrolled voter requesting an Absentee ballot must sign an oath or affirmation either in ink or electronically stating the reason they are unable to vote at a polling place or early voting site. The Absentee ballot must be mailed to the address the voter is enrolled at on the voter rolls with a privacy envelope, an addressed return envelope and instructions.

The privacy envelope shall have no identifying information on it but it may the polling station address the voter would have voted at had they voted in person. The return envelope will the address to be delivered on the front and on the back the voters name and a place for a signature; while the voter registration number may be on back no information about any party the voter is enrolled in may be included.

The voter must cast the ballot, insert the ballot in the privacy envelope seal it, and insert the privacy envelope in the return envelope seal it, sign the return envelope in the spot provided, add postage and mail via US mail. Absentee ballots must be returned by US mail. Any Absentee ballot not returned by US mail, shall be void and not counted. Any Absentee ballot where the signature on the return envelope does not match the one on file with the board of elections shall be void and not counted. Any Absentee ballot that was not inserted in a privacy envelope within the return envelope shall be void and not counted.

The department of motor vehicles shall provide to the state board of elections and appropriate

Regional board of elections copies of the signatures on driver's licenses or the signatures on non-drivers Ids so add the signatures to their voter registration files.

The General Assembly shall by law set up a system to enroll voters via voter registration. State laws may be enacted to enforce this section.

**§ 44. [ELECTION OF REPRESENTATIVES AND SENATORS]**

Senators and Representatives of the General Assembly shall be elected to office at a general election to be held biennially on Election Day for two-year terms.

**§ 45. [MANNER OF ELECTION]**

The manner of election, certification, and filling of vacancies in office of Senators and Representatives shall be as established by law.

**§ 46. [TERMS OF SENATORS AND REPRESENTATIVES]**

The term of office of Senators and Representatives shall be two years, commencing at noon the first the first of December following their election. No person may be elected more than seven times as a Senator or as a Representative.

**§ 47. [BOARD OF ELECTIONS]**

The Pacifica Board of Elections shall regulate all elections with the Regional boards of elections  
The Pacifica Board of Elections shall coordinate and fund elections for state wide offices/issues and United States offices. Each Autonomous Region shall fund a Regional Board of Elections.  
the Pacifica Board of Elections and the Regional Boards of Elections shall conduct all state, local, school district, village, fire district and other local district elections in a manner set by state law. The Pacifica Board of Elections shall submit a detailed budget recommendation to the General Assembly and place that recommendation on its website each January.

The Pacifica board of elections shall have four commissioners. The term of office of a state election commissioner shall be two years beginning January first of each odd numbered year. The state chair of the permanent political party whose candidate received the highest number of votes for governor in most recent election under the party symbol shall appoint two commissioners of the state board of election. The state chair of the permanent political party whose candidate second highest number of votes for governor in most recent election under the party symbol shall appoint two commissioners of the state board of election. The appropriate state chair shall appoint if a commissioner for the remainder of the term if the seat is vacant.

Each Regional board of elections shall have two commissioners. The term of office of an election commissioner shall be two years beginning January first of each odd numbered year. The Regional chair of the permanent political party whose candidate received the highest number of votes for governor in most recent election under the party symbol shall appoint one commissioner of that Regional 's board of election. The Regional chair of the permanent political party whose candidate second highest number of votes for governor in most recent

election under the party symbol shall appoint one commissioner of that Regional 's board of election. The appropriate Regional chair shall appoint if a commissioner for the remainder of the term if the seat is vacant. If a permanent political party Regional chair is vacant the state chair shall make the appointment.

No person shall be appointed as election commissioner or continue to hold office who is not a registered voter in the Regional and not an enrolled member of the party of his/her appointment, or who holds any other public office, except that of commissioner of deeds, notary public. An election commissioner shall not be a candidate for any elective office.

Permanent political party state chairs shall file their most current bylaws and a list of Regional chairs annually with the Secretary of state or within two weeks after any change of bylaws is adopted; the Secretary of state shall place them on his/her official website.

**§ 48. [ELECTION OF GOVERNOR, LIEUTENANT-GOVERNOR AND TREASURER SECRETARY OF STATE AND COMPTROLLER]**

The Governor, Lieutenant-Governor, and Treasurer, of the State, Secretary of State and the Comptroller shall be elected by the voters of the State upon the same time Senators and Representatives; and the General Assembly shall carry this provision into effect by appropriate legislation.

No person shall be eligible to the office of Governor or Lieutenant-Governor until the person shall have resided in this State four years next preceding the day of election.

**§ 49. [TERM OF STATE ELECTED OFFICIALS]**

The term of office of the Governor, Lieutenant-Governor, Treasurer of the State, Secretary of State and the Comptroller respectively, shall commence at noon on the fifteen day of January after their election and shall continue for the term of four years. No person may be elected more than twice as Governor, Lieutenant-Governor, Treasurer of the State, or Secretary of State, Comptroller. The Senate shall appoint someone to fill the remainder of the term should office of Lieutenant-Governor, Treasurer of the State, Secretary of State or the Comptroller become vacant. The General Assembly shall provide by general law what officer shall act as Treasurer of the State, Secretary of State or the Comptroller when the office is vacant or the holder is unable to discharge their duties.

**§ 50. [ELECTION OF STATE DISTRICT JUDGES]**

The State District Judges shall be elected by the voters of their respective Senate districts as established by law. State District judges must be members of the state bar or regional bar and live in their district or within ten miles of their district. Their judicial functions shall be established by law. Their term of office shall be five years and shall commence at midnight on the first day of February next after their election. Every Senate district shall have at least one State District judge. The state shall pay the cost of State District Courts up to the limits set by law.

Should Senate districts be redrawn State District judges shall be assigned by the Chief Justice of the Supreme court to continue to serve their new district till the end of their term. No person may be elected more than three times as a State District judge. The General Assembly may be law increase the number of State District judges in any district.

**§ 51. [STATE, REGIONAL, AND LOCAL COURTS JURISDICTION]**

State District Courts have unlimited jurisdiction in all civil cases that are outside the jurisdiction of the regional courts or when the parties live in different regions or another state. State District Courts have criminal jurisdiction in felony cases and misdemeanors cases and the crime occurred in their district and is a violation of state law, or when a region lacks its own court system. State District Courts may change the bail amount for a person who has been arrested, issue a writ of habeas corpus for those held state, regional, or local charges, and issue warrants for arrest in a manner as set by state law. All proceedings shall be open to the public. State District Courts may impanel Grand Juries in manner set by state law and shall assign each grand jury a legal adviser who will be a member of and/or regional bar. State District Courts may impanel Juries in manner set by state law.

Regional and local courts shall continue have jurisdiction as regulated in regional and/or local law over criminal jurisdiction in felony cases and misdemeanors cases and the crime occurred in their district/region and is a violation of regional or local law; unlimited jurisdiction in all civil cases all actions as regulated by regional and/or local law. Proceedings relating to the affairs of decedents, probate of wills, administration of estates and actions and proceedings arising there under or pertaining thereto when the decedent resided in their district/region; guardianship of the property of minors, adoption of minors, custody of minors when the minor resides in their district; jury trials (unless jury is waved) of minors accused of a crime when the crime occurred in their district/region; divorce or annulment when one of the parties resides in their district/region; jury trials (unless jury is waved) to determine mental competency when the person resides in their district/region, and such other actions and proceedings as provide by regional and/or local law. Guardianship of the those found mentally incompetent. All proceedings shall be open to the public, however the court may require in cases involving minors that only the first names of the minors and their parents or their relatives and/or other parties be used in its proceedings and shall prohibit drawings, video and photo(s) of its proceedings when minors are involved. The courts may change the bail amount for a person who has been arrested and issue warrants for arrest in a manner as set by regional and/or local law. These courts may impanel Grand Juries in manner set by regional and/or local law and shall assign each grand jury a legal adviser who will be a member of state and/or regional bar. These courts may impanel Juries in manner set by regional and/or local law.

**§ 52. [REGIONS JUDGES, JUSTICES; AND JURISDICTION]**

Autonomous Regions Justices and judges shall be elected on date set by regional law for a term set in the regional charter years by the voters of their district. The number of Judges and Justices shall be set in the charter or in local law.

**§ 53. [ELECTION OF STATE DISTRICT JUDGES]**

The manner and certification of election and filling of vacancies in the offices of State District judges, shall be as established by law. the Governor shall appoint a person to serve as an acting State District judge until a special election can be held.

**§ 54. [INCOMPATIBLE OFFICES]**

No person in this State shall be capable of holding or exercising more than one of the following offices at the same time: Governor, Lieutenant-Governor, Justice of the Supreme Court, Treasurer of the State, Secretary of State, Comptroller, member of the Senate, member of the House of Representatives, District's attorney, State District judge, delegate of the constitution convention, department head, any Judge of a court, or any official of a Region. The person automatically resigns the previous office by taking the oath of office for the second. Nor shall any person holding any office of profit or trust under the authority of Congress, other than a member of the commissioned or enlisted personnel in the reserve components of the armed forces of the United States while not on extended active duty, be eligible to any appointment in the General Assembly, or to any executive or judiciary office under this State.

**§ 55. [FREEDOM OF ELECTIONS; BRIBERY]**

All elections, whether by the people or the General Assembly, shall be free and voluntary: and any elector who shall receive any gift or reward for the elector's vote, in meat, drink, moneys or otherwise, shall forfeit the right to elect at that time, and suffer such other penalty as the law shall direct; and any person who shall directly or indirectly give, promise, or bestow, any such rewards to be elected, shall thereby be rendered incapable to serve for the ensuing year, and be subject to such further punishment as the General Assembly shall direct.

**OATH OF ALLEGIANCE; OATH OF OFFICE**

**§ 56. [OATHS OF ALLEGIANCE AND OFFICE]**

Every officer, whether judicial, executive, or military, in authority under this State, before entering upon the execution of office, shall take and subscribe the following oath or affirmation of allegiance to this State, (unless the officer shall produce evidence that the officer has before taken the same) and also the following oath or affirmation of office, except military officers, and such as shall be exempted by the General Assembly.

The Oath or Affirmation of Office and Allegiance.

*I \_\_\_\_\_ do solemnly swear (or affirm) that I will faithfully execute the office of \_\_\_\_\_ for the \_\_\_\_\_ of \_\_\_\_\_ and will therein do equal right and justice to all persons, to the best of your judgment and ability, according to law. I will faithfully execute my office, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States and the Constitution of the State of Pacifica. I will, in all things, conduct myself as a faithful, honest office holder and guardian of the people, according to the best of my judgment*

*and ability. (In case of an oath) So help me God. (Or in case of an affirmation) Under the pains and penalties of perjury.*

## IMPEACHMENT

### § 57. [IMPEACHMENTS, HOUSE MAY ORDER]

The House of Representatives shall have the power to order impeachments, which shall in all cases be by a vote of two-thirds of its members.

### § 58. [LIABILITY TO; SENATE TO TRY; JUDGMENT]

Every officer of State, whether judicial or executive, shall be liable to be impeached by the House of Representatives, either when in office or after resignation or removal for maladministration.

The Senate shall have the sole power of trying and deciding upon all impeachments. When sitting for that purpose, they shall be on oath, or affirmation, and no person shall be convicted, without the concurrence of two-thirds of the members present. Judgment in cases of impeachment shall not extend further than to removal from office and disqualification to hold or enjoy any office of honor, or profit, or trust, under this State. But the person convicted shall, nevertheless, be liable and subject to indictment, trial, judgment, and punishment, according to law.

## MILITIA

### § 59. [MILITIA]

The inhabitants of this State shall be trained and armed for its defense, under such regulations, restrictions, and exceptions, as Congress, agreeably to the Constitution of the United States, and the General Assembly of this State, shall direct.

## GENERAL PROVISIONS

### § 60. [LEGISLATURE RESTRICTED]

No person ought in any case, or in any time, to be declared guilty of treason or felony, by the General Assembly, nor to have a sentence upon conviction for felony commuted, remitted, or mitigated by the General Assembly.

### § 61. [OFFICES OF PROFIT; COMPENSATION; ILLEGAL FEES]

As all persons of full age, to preserve their independence (if without a sufficient estate) ought to have some profession, calling, trade, or farm, whereby they may honestly subsist, there can be no necessity for, nor use in, establishing offices of profit, the usual effects of which are dependence

and servility, unbecoming free citizens, in the possessors or expectants, and faction, contention and discord among the people. But if any person is called into public service to the prejudice of that person's private affairs, the person has a right to a reasonable compensation; and whenever an office through increase of fees or otherwise, becomes so profitable as to occasion many to apply for it, the profit ought to be lessened by the General Assembly. And if any officer shall wittingly and wilfully, take greater fees than the law allows, it shall ever after disqualify that person from holding any office in this State until the person shall be restored by act of legislation.

**§ 62. [RECORD OF DEEDS]**

All deeds and conveyances of lands, power of attorneys, health care proxies and wills of those who have died and other documents that the law requires shall be recorded in the Regional Clerk's office in the respective Regional and copy of such documents shall be transmitted to the Secretary of State.

**§ 63. [ENTAILS, DEEDS, AND EASEMENTS TO BE REGULATED]**

The General Assembly shall regulate entails, deed restrictions or easements in such manner as to prevent perpetuities. Deed restrictions or easements on land shall only last for a maximum of ninety-nine (99) years from the date created; unless the easement provides access to another parcel of land and/or a cemetery or currently is used for water pipes and/or sewer pipes in which case the easement may be perpetual.

**§ 64. [PUNISHMENT AT HARD LABOR, WHEN]**

To deter more effectually from the commission of crimes, by continued visible punishments of long duration, and to make sanguinary punishments less necessary, means ought to be provided for punishing by hard labor, those who shall be convicted of crimes not capital, whereby the criminal shall be employed for the benefit of the public, or for the reparation of injuries done to private persons: and all persons at proper times ought to be permitted to see them at their labor.

**§ 65. [PERMANENT POLITICAL PARTIES ELECTIONS]**

The state committee members of a permanent political party shall be elected on Primary Day according to that permanent political party's bylaws and in manner compliant with state law. They shall choose that permanent political party state chair according to that permanent political party's state bylaws which shall be filed with the Secretary of State.

Each Regional committee members of a permanent political party shall be elected on Primary Day according to that permanent political party's bylaws and in manner compliant with state law. They shall choose that permanent political party Regional chair that permanent political party's Regional bylaws which shall be filed with the Secretary of State.

**§ 66. [CITIZENSHIP]**

Every United States citizen, who comes to settle in this State, or by other just means acquire, hold and transfer land or other real estate; and after one year's residence shall be deemed a free denizen thereof, and entitled to all rights of a natural born subject of this State, except those privileges, the right to which is herein elsewhere determined, and except also that such person shall not be capable of being elected Treasurer, or Representative in Assembly, until after two years' residence, nor be eligible to the office of Governor or Lieutenant-Governor until the person shall have resided in this State as required by section 23 of this Constitution.

**§ 67. [HUNTING; FOWLING AND FISHING]**

The inhabitants of this State shall have liberty in seasonable times, to hunt and fowl on the lands they hold, and on public lands not enclosed, and in like manner to fish in all boatable and other waters (not private property) under proper regulations, to be made and provided by the General Assembly.

**§ 68. [LAWS TO ENCOURAGE VIRTUE AND PREVENT VICE; SCHOOLS; RELIGIOUS ACTIVITIES]**

Laws for the encouragement of virtue and prevention of vice and immorality ought to be constantly kept in force, and duly executed; and a competent number of schools ought to be maintained in each town unless the general assembly permits other provisions for the convenient instruction of youth. All religious societies, or bodies of people that may be united or incorporated for the advancement of religion and learning, or for other pious and charitable purposes, shall be encouraged and protected in the enjoyment of the privileges, immunities, and estates, which they in justice ought to enjoy, under such regulations as the general assembly of this state shall direct.

**§ 69. [CHARTERS, LIMIT ON RIGHT TO GRANT]**

No charter of incorporation shall be granted, extended, changed or amended by special law, except for such municipal, charitable, educational, penal or reformatory corporations as are to be and remain under the patronage or control of the Autonomous Regions; but the General Assembly shall provide by general laws for the organization of all corporations hereafter to be created. All general laws passed pursuant to this section may be altered from time to time or repealed.

**§ 70. [WORKERS' COMPENSATION]**

The General Assembly may pass laws compelling compensation for injuries received by employees in the course of their employment resulting in death or bodily hurt, for the benefit of such employees, their widows, widowers or next of kin. It may designate the class or classes of employers and employees to which such laws shall apply.

**§ 71. [DECLARATION OF RIGHTS NOT TO BE VIOLATED]**

The Declaration of the political Rights and privileges of the inhabitants of this State, is hereby declared to be part of the Constitution of this Commonwealth; and ought not to be violated on any pretense whatsoever.

## AMENDMENT OF THE CONSTITUTION

### § 72. [AMENDING CONSTITUTION]

The Senate by a vote of two-thirds of its members, may propose amendments to this Constitution, with the concurrence of a majority of the members of the House of Representatives with the amendment as proposed by the Senate. A proposed amendment so adopted by the Senate and concurred in by the House of Representatives shall be referred to the next Annual session of the General Assembly; and if at that last session a majority of the members of the Senate and a majority of the House of Representatives concur in the proposed amendment, it shall be the duty of the General Assembly to submit the proposal directly to the voters of the state. Any proposed amendment submitted to the voters of the state in accordance with this section which is approved a majority of the voters voting thereon and a majority of the voters in three Autonomous Regions voting thereon shall become part of the Constitution of this State.

Prior to the submission of a proposed amendment to a vote in accordance with this section, public notice of the proposed amendment shall be given by proclamation of the Governor.

The General Assembly shall provide for the manner of voting on amendments proposed under this section, and shall enact legislation to carry the provisions of this section into effect.

At the general election to be held in the year of our lord two thousand twenty-eight (2028), and every sixteen years thereafter, and also at such times as the General Assembly may by law provide, the question "Shall there be a convention to revise the constitution and amend the same?" shall be submitted to and decided by the voters of the state; and in case a majority of the voters voting thereon shall decide in favor of a convention for such purpose, the voters of every senate district of the state, as then organized, shall elect three delegates at the next Election Day, The delegates so elected shall convene at the capitol on the first Tuesday of February next ensuing after their election, and shall continue their session until the business of such convention shall have been completed. Every delegate shall receive for his or her services the same compensation as shall then be annually payable to the members of the senate and be reimbursed for actual traveling expenses, while the convention is in session, to the extent that a member of the assembly would then be entitled thereto in the case of a session of the General Assembly. A majority of the convention shall constitute a quorum for the transaction of business, and no amendment to the constitution shall be submitted for approval to the voters as hereinafter provided, unless by the assent of a majority of all the delegates their votes weighted by their senate districts' population to the convention, the ayes and noes being entered on the journal to be kept. The convention shall have the power to appoint such officers, employees and assistants as it may deem necessary, and fix their compensation and to provide for the printing of its documents, journal, proceedings and other expenses of said convention. The convention shall determine the rules of its own proceedings, choose its own officers, and be the judge of the election, returns and qualifications of its members. In case of a vacancy, by death, resignation or other cause, of any district delegate elected to the convention, such vacancy shall be filled by a vote of the remaining delegates representing the district in which such vacancy occurs. Any proposed constitution or constitutional amendment which shall have been adopted by such convention, shall be submitted to the voters of the state at the time and in the manner provided

by such convention, on Election Day which shall be held not less than ten weeks after the adjournment of such convention. Upon the approval of such constitution or constitutional amendments, in the manner provided in the last preceding section, such constitution or constitutional amendment, shall go into effect on the first day of January next after such approval.

## **AUTONOMOUS REGIONS**

### **§ 73. [PREEXISTING CHARTERS]**

Guam Organic Act of 1950 shall continue to serve as the charter for Guam and related islands but its Governor and Lieutenant Governor shall be retitled Regional Governor of Guam and Regional Lieutenant Governor of the Guam respectively; and continue to be elected by the people of Guam.

Commonwealth of the Northern Mariana Islands constitution shall continue to serve as the charter for Commonwealth of the Northern Mariana Islands but its Governor and Lieutenant Governor shall be retitled Regional Governor of the Northern Mariana Islands and Regional Lieutenant Governor of the Northern Mariana Islands respectively; and continue to be elected by the people of the Northern Mariana Islands.

American Samoa constitution shall continue to serve as the charter for American Samoa and related islands but its Governor and Lieutenant Governor shall be retitled Regional Governor of retitled Regional Governor of American Samoa and Regional Lieutenant Governor of the American Samoa respectively; and continue to be elected by the people of American Samoa.

All of these charters may be amended or replaced as stated in the charter or as in section 74. Any Regional Governors and Lieutenant Governors shall be elected for the term set in the regional charter.

### **§ 74. [HOW REGIONS ARE GOVERNED]**

The General Assembly may by law regulate Autonomous Regions are governed, how charters are amended by people of the Autonomous Region; New Autonomous Regions may be created by amending this constitution. All Autonomous Regions must have a Regional Governor, a Legislative branch and Judicial branch.

All salaries of Autonomous Regions shall be set by local law or for districts by local district regulations but shall not be paid until they are filed with the secretary of state.

Each region will have its own Department of Motor Vehicles, Department of Education, Department of Transportation, and Public Service Commission who will regulate utilities.

Public Schools, marriage, divorce, family law, shall be regulated by Autonomous Regions in a manner set by regional law. Criminal law may be enacted by the Autonomous Regions.

In this constitution Autonomous Region(s), Region(s) and Regional shall mean the same. State laws may be enacted to enforce this section.

**§ 75. [LIMIT ON UNFUNDED MANDATES]**

Any law or bill that will mandate that any Autonomous Region or any municipality must spend its own funds to comply with such law shall require at least three fifths (3/5) vote of both houses of General Assembly to pass, the ayes and nays entered on the journals, all such laws must expire on July 1st ten years after being passed. Any policy, rule or regulation that will mandate that any region, district, or other municipality must spend its own funds to comply with it must be ratified by at least three fifths (3/5) vote of both General Assembly houses, the ayes and nays entered on the journal, before it takes effect and must expire on July 1st ten years after being ratified. Pre-existing mandates that require a region, district or other municipality to spend its own funds to comply with shall expire on July 1st after the first election under this Constitution is held. Medical costs for the needy shall not be delegated by the State to regions or other municipalities, and shall be paid by the state up to limits set by law.

**§ 76. [OTHER REGIONS]**

The Federated States of Micronesia and/or Republic of Palau and/or the Republic of Marshall Islands shall be admitted to this state as Autonomous Region(s); if their people vote to join this state and United States Congress annexes their territory, grants them US citizenship, and permission join this state.

If Republic of Marshall Islands joins as an Autonomous Region their President shall be retitled Regional Governor of the Marshall Islands and their people shall choose three senators to the General Assembly. Their people shall elect four Representatives to the General Assembly; until the next United States Census can be used for population numbers. Their constitution shall be treated as a pre-existing charter.

If Republic of Palau joins as an Autonomous Region their President and Vice President shall be retitled Regional Governor of Palau and Regional Lieutenant Governor of Palau respectively and their people shall choose three senators to the General Assembly. Their people shall elect four Representatives to the General Assembly; until the next United States Census can be used for population numbers. Their constitution shall be treated as a pre-existing charter.

If Federated States of Micronesia joins as an Autonomous Region their President and Vice President shall be retitled Regional Governor of Micronesia and Regional Lieutenant Governor of Micronesia respectively and their people shall choose three senators to the General Assembly. Their people shall elect four Representatives to the General Assembly; until the next United States Census can be used for population numbers. Their constitution shall be treated as a pre-existing charter.

**SPECIAL RULES FOR THE FIRST ELECTION**

**§ 77. [SPECIAL RULES FOR THE FIRST ELECTION]**

The first election after this constitution takes effect shall include the senators and representatives of the General Assembly, the Governor, Lieutenant-Governor, Treasurer of the State, Secretary of State, the Comptroller and Justices of the Supreme Court. After the first election under this constitution the General Assembly shall take office as soon as their elections are certified and immediately start its regular session on Rota Island and the Governor, Lieutenant-Governor, Treasurer of the State, Secretary of State, the Comptroller and Justices of the Supreme Court shall take office as soon as their elections are certified. In all subsequent elections their terms will start and elections shall be held as defined in this constitution and the regular session start on the normal date.