

# New California State

## NEW CALIFORNIA STATE CHARTER

(Revised MARCH 27, 2018)

New California is a new state in development exercising its Constitutional Right to form from the State of California. The process to form New California is authorized and codified in Article IV Sections 3 and 4 of the United States Constitution.

**Our Vision:** *New California State*

**Our Mission:** *Formation of New California State*

### I. PURPOSE

The New California State (Movement) is made up of representatives from each *Qualified* County. Their main purpose is to guide the vision and implementation of all aspects of efforts to support the creation of the NEW CALIFORNIA STATE composed of California Counties based on the representative votes of the participating counties.

### II. INVOLVEMENT

The NEW CALIFORNIA STATE Movement is a group of citizens exercising their First Amendment Rights of Free Speech, Freedom of Association, Freedom of Assembly, and Freedom to Petition their Government. At any point in the future, NEW CALIFORNIA STATE has the authority to change this association of citizens to a Legal Entity or to create a sister Legal Entity.

### III. MEMBERSHIP

Counties are Eligible to join the Movement if: (a) they have formed a committee within their county for the purpose of joining with other like-minded counties to separate from California to form a new state within the United States of America; or (b) their citizens voted affirmatively to divide California in their county's advisory measure of 1992 or through petition to the STATE to join the Movement.

Counties become Qualified Participating Members in the NEW CALIFORNIA STATE upon Acceptance of this Charter by their County Committee.

Members shall be interested supporters in every Qualified County.

NEW CALIFORNIA STATE shall have the power or authority to change the membership of, or fill vacancies in, NEW CALIFORNIA STATE, including adding additional Qualified Counties.

Each Participating County shall have a voting Representative. They may also name up to two (2) Alternates who may attend all meetings, but otherwise are not entitled to vote or participate in the meeting as a county representative. Representatives who are unable to attend State meetings may assign their proxy vote to another Representative or to the President. One Alternate or a designated proxy may act as the Representative when the Representative is not present. This is to ensure full representation at STATE meetings as much as practical.

Each County Committee shall select its Representative and Alternates at a time, place, and process of their own choosing. The Representative and the Alternates serve at the pleasure of the County Committee.

Each County Committee shall select/elect a STATE SENATOR and two STATE ASSEMBLY MEMBERS. The STATE SENATOR and ASSEMBLY MEMBERS are to be selected/elected immediately upon vacancy. The term of office for STATE SENATE and ASSEMBLY MEMBERS will be for no more than one (1) year upon selection.

Elections for a new STATE SENATOR and ASSEMBLY MEMBERS will be established by the NEW CALIFORNIA STATE LEGISLATURE. Future state elections provided by the NEW CALIFORNIA STATE CONSTITUTION and/or elections will supersede any selected or appointed terms of office.

County Committees shall formally notify the STATE of the selectees within thirty (30) days of their selection.

#### **IV. STRUCTURE**

**NEW CALIFORNIA STATE:** The NEW CALIFORNIA STATE is the Legislative and Executive bodies of the New California movement. NEW CALIFORNIA STATE is comprised of Representatives of the Counties of NEW CALIFORNIA STATE with the direct responsibility to establish a governance system for the NEW CALIFORNIA STATE.

There are three *co-equal* divisions of NEW CALIFORNIA STATE government: Executive, Bicameral Legislature (Senate and Assembly), and Judiciary.

**THE STATE:** NEW CALIFORNIA STATE shall create and guarantee a republican form of governance including three *co-equal* divisions: Bicameral Legislature, Executive, and Judicial system over the COUNTIES of NEW CALIFORNIA STATE as guided by the CONSTITUTION OF THE UNITED STATES OF AMERICA.

**THE COUNTY:** The fundamental unit of NEW CALIFORNIA STATE is the COUNTY. COUNTIES in NEW CALIFORNIA STATE will create a REPUBLICAN form of governance in their respective COUNTY.

**PROHIBITED GOVERNANCE:** Regionalism, also known as “*Soviet*” governance, is a prohibited form of governance in NEW CALIFORNIA STATE.

## **V. MEETINGS**

The STATE and COUNTIES shall meet regularly on a schedule of their choosing. The STATE President or County Chairman or their designee is authorized to call a Special Meeting as necessary with a minimum notice of 24 hours for emergency purposes or seven (7) days to all Representatives for a regular meeting.

Notice of meetings shall be given to all Representatives and Alternates. Meetings of the STATE may be held by means of telephone conference or other communication equipment by which all persons participating in the meeting can hear and speak to each other.

## **VI. QUORUM FOR STATE GENERAL MEETING**

A majority of the entire membership of the Representatives of the STATE shall constitute a quorum. A three-fourths (3/4) vote of the STATE Representatives present at a meeting at which a quorum exists shall be needed to pass an act of the STATE.

THE NEW CALIFORNIA STATE BICAMERAL LEGISLATURE will establish rules for the Assembly and Senate and a legislative schedule necessary to meet the objective to create the NEW CALIFORNIA STATE.

Once NEW CALIFORNIA STATE is authorized by the UNITED STATES CONGRESS and the necessary enabling legislature is approved by CONGRESS and signed by the PRESIDENT OF THE UNITED STATES authorizing NEW CALIFORNIA STATE to convene a constitutional convention, NEW CALIFORNIA STATE will then establish a Constitutional legislative schedule (calendar) by AUTHORITY of the NEW CALIFORNIA STATE CONSTITUTION.

## **VII. AUTHORITY**

In discharging its role, the NEW CALIFORNIA STATE is empowered to initiate and carry out all activities necessary to create the NEW CALIFORNIA STATE. The NEW CALIFORNIA STATE and COUNTIES shall be authorized to raise funds for Reasonable Expenses. (Reasonable Expenses are those nominal expenses required for a basic organization to function such as those needed to conduct meetings, informational materials for the general public, travel, and additional expenses related to the function of NEW CALIFORNIA STATE.

NEW CALIFORNIA STATE shall follow the current issue of Robert's Rules of Order, Newly Revised, for actions of the NEW CALIFORNIA STATE and in all matters not covered by this Charter.

## **VIII. KEY RESPONSIBILITIES**

The NEW CALIFORNIA STATE shall undertake the following responsibilities, which are set forth as a guide. The NEW CALIFORNIA STATE is authorized to carry out these activities and other important actions related to the NEW CALIFORNIA STATE'S purpose from time to time. To fulfill its purposes, the NEW CALIFORNIA STATE shall:

1. act on matters that arise to the extent permitted by applicable law and regulations;
2. maintain public record of minutes;
3. create a republican model of governance including a Legislative, Executive and Judicial system;
4. conduct Elections as needed to the extent permitted by applicable law and regulations as pertains to NEW CALIFORNIA STATE;
5. create and dissolve subcommittees as needed; and
6. keep all members of the NEW CALIFORNIA STATE Movement informed through their County Committees on a regular basis.

The NEW CALIFORNIA STATE may modify or change this charter at any time.

## **IX. OFFICERS, TERMS OF OFFICE**

Term of office for Representatives to County Committees shall be one (1) year.

Term of office for Representatives to NEW CALIFORNIA STATE shall be one (1) year.

## X. EXECUTIVE OFFICERS

**NEW CALIFORNIA STATE EXECUTIVE BRANCH OFFICERS:** The NEW CALIFORNIA STATE EXECUTIVE OFFICERS will constitute the EXECUTIVE BRANCH of NEW CALIFORNIA STATE. The President, Vice President, Secretary, and Treasurer shall be selected from among the county representatives. The EXECUTIVE BRANCH may create other positions as needed.

### **Duties of Executive Officers**

The Executive Board shall make any decisions needed between Council meetings, or on matters of a Confidential nature and report in the next Council meeting as appropriate.

All Officers must be elected from among the County Representatives. If needed, a Secretary and Treasurer may be hired to do their tasks and have no voting privileges in the Council or Executive Board. **Treasurer is required to be bonded, background checked, and insured.**

### **President**

The **President** shall call Executive Board meetings at his or her discretion and report on the proceedings in the President's Report at the next Council meeting as appropriate. The President has the authority to appoint Representatives in place of missing County Representatives.

The **President** shall maintain continuation of the work of the Council, approve ratification applications of entering Counties, create and dissolve Committees and Subcommittees as needed, appoint the Chairs of Committees, and conduct any other business as shall be required.

### **Vice President**

The **Vice President** shall maintain continuation of the work of the body and shall assist the **President** as requested, assume the responsibilities of the President in their absence and preside over meetings in the absence of the President.

### **Secretary**

The **Secretary** shall take minutes of the Council meetings and present a draft to the **President** and **Vice President** for approval. The Secretary shall perform other duties as specified and agreed by the **President** and **Vice President**.

The **EXECUTIVE OFFICERS** of the Counties of NEW CALIFORNIA STATE shall be: Chairman, Vice Chairman, Secretary, and Treasurer selected/elected by their respective counties.

## **XI. DUTY OF LOYALTY**

**OATH OF OFFICE: NEW CALIFORNIA STATE EXECUTIVE BRANCH OFFICERS AND COUNTY OFFICERS APPOINTED OR ELECTED ARE REQUIRED TO TAKE THE OATH OF OFFICE TO THE UNITED STATES CONSTITUTION.**

*I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter: So help me God.*

Elected and appointed officers of the NEW CALIFORNIA STATE movement acknowledge and agree they owe a fiduciary duty of loyalty to act at all times in the best interests of the NEW CALIFORNIA STATE movement to perform their duties and responsibilities under this Agreement.

Officers of the NEW CALIFORNIA STATE movement will not conduct activities that are considered detrimental to the NEW CALIFORNIA STATE movement. Conducting activities considered by the Executive Branch to be detrimental to the NEW CALIFORNIA STATE movement may result in immediate dismissal from the NEW CALIFORNIA STATE movement. Items under consideration will be deemed confidential at all times.

## **XII. BYLAWS**

The NEW CALIFORNIA STATE is authorized to create Bylaws under which it will operate within the confines of this Charter.

## **XIII. Amendments**

The Charter must be submitted to the County Committees for Acceptance. A majority of the entire membership of the Representatives of the STATE is required to officially amended the charter.