CONSTITUTION OF THE STATE OF NEW AMSTERDAM

CHAPTER I.

A DECLARATION OF SOME OF THE RIGHTS THE INHABITANTS OF THE STATE OF NEW AMSTERDAM 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 county board of supervisors/legislative body, town board, city council, or village council 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 police 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 welfare.

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. Any United States citizen who resides in the State of New Amsterdam is a citizen of the State of New Amsterdam.

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/her 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 New Amsterdam 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 Criminal Court Judge,

Surrogate Judge, or Superior Appeals Court Judge. Since warrants can under § 37 can be obtained twenty-four hours a day seven days a week electronically, 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 who reside in the county where the trial will be held; 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 have 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 and that 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. Cruel and unusual punishments, and corporal punishment, are prohibited; the state, public schools, local governments, public authority corporations, districts or their officers and/or employees shall not practice them.

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 New Amsterdam shall be governed by a Governor (or Lieutenant-Governor), a Senate and a House of Representatives, 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 Appeals Courts or other subordinate courts in a matter set by 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.

LEGISLATIVE BRANCH

§ 6. [LEGISLATIVE POWERS]

The Senate and the House of Representatives shall be styled, The General Assembly of the State of New Amsterdam. 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 fifth day of January; if the fifth 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.

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

The governor may call up to two-week long special sessions for the General Assembly outside of their regular session times, in a manner set by law.

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

The doors of the House in which the General Assembly of this State 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 at 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 two Senators, (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 New Amsterdam.

§ 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.

All bills passed by both houses of the General Assembly that become law shall be filed with the Secretary of State.

§ 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: the numbers of Representatives shall be calculated every ten years using the United States Census by dividing the population of the state of New Amsterdam by 125,000 and rounded upward to the nearest odd whole number. The state will then by the New Amsterdam State Board of Elections be divided in to districts of roughly equal population; should those new districts not be created by the first day of February of the election year they are to be used, the Supreme court shall then draw them. The voters of each representative district established by law shall elect one Representative 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. Each Representative shall have one vote in the house.

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 counties 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 (4%) four percent. Every person who votes in the elections run on Primary day and Election Day shall be entitled to a least $400 or 20 times the minimum wage whichever is greater as a good citizen tax credit from any state income tax owed. The state of New Amsterdam may not enact any property tax, only local governments may enact one. Local governments may not enact an income tax. Only school districts and/or villages may enact a tax on utilities which may not exceed (3%) three percent. Any state sales tax may not exceed (3%) three percent; the total state and local sales taxes may not exceed (6%) six percent; sales taxes shall not tax fuel, menstrual products, food, prescription drugs, over the counter drugs, or utilities.

§ 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 equal and shall not exceed seven-tenths (7/10) of the lieutenant governor's salary. After the salary is set first time, no law varying salary of Senators or Representatives shall take effect until an election of Representatives 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 New Amsterdam. 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 each senatorial district, established by law, elected by the voters of that senatorial district. 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. Each county shall be one senate district; however, counties with a population greater than 400,000 get an additional senate district for each additional 300,000 people or major fraction thereof; senate districts in those multi-district counties shall be drawn by that county's board of elections so that no senator ever has a district with more than 400,000 people; the Senate districts can only be redrawn if the most recent federal decennial census shows any of the districts in that county that has one or more district whose population falls below the population of the least populous county, or exceeds 400,000; or the entire county's population falls below 400,000. Every ten years the most recent United States Census will be used for population numbers.

§ 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 become law, 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 county, city, town, village or school district 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 and/or to fund a law that has expired or been repealed shall be dropped from the default budget. Supplemental 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 voted on by the General Assembly between May 1st and December 31st. A Supplemental appropriation bill if it becomes law shall be considered a change in the budget.

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 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 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 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 New Amsterdam 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 of the state, 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 New Amsterdam, sealed with the State Seal, signed by the Governor, and in the absence of the Governor by the LieutenantGovernor, 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]

A. Duties of all departments shall be set by law passed by the general assembly but always limited by this constitution.
B. The Governor shall appoint with the advice and consent of the Senate, the Education Commissioner who will supervise the Department of Education, the Transportation Commissioner who will supervise the Department of Transportation, the Health Commissioner who will supervise the Department of Health, the Commissioner of State Police who will supervise the Department of State Police, the Corrections Commissioner who will supervise the Department of Corrections, the Parks Commissioner who will supervise the Department of Parks and Recreation, the three member Public Service Commission who will regulate utilities, and may remove them.
C. The Secretary of State shall be head of Department of State and shall appoint with the advice and consent the Senate the Commissioner of Department of Motor Vehicles who will supervise the Department of Motor Vehicles and the Attorney-General who will supervise the Department of Law and may remove them. Secretary of State shall submit a detailed budget recommendation for all three departments to the General Assembly and place these recommendations on the Department of State website each January.
D. 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 all local governments and school districts at least once every three years. The fees charged by the state, a municipality, school district, a special tax district, or public authority corporation, for a license, a permit, a registration, recording a document, food and drink in a school, and/or any other service shall never exceed the cost of providing the service plus five percent and the state comptroller shall have power to order refunds to those who are overcharged. 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.
E. There shall be a Civil Service Commission. The Governor, Secretary of State, and Treasurer of the state, shall each appoint one commissioner for a three-year term, any vacancies will be appointed for a full term. The three commissioners shall be appointed with the advice and consent the Senate. The Civil Service Commission will supervise and adopt policies to operate the Department of Civil Service, and appoint a Civil Service administrator and may remove him/her, and shall insure that unelected, non-policy making employees of the state, school districts, municipalities, other local special tax districts, or public authority corporations are hired based on their merit and fitness in manner set by civil service rules and law. Any employee subject to civil service rules may only dismissed for just cause or lack of funds. Any employee that requires senate confirmation and/or volunteer fire personnel and/or volunteer emergency medical personnel shall be exempt from civil service rules. If the Department of Civil Service is aware of possible violations of Chapter I of this constitution and/or the code of conduct

under civil service laws, or rules, by an employee appointed under and subject to civil service rules, at the state or local level; the Department shall hold an administrative hearing to decide if the employee should be cleared, dismissed, or suspended for a fixed term not exceeding six months without pay, any such ruling will take effect immediately. Civil service rules shall also set minimum standards for the qualifications of County, Town, City, Village, or special tax district Managers hired by elected municipal board, elected commissioners, or elected councils and superintendents hired by a school district or a Boards of Cooperative Educational Services here after know as BOCES in this constitution, even though they are policy making; both managers and superintendents must be hired by an employment contract three years in length; when it ends it up to the local elected officials whether or not to offer a renewal or hire someone else. Where County, Town, City, Village or special tax district Managers exist they shall do all hiring and firing of unelected, nonpolicy making employees as controlled by law and civil service rules, except for local law enforcement, courts, assistant district attorneys, and legal counsel which shall always be supervised, hired and fired by elected official(s). If a municipality or special tax district's manager position, a school board's superintendent, or a BOCES's superintendent is vacant the Department of Civil Service shall appoint a department employee as acting manager or acting superintendent, until a new manager or superintendent is hired. No municipal, or district, residency requirement shall be applied to jobs subject to civil service rules. Appeals for wrongful dismissal or a civil service ruling, shall be heard by the appropriate Community Court. All state offices should normally be open on Election Day and Primary Day to allow the Secretary of state to assign civil service employees as election inspectors. 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.

F. The General Assembly may by law set up pension plans and a pension fund for state, authority, local employees, and employees of any private employers in our state, that wish to participate in the pension plan; if the pension fund is created the Comptroller, Secretary of State and Treasurer of the state, 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 New Amsterdam, a local government, the United States government, any other government or government agency. Once a person reaches age 40 or 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 annual 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.

G. The Department of Transportation will maintain all state-owned highways, state highway bridges, drainage-water sewers along state highways, and will arrange to build new highways when needed. It shall take over ownership of state roads and shall take ownership of local roads that have state highway numbers in municipalities. In cities any changes in parking rules must be negotiated with that city. Sanitary sewers, and drainage-

water sewers, shall be kept separate; where they are combined, this department shall have 40 years after the first election under this Constitution is held to separate them, along state highways; by creating new drainage-water sewers and plugging the connections with the combined sewer.

H. 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 than five officers, all other employees shall be hired and subject to civil service rules and laws.

I. 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.

J. The Department of Parks and Recreation shall manage all state parks, the Adirondack Forest Preserve, the Catskill Forest Preserve and other state-owned forest preserves. No state-owned forest preserves land or state-owned park land may be sold or transferred unless General Assembly shall by a law passed by three-fifths (3/5) vote of both houses, the yeas and nays shall be entered on the journal allow it and then it is submitted to the state voters on Election Day for final approval.

K. 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 AND SHERIFFS]

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 New Amsterdam, before the Governor of the State or one of the Justices of the Supreme Court. And Sheriffs, 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 of the state 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 and districts by regulation. Other duties may by law be added to this department. The treasurer shall audit payments made by the comptroller. The Department of Tax and Finance accounts shall be annually audited by the Comptroller, and a fair state thereof laid before the General Assembly at its Annual session in January. 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.

§ 27. [DRAWING MONEY FROM TREASURY AND DEBT]

No money shall be drawn out of the Treasury, unless first appropriated by act of legislation. The state shall have any borrowing, which the term will exceeds one year, unless approved by the voters as a separate vote on Election Day; before the money is borrowed.

JUDICIARY BRANCH

§ 28. [COURTS OF JUSTICE]

A. 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. No courts of law other than those listed in this constitution or United States courts may exist.
B. There will be five Superior Appeals Courts with at least nine judges on each; the maximum number of judges on each Superior Appeals Courts and the counties each Superior Appeals Courts has jurisdiction over shall be set by law; Superior Appeals Courts hear appeals from subordinate courts in their jurisdiction as set by law, based on the county that the case was originally filed.
C. There shall be a Court of Claims with at least fifteen judges the maximum number of judges shall be set by law. Court of Claims Judges shall be appointed for six-year terms by the Supreme Court. At least three Court of Claims Judges shall sit at the same locations of each Superior Appeals Court.
D. The General Assembly by law may add extra Judges to the Court of Claims, any Superior Appeals Court, Criminal courts, or Surrogate Courts in any district, or to the Community Courts in any county. but no extra Justices shall be added to the Supreme Court.

E. All Courts shall be audio and video recorded as their official record; however, the Surrogate's court may only use audio recording when minors are involved in a case.

§ 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 the New Amsterdam State Board of Elections once every ten years after the census 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 be 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 New Amsterdam may run for Justice in any district.

§ 30. [SUPREME COURT; JURISDICTION]

The Supreme Court also known as the New Amsterdam Supreme Court shall exercise appellate jurisdiction in all cases, criminal and civil, under such terms and conditions as it shall specify in rules not inconsistent with this constitution or law; and it shall have the power to issue all writs necessary or appropriate in aid of its appellate jurisdiction. The Supreme Court shall have original jurisdiction over supplemental appropriation bills, and default budget challenges. A two-thirds vote is needed to find any part of a general Assembly passed law or local charter unconstitutional; a simple majority may find any local law, policy, rule, regulation, or ordinance, unconstitutional. The Supreme Court shall have authority decide which appeals to hear, but if at least three of its justices to support hearing an appeal it shall be heard by the full court, and all automatic appeals and all original jurisdiction case must be heard. The Supreme Court may appoint a special master when need to determine the facts of a case, before ruling. The Supreme Court shall have administrative control of all the courts of the state, and disciplinary authority concerning all judges, justices, attorneys at law, court clerks, and district attorneys, in the State; and shall appoint three-member legal disciplinary board(s) when needed; a legal disciplinary board may suspend, or remove from office, and/or disbar, those judges, justices, district attorneys, and attorneys at law accused of criminal or civil misconduct; any appeals of a legal disciplinary board ruling shall be directly to the Supreme Court; state laws may regulate these procedures.

§ 31. [LOWER COURTS; JURISDICTION]

A. All other courts of this State shall have original and sometimes appellate jurisdiction as provided by law. All courts except the Supreme Court may be divided into geographical and functional divisions as provided by 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 Appeals courts judges shall be elected at large by voters in the counties their court has jurisdiction over as set by law; the maximum number Superior Appeals Court Judges elected in each district shall also be set by law. Only one Superior Appeals Court judge need be assigned to hear civil case appeals from a Town Court, or a City Court; all other appeals shall be heard by at least three Superior Appeals Court judges.

B. Each Superior Appeals Court shall have the power to elect its presiding judge from its members, and to appoint its clerk both of which will serve at the pleasure of the court. A Superior Appeals 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 attorney at law but not a resident of or have an office in the same county as any of the Jurors. Any Superior Appeals Court ruling that finds any part of a law passed by the General Assembly, or a local charter, is unconstitutional it shall be automatically appealed to the Supreme Court; if the Supreme Court fails to issue a ruling on the appeal, within six months, any injunction(s) against the state law or local charter will expire and shall not be renewed; those parts of state law or local charter will go back into force. Superior Appeals Courts have original jurisdiction over disputes between municipalities and/or districts concerning fair prices for water, sewer, or other services that are shared by the municipalities and/or districts that cannot be agreed upon; either municipality and/or district may petition their Superior Appeals Court to assign one judge to set the prices for up to four years at a time. The General Assembly shall by law decide how cases more than one Superior Appeals Court has jurisdiction over shall be heard.
C. The Court of Claims shall have jurisdiction in all civil cases when a monetary award is requested and the defendant is the state, and/or a county, and/or a city, and/or a town, and/or a school district, and/or BOCES Districts, and/or a village, and/or a fire district, and/or a library district, and/or another special tax district and/or their employees being sued for actions on the job; however, it shall not have jurisdiction, if the issue is a tax dispute, property tax assessment dispute, or any claim against a public authority corporation; if there is also a private party who is also a defendant in the same claim, their case shall be tried separately in different courts. If a court of claims judge becomes aware of violation(s) of Chapter I of this constitution by an employee appointed under civil service law and/or rules; that judge shall order the court clerk to transmit those facts to the Department of Civil Service; if the violation(s) involve judges, justices, attorneys at law, and/or district attorneys that judge shall order the court clerk to transmit those facts to the chief administrator of the courts. One judge of the Court of Claims shall be assigned to hear each case, in the same Superior Appeals Court district, that the claim occurred in a manner set by law; there shall be no jury at Court of Claims trials. The Court of Claims will appoint its clerks in each Superior Appeals Court district, and shall have the power to elect its presiding judge from its members; all of which will serve at the pleasure of the court. Appeals of Court of Claims rulings shall be to the appropriate Superior Appeals Court.
D. No person may be elected more than three times as a Criminal Court Judge, Community Court Judge, Surrogate Court Judge, Superior Appeals Court Judge, Supreme Court

Justice or any other judge or justice. All Supreme Court, Court of Claims, or Superior Appeals Courts proceedings shall be open to the public.

E. If ruling of a court finds any part(s) of local law, rule, ordinance or regulation unconstitutional those part(s) shall be removed from the text on file with the Secretary of State and replaced with the word removed, including the date, name of the court, and case name. If any part(s) of law passed by the General Assembly, or a local charter is found unconstitutional by the Supreme Court, a footnote will be added to the text so found, including the date, name of the court, and case name.

§ 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, Superior Appeals Court judge, Criminal Court Judge, Community Court Judge, and Surrogate Court Judge with the advice and consent of the senate. They shall serve until a special election is held and the results certified; A person elected in a special election to the Supreme Court will then serve the remainder of the term for that district. 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 of the state, associate justice of the Supreme Court, Criminal Court Judge, Community Judge, and Surrogate Judge. 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 or a special election is held and the results certified whichever occurs first. If the appointment is rejected upon vote of the Senate, and no special election has been held 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 Judges of all subordinate courts shall be elected by voters for terms of six years except when holding office under an interim appointment or by a special election.

§ 35. [MANDATORY RETIREMENT]

All justices of the Supreme Court and judges, or justices, of all subordinate courts shall be retired, at the end of the term of office, during which they attain seventy years of age, and then they shall receive a pension as provided by law. No one over the age of seventy may be elected, or appointed, a judge, or justice. The chief justice of the state 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.

§ 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, shall be held in the courts subordinate to the Supreme Court, and the Superior Appeals Courts, all such trials 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. Jury trials will not be held between December 22nd and December 31st of any calendar year.

§ 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 state 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, 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 shall designate at least one Criminal Court Judge and surrogate judge in each district to normally work from 8:00am to 4:30pm Monday thru Friday and at least one Criminal Court Judge and surrogate judge in each district to normally work from 11:00am to 9:30pm Monday thru Thursday. The chief administrator of the courts may temporarily transfer, Criminal Court judges, Community Court judges, or Surrogate judges for a maximum of three months in a calendar year to work in another district's Criminal Court or another district's Surrogate Court to ensure speedy trials and hearings, but each senate district must always have at least one Criminal Court Judge and one surrogate judge on duty. The chief administrator of the courts may temporarily transfer, community court judges for a maximum of three months in a calendar year to work in another county's community court to ensure speedy trials and hearings, but each county must always have at least one community court judge on duty. The chief administrator shall also setup

a rotating schedule of Criminal Court Judges, Surrogate Judges, and Superior Appeals Courts Judges to be present in warrant-chambers to handle warrants in each Superior Appeals Courts jurisdiction of the state 24 hours a day seven days a week electronically. The chief administrator shall also setup a rotating schedule of Community Court Judges to handle emergency injunctions in each Superior Appeals Courts jurisdiction of the state twenty-four 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. The General Assembly shall by law set up procedures to be followed by all courts, judges, justices, legal disciplinary boards, or chief administrator of the courts.

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

All prosecutions shall commence, By the authority of the State of New Amsterdam. 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 AND PUNISHMENTS 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 a felony 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 a Supreme Court Justice within seven days after bail is denied.
If a person is held without bail prior to trial, the trial of the person shall be commenced not more than 90 days after bail is denied. If the trial is not commenced within 90 days and the delay is not attributable to the request of the defendant in open court, or attributable to the defendant being found not fit for trial by three physicians, 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, or attributable to the defendant being found not fit for trial by three physicians, 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 not paying a fine, and/or tax, and/or court judgement; and no licenses or permits shall be revoked for non-payment; however, a court may order that the person's money and/or property be taken to pay the fine and/or tax and/or court judgement; if property is taken, by a court, to pay the amount owed, the court shall order it be sold at an advertised public auction to highest bidder, and any surplus earned greater than the amount owed shall be returned to the former owner.

Civil misconduct shall always include violation(s) of this constitution. No excessive punishments shall be imposed and the punishment of death shall never be imposed by a court.

§ 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 CITIZENS

§ 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 180 days in the last consecutive 365 days shall be entitled to all the privileges of a voter of this state at their most recent address of residence.

ELECTIONS; OFFICERS; TERMS OF OFFICE

§ 43. [ELECTIONS]

A. 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, or Primary Day falls on a holiday declared by state law then Primary Day will fall on the Wednesday after that holiday. Whenever population is cited in this constitution; the figures from the most recent decennial United States Census shall be used. After every decennial United States Census Congressional districts, shall be drawn by the New Amsterdam Board of Elections.
B. The Governor, Lieutenant-Governor, and Secretary of State, shall be elected every four years on Election Day. The Treasurer of the state, and Comptroller, shall be elected every five years on Election Day. Senators, state Representatives, County officials, Town officials, City officials, Judges of the Criminal Court, Judges of the Community Courts, Sheriffs, District's attorney, Judges of Surrogate Court, Town Justices and City Justices, 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.

C. Primaries will be held on Primary Day for races involving state wide office, the General Assembly, judges, justices, Sheriff, District Attorney, municipal fire district directors, or any other county, city, town, elected officials that will have their final vote on Election Day. Special elections shall be called in a manner set by law to fill a vacant office; if the vacancy occurs on or between January 5th and April 7th of any year the special election shall be held on Primary Day; if the vacancy occurs on or between April 8th and July 7th of any year the special election will be held on the Second Tuesday in September; if the vacancy occurs on or between July 8th and September 7th of any year the special election shall be held on Election Day; if the vacancy occurs on or between September 8th of one year and January 4th of next year the special election will be held on the third Tuesday in March. If a special election occurs on the same day, or would occur after, that office is up for a final vote for a full term, the special election shall be merged with regular election in a manner set by law. If date(s) of Primary Day and/or Election Day are altered by law the special election dates listed here may be altered by law as well. 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.

D. Final elections for school boards, village officials, fire commissioners, library district boards or other special tax district boards and/or commissioners shall be held on Primary Day. Their full term shall be three years and shall start on noon on the first of August; they will be divided classes, so that as near as possible, around one-third of the board and/or commissioners and/or village council are elected each year; the chief justice of the state shall change the length of some of their terms if necessary to insure one-third requirement is obtained.

E. This maximum number of signatures needed to get a candidate on the ballot for either Primary Day, Election Day, or a Special election shall be 5% of the active enrolled voters in the political unit or the following, whichever is less:
For any office to be filled by all the voters of: the entire state 15,000 signatures; with at least 100 or 5% of enrolled voters from each of one-half of the congressional districts.
For the office of Justices of the Supreme Court 4,000 signatures.
For the office of Superior Appeals Courts Judge 2,500 signatures.
For the offices of any school boards, village officials, fire commissioners, or library district boards 50 signatures.
For any office to be filled by all the voters of: entire cities, counties or other special tax district commissioners, having more than 250,000 inhabitants 2,000 signatures. For any office to be filled by all the voters of: entire cities counties or other special tax district commissioners, having more than 25,000 inhabitants but not more than 250,000 inhabitants 1,000 signatures,
For any office to be filled by all the voters of: entire cities, counties, or other special tax district commissioners, having less than or equal to 25,000 inhabitants 500 signatures.
For any office in any councilmanic, town board, town supervisor, county supervisor or county legislative districts 500 signatures.

For any office to be filled by all the voters of: any congressional district 1,250 signatures.
For any office to be filled by all the voters of: any state senatorial district 1,000 signatures.
For any office to be filled by all the voters of: any state representative district 500 signatures.
Any political subdivision contained within another political subdivision, except as herein provided, requirement is not to exceed the number required for the larger subdivision; a political subdivision containing more than one assembly district, county or other political subdivision, requirement is not to exceed the aggregate of the signatures required for the subdivision or parts of subdivision so contained. The petitions must be filed with the state board of election either by certified US mail or in person; state law may give some candidates' an option of petitions being filed with a county board of elections, in person. The deadline to file petitions shall be set by state law but it must allow at least eight weeks to collect signatures, except for special elections.

F. If the petition is to enter a candidate in a permanent political party primary on Primary Day; the candidate must be either enrolled in that party or have the permission of an appropriate party officer to run in their primary; any active enrolled voters in the political unit may sign the petition. If petition is for a nonparty candidate or a non-permanent political party candidate any active enrolled voters enrolled in the political unit may sign the petition.
G. A political party that has received at least 50,000 votes for any of its statewide candidate(s) in the last four years shall be considered a permanent political party. A political party that has never received 50,000 votes for any statewide candidate or has not received 50,000 votes for any statewide candidate 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.
H. Each of two commissioners of each county board of elections shall appoint at least two Election Inspectors for each polling place or early voting site the county shall pay them an amount set by state law. The Secretary of State shall appoint and pay for 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. There must at least be one polling place for every 5,000 registered voters. Fraud in votes cast in an election shall mean a vote cast in any of the following ways: the voter is not a living United States citizen who attained the age of 18 years; the voter is not a registered voter with a valid address of residence on the voter rolls; the voter voted at the wrong the location; voter has cast votes at more than one location, in that election; the voter voted on more than

one counted absentee ballot; counted absentee ballot was not received by mail; cast ballots have been altered; cast ballots have been lost; affidavit ballot was not marked affidavit; or another reason set by law. Major voting fraud means any of the following: more votes were cast for any race than the number of voters that voted that day at that polling place or that early voting site; more votes were cast for any race by absentee ballot than the number of absentee ballots returned by mail; more than 1 out every 200 counted absentee ballots are fraudulent; more than 1 out every 200 of the votes counted at a location are fraudulent; or another reason set by law. Affidavit ballots may be obtained from a polling place, by a voter whose registration to vote is in dispute; an affidavit ballot shall be mailed via certified mail by the voter in a manner set by law, with envelopes set up with the identical method as absentee ballots, and shall be marked affidavit on the outside envelope and on the ballot; if received by the appropriate county board of elections within seven days of the election, and if found to be valid according to law, affidavit ballots shall be counted.

I. Early voting times will be set by each county board of elections or State law but shall not be less than 6 hours nor exceed 8 hours per day.
   Counties having less than or equal to 25,000 inhabitants must have at least one Early Voting site for 9 days ending on the Saturday before Election Day.
   Counties having more than 25,000 inhabitants but not more than 250,000 inhabitants must have at least three Early Voting sites for 9 days ending on the Saturday before Election Day.
   Counties having more than 250,000 inhabitants must have at least five Early Voting sites for 9 days ending on the Saturday before Election Day.
   Counties having less than or equal to 25,000 inhabitants must have at least one Early Voting site for 9 days ending on the Saturday before Primary Day.
   Counties having more than 25,000 inhabitants but not more than 250,000 inhabitants must have at least three Early Voting sites for 9 days ending on the Saturday before Primary Day.
   Counties having more than 250,000 inhabitants must have at least five Early Voting sites for 9 days ending on the Saturday before Primary Day.
   At the end of each early voting day the vote counts including write in votes shall posted by the Election Inspectors on that each county 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 county's board of elections; the ballots must be keep for at least two years after the day they were cast.
   Special elections held in March or September shall not have early voting, unless the March special election is merged with a Presidential Primary.
J. Polling places shall be open from 7am to 7pm according to state law in all counties on Primary Day, Election Day, Presidential primaries or special elections. When a polling place closes for the day the vote counts including write in votes shall posted by the Election Inspectors on that each county 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

county's board of elections; the ballots must be keep for at least two years after the day they were cast. A voter may only vote at the polling place they were assigned.

K. A driver's license photo Id, non-driving photo Id, United States passport, United States Military 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 state residents who lack a driver's license.

L. An enrolled voter requesting an Absentee ballot must at least sixty days, before the vote, 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(s) and send a copy of their photo Id; the Id must be from the list above or acceptable under state law; the reason given must be on a list of acceptable reasons, or a letter must sent to the voter denying the request for an absentee ballot.

The Absentee ballot must be mailed, by the appropriate county board of elections to the address the voter is enrolled at on the voter rolls(unless the voter is on active duty in the United States military), with a privacy envelope, an addressed return envelope and instructions; except when absentee ballots are to be sent to nursing home, or assisted living residence, they must be brought in person to each voter by at least three election inspectors who shall wait up to seven minutes for the vote to be cast; if not cast within the time limit it shall be marked void. Each cast ballot shall be sealed in the envelopes and signed and dated (with the current date) by the voter; the election inspectors shall take all the sealed envelopes; add postage if needed, and while at least three election inspectors watch all the Absentee ballots envelopes shall mailed at a post office, the same day they are cast.

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

The cast ballot must be inserted in the privacy envelope and then sealed, next the privacy envelope shall be inserted in the return envelope and sealed, the voter must sign and date (with the current date) the return envelope in the spot provided, add postage and mail via US mail. Absentee ballots must be returned by US mail and be received by the date of the vote. 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 or date written on the return envelope is not possible shall be void and not counted; if an Absentee ballot is void a letter by US mail at that county's expense shall be sent to the voter to inform the voter why their ballot was not counted. If a person votes in person and by Absentee ballot, that Absentee ballot shall be void and not counted Absentee ballots for those on active duty in the United States military shall be mailed to voter's military address rather than their enrolled voter address and state law shall decide the date the returned ballots must be received, by the appropriate county board of elections. All

Absentee ballots shall not be opened and start being counted by the appropriate county board of elections inspectors, and Secretary of State inspectors, until noon on the day after the election in a manner set by law.

M. The department of motor vehicles shall provide to the state board of elections and appropriate county board of elections copies of the signatures on driver's licenses or the signatures on non-drivers Ids to add the signatures to their voter registration files.
N. The General Assembly shall by law set up a system to enroll voters via voter registration and methods to count the votes. Write in votes shall always be allowed including name stamps, and/or name stickers may be used as write in votes. Candidates may have watchers at poll sites, early voting sites, and have watchers present when any votes are counted. The Department of State shall obtain information to keep the voter registration rolls current, including but not limited to, death certificates, change of address filed with the post office, or a current list of nursing home, or assisted living residents; then each January and July that information shall be used to update voter registration rolls; whenever the voter roll is updated a letter shall be mailed to the voter's old address on file to make sure it was not updated in error.
O. State laws may be enacted to enforce this section.

§ 44. [ELECTION OF REPRESENTATIVES AND SENATORS]

Senators and Representatives shall be elected to office at a general election to be held biennially on Election Day. Unless otherwise stated in this Constitution the term of office of all elected officials is two years.

§ 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 New Amsterdam State Board of Elections shall regulate all elections with the county boards of elections The New Amsterdam Board of Elections shall coordinate and fund elections for statewide offices/issues and United States offices. Each County shall continue to fund a county Board of Elections. the New Amsterdam Board of Elections and the County Boards of Elections shall conduct all state, local, school district, village, fire district and other special tax district elections in a manner set by state law. An equally divided vote of the New Amsterdam State Board of Elections will uphold validly of petitions, but in other equally divided votes, the Chief Justise of the state shall cast the deciding vote, within five days. The New Amsterdam State Board of Elections shall submit a detailed budget recommendation to the General Assembly and

place that recommendation on its website each January. Any appeals of the New Amsterdam State Board of Elections decisions shall go to the New Amsterdam Supreme Court.

The New Amsterdam State Board of elections shall have four commissioners. The term of office of a state election commissioner shall be four years beginning January first of an odd numbered year. The terms will set up so that half the board is appointed every second 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 a commissioner for the remainder of the term if a seat is vacant.

Each county 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 county 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 county's board of election. The county 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 county's board of election. An equally divided vote will uphold validly of petitions. That county's Community courts shall hear appeals from actions of their county's board of elections. The appropriate county chair shall appoint if a commissioner for the remainder of the term if the seat is vacant. If a permanent political party county 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 county 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, and/or notary public. An election commissioner and/or an employee of any board of elections shall not be a candidate for any elective office.

Permanent political party state chairs shall file their most current bylaws and a list of county 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 Secretary of State shall be elected by the voters of the State upon the same time as Senators and Representatives; Treasurer, of the State, and the Comptroller shall be elected on Election Day; 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 or a resident at the time the state is created.

§ 49. [TERM OF STATE ELECTED OFFICALS]

The term of office of the Governor, Lieutenant-Governor, and Secretary of State respectively, shall commence at noon on the fifteenth day of January after their election and shall continue for the term of four years. The term of office of the Treasurer of the State, and the Comptroller respectively, shall commence at noon on the fifteenth day of January after their election and shall continue for the term of five years. No person may be elected more than twice as Governor, Lieutenant-Governor, Treasurer of the State, or Secretary of State, or 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 CRIMINAL COURT JUDGES, COMMUNITY JUDGES, SHERIFFS, SURROGATE JUDGES, AND DISTRICT'S ATTORNEYS]

A Sheriff, Criminal Court Judge, Community Judge, District Attorney, or Surrogate Judge elected in a special election will serve almost a full term, but it will still on the day set in this constitution in last year of their term.
The Criminal Court Judges shall be elected by the voters of their respective Senate districts as established by law. Criminal Court Judges must be an attorney at law, 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 six years and shall commence at midnight on the first day of January next after their election. The number of Criminal Court Judges in a Senate district shall be calculated every ten years after the United States Census by dividing the population of the Senate district by 100,000 and rounding upward to the nearest whole number but every Senate district shall have at least two. The state shall pay the cost of Criminal courts up to the limits set by law.

The Community Judges shall be elected by the voters of their respective counties as established by law. Community Judges must be an attorney at law, and live in their county or within ten miles of their county. Their judicial functions shall be established by law. Their term of office shall be six years and shall commence at midnight on the first day of January next after their election. The number of Community Judges in a County shall be calculated every ten years after the United States Census by dividing the population of the county by 100,000 and rounding upward to the nearest whole number but every county shall have at least two. The state shall pay the cost of Community courts up to the limits set by law.

Sheriffs shall be elected by the voters of their respective Senate districts as established by law. Their term of office shall be three years and shall commence at noon on the first day of January next after their election. A Sheriff must reside in same county that his/her district is located. Counties shall pay the costs of their Sheriff's Department(s) in a manner set by law. All county law enforcement officers must be supervised by their county's sheriff; counties with more than one elected sheriff shall divide law enforcement officers among the Sheriff's equably in a manner set by law. A Sheriff and their deputies shall enforce the law for crimes and civil

offenses that occur in their district, and wear an audio and video recording device when on duty (except when working undercover) in a manner set by law.

District Attorneys shall be elected by the voters of their respective Senate districts as established by law. Their term of office shall be three years and shall commence at noon on the first day of January next after their election. A District Attorney elected in a special election will serve almost a full term, but it will still on the date set in this constitution in last year of their term. A District Attorney must reside in same county that his/her district is located and does not have to be an attorney at law, but all assistant district attorneys supervised by a District Attorney must be attorneys at law. Counties shall pay the costs of their District Attorney office(s) in a manner set by state law. A District Attorney's office shall prosecute all crimes that occur in their district, in a manner set by law.

Surrogate Judges shall be elected by the voters of their respective Senate districts. Surrogate Judges must be an attorney at law, and live in their district or within ten miles of their district. The number of Surrogate Judges in a Senate district shall be calculated every ten years after the United States Census by dividing the population of the Senate district by 100,000 and rounding upward to the nearest whole number but every Senate district shall have at least two, The General Assembly may establish by law qualifications for the election to and holding of such office. Their term of office shall be six years and shall commence at midnight on the first day of January next after their election. The state shall pay the cost of Surrogate Courts in a manner set by law.

Should Senate districts be redrawn Criminal Court Judges, Surrogate Judges, Sheriffs and District attorneys shall be assigned by the Chief Justice of the state to continue to serve their new district till the end of their term; should the number of Senate districts be reduced the Chief Justice of the state shall decide whose term(s) will end early. No person shall be elected more than three times as a Criminal Court Judge, Community Judge, Surrogate Judge, or District Attorney. No person shall be elected more than four times as a Sheriff.

§ 51. [SUBORDINATE COURTS: CRIMINAL COURT, COMMUNITY COURT, AND SURROGATE COURT JURISDICTION]

Criminal courts have criminal jurisdiction in felony cases and in misdemeanor cases when a jury trial is demanded; when the defendant is over the age of 18 and the crime occurred in their district. Criminal courts may change the bail amount for a person who has been arrested and issue warrants for arrest in a manner as set by state law. All proceedings shall be open to the public. Criminal courts may impanel Grand Juries in manner set by state law and shall assign each grand jury a legal adviser who will be an attorney at law, but not a resident of nor have an office in the same county as any of the Jurors. Criminal courts may impanel trial juries in manner set by state law. All cases will be handled in a manner set by state law.

Community courts have unlimited jurisdiction in all civil cases that are outside the jurisdiction of the Surrogate's court and/or the Court of Claims, when at least one of the parties live, have a business location, or office in their county. All proceedings shall be open to the public. All civil cases will be handled in a manner set by state law. Community courts may impanel Juries in

manner set by state law. Community courts shall hear appeals from their county's board of elections, government civil service decisions in their county, or on civil service rules applied in their county. A Community court may order any department or municipality to hold an administrative hearing and/or take an action required by law or this constitution. When there is major voting fraud in the votes that have been counted, the appropriate Community Court shall void all the votes cast at the polling place(s) where major voting fraud occurred, void all the counted absentee ballots in a county where major voting fraud occurred, and/or void all the votes cast at the early voting site(s) on the day the major voting fraud occurred, and remove those votes from the election totals. Whenever, more than 3 of every 100 votes: votes in any race are voided, or votes on any ballot issue are voided, the court shall schedule a revote, in that county, twenty-eight days after the original day the election or primary was held, in a manner set by law, for any non-statewide races or non-statewide ballot issues. A Community court shall on the request of the plaintiff, set a small claims trial for property tax or property assessment disputes. may ask a Criminal court, or Surrogate court to issue a warrant for arrest. Community courts may act as a Town Court, or a City Court when applicable court is not open.

Surrogate's court shall have jurisdiction over all actions and proceedings relating to the affairs of decedents, probate of wills, administration of estates and actions and proceedings arising thereunder or pertaining thereto when the decedent resided in their district; guardianship of the property of minors, adoption of minors, custody and/or guardianship of minors, when the minor resides in their district; hold jury trials (unless jury is waved by defendant, in open court) of minors accused of a crime when the crime occurred in their district; divorce or annulment when one of the parties resides in their district; hold jury trials (unless jury is waved by defendant, in open court) to determine mental competency when the person resides in their district, and such other actions and proceedings as provide by state law. Establish guardianship of those adults found mentally incompetent at a trial, if possible, a relative of the adult should be named guardian. No guardianship of an adult may last more than five years unless a new trial on mental competency is held. All proceedings shall be open to the public, however when minors are involved the court may require 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. Surrogate's court may change the bail amount for a minor who has been arrested and issue warrants for arrest in a manner as set by law. Surrogate's court may impanel Juries in manner set by state law. All cases will be handled in a manner set by state law.

The age of the defendant at the time of the crime shall determine which court has jurisdiction. A person deposed for civil case has the right to be deposed in the county that they reside; a deposition may also be done online. A Criminal court and/or Surrogate court shall assign a public defender to a defendant in a criminal case, a parent/guardian in a child custody case, or the parties in a child support case, who lack an attorney; and may appoint an attorney at law to represent the person(s) to paid by the county where trial is held, if that county lacks the number of public defenders required in **§ 74,** or a public defender is not available. A Community court, a Criminal court and/or a Surrogate court, may fine up to limits set by law a person or jail a person for a maximum of fifteen (15) days in a calendar year for civil contempt, and may refer criminal contempt cases, which shall be a misdemeanor, to a Criminal court judge or if a minor to a Surrogate court judge who was not the judge to issue the criminal contempt charge; and appoint

a prosecutor for the contempt case, in a manner set by law. If a Community Court, and/or Surrogate court and/or Criminal court, ruling finds any part of a law passed by the General Assembly, or any part of a local charter is unconstitutional it must be automatically appealed to the Superior Appeals Court having jurisdiction over the county where the case was filed; If the Superior Appeals Court fails to issue a ruling on the appeal, within six months, any injunction(s) against the state law or local charter will expire and shall not be renewed; those parts of state law or local charter will go back into force.

§ 52. [SUBORDINATE COURTS: ELECTION OF TOWN AND CITY JUSTICES; AND JURISDICTION]

City Justices shall be elected on Election Day for a term of three years by the voters of their city to serve in city court. The number of city Justices shall be set in the city charter or in local law, but must have at least two. The state shall pay the cost of their courts up to the limits set by law. No person may be than elected more than five times as City Justice. Each city's elected clerk shall also shall also serve as the court clerk for that city's court.

Town Justices shall be elected on Election Day for a term of three years by the voters of their town to serve in town court. The number of town Justices shall be set in the town charter or in local law, but must have at least two. The state shall pay the cost of their courts up to the limits set by law. No person may be than elected more than five times as a Town Justice. Each town's elected clerk shall also shall also serve as the court clerk for that town's court.

City Courts have jurisdiction over misdemeanors when a jury trial is waved by the defendant, in open court, traffic and other minor civil offenses that occur in their city and small claims civil actions when the defendant lives, has a business, or office in their city and the value of the claim is below $10,000, unless the General Assembly by law sets a higher amount. A city attorney shall act as prosecutor so any offense or bail hearing.

Town Courts have jurisdiction over misdemeanors when a jury trial is waved by a defendant, in open court, traffic and other minor civil offenses that occur in their town and small claims civil actions when the defendant lives, has a business, or office in their town and the value of the claim is below $10,000 unless the General Assembly by law sets a higher amount. Town Courts may set bail for a person arrested in their town. A town attorney shall act as prosecutor for any offense or bail hearing.

City Courts and/or Town Courts, may ask a Criminal Court or Surrogate Court to issue a warrant for arrest, or ask their Community Court to rule if any part of law or any part of a local charter is unconstitutional. For civil contempt City Courts and/or Town Courts, may fine up to limits set by law a person or jail a person up to 5 days in a calendar year, and may refer criminal contempt cases, which shall be a misdemeanor, to a Criminal court, or if a minor to a Surrogate court; and appoint a prosecutor for the contempt case, in a manner set by law. The court clerk shall notify the appropriate District Attorney to send a prosecutor for any misdemeanor's trials held in these courts.

§ 53. [ELECTION OF CRIMINAL COURT JUDGES, SHERIFFS, DISTRICT'S ATTORNEY, AND JUDGES OF SURROGATE COURT.]

The manner and certification of election and filling of vacancies in the offices of Criminal Court Judges, Community Judges, Sheriffs, District Attorneys, Surrogate Judges, town justices and city justices shall be as established by law; the Governor shall appoint a person to serve as an acting Criminal Court Judge, Community Judge, Surrogate Judge, Sheriff or District Attorney until a special election can be held for a full term in a manner set by law and this constitution.

§ 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, Criminal Court Judge, Community Judge, Surrogate Judge, town justice, city justice, delegate of the constitution convention, Sheriff, department head, County Manager, Town Manager, City Manager, Village Manager or any Judge or Justise. The person automatically resigns the previous office by taking the oath of office for the second. County Managers, Town Managers, City Managers, or Village Managers may not hold any elected office while employed as a manager. 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 New Amsterdam. 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 three-fifths of its members. Every officer of State, local elected official, or appointed official, whether judicial or executive, shall be liable to be impeached by the House of Representatives, either when in office, after resignation, or removal for maladministration.

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

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 willfully, 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, birth certificates, death certificates, marriage certificates, divorce certificates, health care proxies, wills of those who have died, and other documents that the law requires and/or allows to be recorded, shall be recorded in the County Clerk's office in their respective county, and copy of such documents shall be transmitted to the Secretary of State, within two weeks of their being recorded. Copies of all such documents that were recorded prior to the adoption of the constitution shall forthwith be transmitted to the Secretary of State. The General Assembly shall regulate this by law.

§ 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/restriction provides access to another parcel of land and/or creates a cemetery in which case the easement/restriction may be perpetual; or the easement is currently is used for electric power, phone/internet, fuel pipes, water pipes and/or sewer pipes in which case the easement will last as long as it is needed to provide those services.

§ 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. [PERMANANENT 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 county 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 county chair that permanent political party's county 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, rent, 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 of the state, 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 State; 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. Copies of all such

incorporation documents that were recorded prior to the adoption of the constitution shall forthwith be transmitted to the Secretary of State.

§ 70. [WORKERS' COMPENSATION AND UNEMPLOYMENT]

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 also create unemployment insurance. 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 State; 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 by sixty (60) percent of the voters 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 General Assembly.

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 meeting four days a week until the business of such convention shall have been completed or six months have passed whichever is less. 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.

COUNTIES, TOWNS, CITIES, SCHOOL DISTRICTS, VILLAGES, AND SPECIAL TAX DISTRICTS

§ 73. [PREEXISTING CHARTERS]

Preexisting charters of counties, towns, cities, districts, villages, school districts, other special tax districts, and Boards of Cooperative Educational Services shall remain in effect but any part that conflicts with this constitution or state law shall be void.

Counties, towns, cities, districts, villages and special tax district elected officials who election predate this constitution may remain in office for the remainder of their term or until successors are chosen in elections held on Election Day or in the case of villages, school districts, and special tax districts on Primary Day; one year after General Assembly elections are held for the first-time which period is shorter.

Counties, towns, cities, elected officials who term of office is an even number of years, and their elections will occur on the same Election Day as General Assembly regular elections shall have their terms shorten by one year when the Governor of the state of New Amsterdam is elected for the first time, so that most Counties, towns, cities regular elections occur in different years than

General Assembly regular elections; this shall not apply to Judges, Sheriffs, or District Attorneys.

Preexisting local authorities, or other type of local government managed corporations, shall expire on the first day of July, twenty (20) years after the Governor of the state of w Amsterdam is elected for the first time or when all its debt is paid off whichever occurs first; no new debt shall be created; on expiration all assets shall return to the local government(s) that manages them; any debt repayment schedule, leases, or contracts entered into by an authority, or other type of local government managed corporation, that extends passed its expiration date shall be void. New local authorities or other type of local government managed corporations shall not be created.

§ 74 [MUNICIPAL, SCHOOL, AND SPECIAL TAX DISTRICT GOVERMENT]

A. The General Assembly shall by law regulate counties, towns, cities, school districts, special tax districts, and villages are governed; how charters are amended or replaced; all new charters or charter amendments must be approved by the voters who reside therein; how parcels are annexed from one municipality to another, how new counties, towns, cities, school districts, special tax districts, and villages are created, and how existing ones may be merged; a formula for maximum amount of first year budgets for newly created or merged counties, towns, cities, school districts, villages and special tax districts, first year budgets will not be voted on; and how boundaries disputes are settled. No newly created county, town, city, village, may have the same name as any other county, town, city, or village in the state. All town boards must consist of a supervisor and elected town board members. Cities must have an elected Mayor and city council, or an elected Mayor and council that includes elected commissioners. Every town and city must have an elected clerk. Villages must have an elected mayor and village council. Counties, towns, cities, and villages are municipalities and may have charters; School districts, BOCES districts and special tax districts will governed only under state law; municipalities and all districts shall have a map of their boundaries on file with the Secretary of State.
No municipal owned forest preserve land, municipal owned park land, or reservoir, may be sold or transferred unless that municipality enacts a local law allowing it and General Assembly by a law passed by three-fifths (3/5) vote of both houses, the yeas and nays shall be entered on the journal allows it and then it submitted to that municipality voters for approval on Election Day for final approval.
Unless otherwise stated in this constitution, the terms elected officials of Counties, towns, or cities shall end in the year they are scheduled to end at noon on first day of December and the terms of their successors shall then begin. If a County, town, city, school district, village, fire district, or other special tax district has more than 15,000 inhabitants and unless otherwise stated in this constitution, for offices that are part of that County, town, city, districts, village or special tax district government; no person may be elected more seven times to an office having a term two years or less and no person may be elected more than twice to an office having a term of more two years; unless otherwise stated in this constitution no one may elected for a term longer than four years.

The Secretary of State shall setup a model city manager charter, a model town manager charter and a model village manager charter and place them on his/her website. The General Assembly may by law change these model charters or create new/replacement ones for the website. Starting in the year of our lord two thousand thirty-four (2034) and every twelve years thereafter voters of each city, town or village that lack an appointed manager form of government shall vote on following question "Shall (city, town, or village name) adopt the professional manager form of government?" If the majority of those voting on the question vote NO nothing will happen, but if the majority of those voting on the question vote YES that city, town or village has adopted a model manager charter which will take effect on December 1st of the following calendar year. No other new charter or amendments to a charter may be proposed or occur for four years after each such vote.

Starting in the year of our lord two thousand thirty-two (2032) and every twelve years thereafter voters of each county with a charter shall vote on following question "Shall (County Name) return to a standard Board of Supervisors and County Manager form of government?" on Election Day. If the majority of those voting on the question vote NO nothing will happen, but if the majority of those voting on the question vote YES that county shall return to a Board of Supervisors and hiring a County Manager form of government on first day of December of the following calendar year after the vote. If yes wins the county's Board of Supervisors shall be set up as follows: if a town or city has less than or equal to 1/5 of the population of that county that town's supervisor or city's mayor will serve on the county Board of Supervisors their votes weighted by the population of their town or city; however, any town or city has more than 1/5 of the population of that county that town or city shall be divided by that county's Board of Elections into two or more elected County Supervisors districts with two year terms and their votes weighted by the population of their districts so that no one on county Board of Supervisors represents more than 1/5 of that county's people. No other new county charter or amendments to a charter may be proposed or occur for four years after each such vote. The General Assembly shall enact appropriate laws to enforce this paragraph.

B. All counties, towns, cities, villages charters, local laws, rules, ordinances, policies, and regulations must be filed with the secretary of state before they can take effect or be enforced. All school district or special tax district policies, rules, and regulations must be filed with the secretary of state before they can take effect; school districts or special tax districts shall not enact charters, local laws, or ordinances. Except for charters, local laws creating districts, and local land use zoning laws; all other such local laws, rules, ordinances, policies and/or regulations shall expire on January 1st ten years after the date they were filed. Local laws may create local departments. Those that were pre-existing to this constitution will expire on July 1, one year after the first election under this Constitution is held, unless reenacted and filed with the secretary of state. Those local land use zoning laws that were pre-existing to this constitution many remain in effect unchanged if refiled with the with the secretary of state within one year after the first election under this Constitution is held; All local land use zoning laws that are new,

changed or replaced by local law must not have any zone smaller than ten acres. Any variance approved by the appeals board that allows a use not normally allowed in that zone must be approved in writing and notarized, by all the parcel owners, within three hundred feet of the parcel being granted a use not normally allowed in that zone; the rights of preexisting non-conforming uses shall be respected; residential and industrial uses shall not be allowed in the same zone; any zone that allows residential uses shall not be within five hundred feet of a zone that allows industrial uses; houses of worship and religious schools shall be allowed in all zones. The state shall by law will set a standard building and fire code. The department of state shall review all local land use zoning laws to make sure they comply this constitution, and state law, before accepting them for filing; all other local laws, rules, ordinances, policies, and regulations shall be filed within five business days of the department of state receiving them. In the case of changes of local land use zoning laws, if the owners of twenty percent or more of the area of land included in such proposed change; or the owners of twenty percent or more of the area of land immediately adjacent to that land included in such proposed change, extending one hundred feet therefrom; or the owners of twenty percent or more of the area of land directly opposite thereto, extending one hundred feet from the street frontage of such opposite land object to the Secretary of State, within 60 days, the Secretary of State shall suspend the change until approved or rejected by the voters of the municipality on Election Day. The General Assembly shall by law set the procedures that shall be used by municipalities and the Secretary of State in adopting local laws.

All salaries of counties, towns, cities, villages and special tax districts officials and/or employees 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. Any changes of salaries will take effect on November 1st after they are filed. Sanitary sewers, and drainage-water sewers, shall be kept separate; the local department that maintains the local roads shall also pay for maintenance of drainage-water sewers along its roads; sanitary sewers may be maintained by a municipally or a special tax district; a municipally may by local law may create a sanitary sewers special tax district, with three elected commissioners; municipalities with combined sanitary and drainage water sewers shall have 40 years after the first election under this Constitution is held to separate them; by creating new drainage-water sewers and plugging the connections with the combined sewer; a plan shall be filed annually with the Department of Transportation on what work was done the previous year in separating them and how close the municipally is on meeting the 40-year requirement.

Any law that can require the violator to serve more than 15 days in jail, in a calendar year, can only be enacted by the General Assembly. Local governments may seek a court order in Community court to force compliance with their local laws.

C. A county is a local government that is a subdivision of the state. Each county shall maintain a county jail for persons serving a sentence of a year or less in custody or awaiting trial and have not posted bail; rather than have its own jail a county may contract with a bordering county to share the use of that county's jail. Each county shall

employ public defenders, to defend those charged with a crime, or certain other cases, who have not hired their own attorney; the minimum number, of attorneys at law, employed as public defenders, by a county, shall be calculated by the Comptroller by dividing the number felony arrests in that county during the previous calendar year by 150 then rounding upward to nearest whole number; the Comptroller shall report each month the number public defenders currently employed by each county. Each county shall have mental health response teams available 24 hours a day seven days a week to answer emergency calls for assistance. Each county shall employ probation officers. Each county shall have a three member Law Enforcement Review Board to review the actions of state police, local police, law enforcement supervised by a sheriff, which shall be known as Law Enforcement staff, that occur within that county; one member of the board shall be appointed by each commissioner of the county board of elections and one by the Civil Service administrator, for four year terms ending on May 1st of the fourth year, any replacement for a vacancy shall serve a full term; all municipalities and sheriff department(s) shall pay to this board an amount equal to 1/200 of their Law Enforcement staff payroll for the board budget; the board shall have power in a manner set by law to hire employees, to issue subpoena(s), compel testimony, and to order Law Enforcement staff found guilty of misconduct to be dismissed, or suspended for a fixed term not exceeding six months without pay; any decisions of the board may be appealed to the Civil Service Commission. Each county shall have a highway department and may create other departments by local law. A County may setup a community college that gives one certificates and two-year Associate Degrees by local law, in a manner regulated by state law; counties shall pay part of the tuition for their residents to attend another county's community college. All counties shall have an elected County Clerk. County Clerks shall be the Court Clerk for the Criminal Court, Community Court, and Surrogate courts located in their county.

A city is a local government that is a subdivision of a county that usually has a population of more than 10,000. A city may remove itself by local law from special tax districts other than school districts and take over the services that they provide. A city shall provide emergency medical services, have its own fire department, have its own police force, and highway department. A city shall provide drinking water, sanitary sewer, and fire protection, either directly or through special tax districts. A city council may control a special tax district, within its boundaries, that does not have elected commissioners.

A town is local government that is a subdivision of a county Any sanitary sewer, drinking water, fire protection, or garbage collection, services must be provided by a special tax district, or private parties. A town shall have a highway department. A town may provide emergency medical services, and/or may have its own police force. A town board may control a special tax district, within its boundaries, that does not have elected commissioners.

A village is a local government containing a population of at least five hundred persons that is less than 15 square miles and superimposed over town(s) and city(cities) to provide extra local services. A village may exist in more than one county. A village may

remove itself by local law from special tax districts and take over the services that they provide. A village may by local law create its own village wide school district; succeeding from any pre-existing school district and assuming ownership of schools within its boundaries; with the village council acting as the school board, but school and village budgets and taxes, shall be kept separate. A village shall take over ownership and maintenance of any city and town roads within its boundaries; it may take over land use zoning laws, it may take over ownership and maintenance of municipal drinking water pipes, sanitary sewer pipes, fire protection, garbage collection within its boundaries. A village may provide emergency medical services; it may have its own police. A village may enact a tax on utilities which shall not exceed (3%) three percent. There will be no village courts, the other courts in the area it is superimposed over shall have jurisdiction.

A special tax district is a district set up to provide local government services is based on the definition of special district as provided in a town, a city or county improvement district, district corporation or other district established for the purpose of carrying on, performing or financing one or more improvements or services intended to benefit the health, welfare, safety or convenience of the inhabitants of such district, and in which real property is subject to special property tax levies assessments for the purposes for which such district was established. A fire district shall be governed by three elected commissioners; a sanitary sewer district, a water district, or a library district, or other types of special tax districts may be allowed by state law, are to be governed by three elected commissioners, or a town board; a fire protection district, shall be governed by a town board; a municipal fire district shall include more than one entire municipalities and shall be governed by board formed by its city mayor(s), Town supervisor(s) and if needed to give the board an odd number, one director elected at large for a four year term; other special tax districts that exist in two or more municipalities, shall have three elected commissioners; a school district shall be governed as stated in this constitution. A fire district, a municipal fire district, and a fire protection district shall never overlay each other. Starting in the year of our lord two thousand thirty-three (2032) and every ten years thereafter should the most recent census show an existing special tax district, other than a school district, or municipal fire district, with a population of more than 5,000 that lacks elected commissioners to govern the district, those special tax districts shall elect three elected commissioners to govern that district on the next Primary Day, also a fire protection district with a population of more than 5,000 shall become a fire district; A fire district, a municipal fire district, or fire protection district, shall appoint a fire chief as its administrator, A school district shall appoint a Superintendent under civil service laws and rules as its administrator, all other special tax districts shall appoint a Manager under civil service laws and rules as its administrator. Each special tax district Manager shall be hired with a three-year contract by that special tax district, and they have right to dismiss the Manager early for cause. No parcel of land shall be subject to more than five special tax districts, however if it is that parcel's owner may opt out of the extra special tax districts in a manner set by state law, by sending a certified United States mail letter to that parcel's county clerk; an owner may not opt out of a school district, sanitary sewer district, fire district, municipal fire district, or fire protection district. An owner of a parcel of land with building on it is entitled to the services of a special tax district the

owner pays taxes to within a reasonable time period set by state law of requesting the services. A sanitary sewer district, or a water district may by regulation enact a fee based on the number of gallons of water used by each parcel; a sanitary sewer district may assume that ninety (90) percent of the water proved by a water district is returned thru the sewer rather than have their own meter. Special tax districts shall by passing regulations collect property taxes in a manner set by this constitution and by state law.

D. Owners of parcels of land that are adjacent to each other or only separated by a road, highway, railroad, body of water, and/or a watercourse within a single county may succeed from any city (cities) and/or town(s) whose jurisdiction the land is currently under, and incorporate a new town. First, the owners must draw up a map, prepare a charter of the proposed town, select a name and have one seventh (1/7) of the owners of land in the proposed new town sign a petition agreeing to the map and charter. The proposed town must have at least two thousand (2000) people residing in it. The charter they draft shall describe how any special tax district(s) will be affected and when the charter will take effect and when the special election under § 43 to fill offices created for the first time under the charter will be held. Second the map, charter and petition must be filed with the state board of elections, before September 1st of any year. The state board of elections shall then schedule a vote on the proposed town on the next Election Day in November. Only voters who reside within the proposed town may vote on creating it. If a majority of those voting approve it the new town will be created and will cease to be part of the municipality or municipalities it separates from thirty days after the new town's officials take office. The new town and the municipality or municipalities it separates from should negotiate fair prices for water, sewer or other services that must continue to be shared. If an agreement cannot be reached either may petition their Superior Appeals Court in a manner set by state law to set the prices for up to four years at a time. Should anyone go to court to block the creation of the new town and not prevail they shall pay the reasonable legal fees and court costs of those trying to create the new town.

Residents of parcels of land that are adjacent to each other or only separated by a road, highway, railroad, body of water, and/or a watercourse may incorporate a new village to be superimposed over town(s) and city(cities). The proposed village must have at least five hundred (500) people residing in it and be less than 15 square miles. First, the residents must draw up a map, use the model village charter, select a name and have one fifth (1/5) of the residents, or three hundred (300) residents, whichever is less, in the proposed new village sign a petition agreeing to the map and charter. Second the map, charter and petition must be filed with the state board of elections, before September 1st of any year. The state board of elections, shall then schedule a vote on the proposed village on the next Election Day in November. Only voters who reside within the proposed village may vote on creating it. If a majority of those voting approve it the new village will be created on next first of August after its officers are elected on next Primary Day under § 43. The new village and the municipality or municipalities it superimposed over should negotiate fair prices for water, sewer or other services that must continue to be shared. If an agreement cannot be reached either may petition the appropriate Superior Appeals Court to set the prices for up to four years at a time. Should

anyone go to court to block the creation of the new village and not prevail they shall pay the reasonable legal fees and court costs of those trying to create the new village.

E. Starting in the year of our lord two thousand thirty-three (2033) and every ten years thereafter should the most recent census show an existing city's population is below 10,000 a vote shall be scheduled, by the Secretary of state, on the next Election Day for voters in that the city to vote on either remain a city or become a town using the model town manager charter form of government; and keeping the city's name as the town's name, but if the new town's name will be the same as another municipality, then add a compass direction to the name to make it unique; and also setup to be created a townwide fire district, a town-wide drinking water special tax district, and town-wide sanitary sewer special tax district; these districts shall each have three elected commissioners. If the majority of those voting on the question vote NO nothing will happen, but if the majority of those voting on the question vote YES that city will become a town with the new charter on first day of December of the following calendar year after the vote after the new town's officials are elected, after the new town's officials are elected.

Starting in the year of our lord two thousand thirty-three (2033) and every ten years thereafter should the most recent census show an existing town's population is above 30,000 a vote shall be scheduled, by the Secretary of state, on the next Election Day for voters in that the town to vote on either remain a town or become a city using the model city manager charter form of government; and keeping the town's name as the city's name, but if the new city's name will be the same as another municipality, then add a compass direction to the name to make it unique. The new city may by local law remove itself from special tax districts and take over the services that they provide. If the majority of those voting on the question vote NO nothing will happen, but if the majority of those voting on the question vote YES that city will become a town with the new charter on first day of December of the following calendar year after the vote after the new city's officials are elected.

Starting in the year of our lord two thousand thirty-three (2032) and every ten years thereafter should the most recent census show an existing village's population is exceeding 10,000 the village a vote shall be scheduled, by the Secretary of state, on the next Election Day for voters in that the village to vote on either remain a village or become a town and succeed from the town(s) and/or city(cities) the village was superimposed using the model town manager charter form of government; the Secretary of state shall and also setup to be created a for the new town a town-wide fire district, a town-wide drinking water special tax district, and town-wide sanitary sewer special tax district; these districts shall each have three elected commissioners; and keeping the village's name as the town's name, but if the new town name will be the same as another municipality, then add a compass direction to the name to make it unique. Any school district created by the village shall remain but with nine elected school board members. If the village exists in more than one county, the village council shall by local law pick a county, and the new town will be a subdivision of that county. If the majority of those voting on the question vote NO nothing will happen, but if the majority of those voting

on the question vote YES that village will become a town with the new charter on first day of December of the following calendar year after the vote, after the new town's officials are elected; however, if that village's boundaries include all the land of an existing town; the new town will replace that existing town.

F. Any state law or bill that will mandate that any county, district, or other 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; this shall not apply to expenses required by this Constitution. Any policy, rule or regulation that will mandate that any county, 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 county, 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. However, if a city, town, or village chooses to enact local land use zoning laws, it must comply with the limits set in this constitution and state law, and if required in state law, set up an appointed administrative planning board, and appointed appeals board to grant variances; these state laws regulating zoning shall not expire every ten years, even if the city, town, or village must spend its own funds to comply with the state laws regulating zoning. Medical costs for the needy shall not be delegated by the State to counties, special tax districts, or other municipalities, and shall be paid by the state up to limits set by law.

G. Property tax rates will be set as percentage of assessed value of the parcels. Only Counties, towns, cities, school districts, villages and special tax districts may enact property taxes. Counties shall maintain tax maps of parcels of land and their owners name and address for the property tax. The property tax rate percentage for each parcel's assessed value as adjusted by the equalization rates, when necessary, cannot exceed the following percentages: for any county one-third of a percent (0.333%); for any city one half of a percent (0.5%); for any town one-fifth of a percent (0.2%); for any school district one percent (1%); for any sanitary sewer district seven-fiftieth of a percent (0.14%); for any other special tax district one-tenth of a percent (0.1%). If a parcel owner resides and is also registered to vote at a residential parcel, or a non-citizen permanent United States resident owner at that address, that contains a one-family home, a two-family home, or a three-family home; the owner is entitled to a forty percent homestead reduction in all property taxes. If an owner resides is also registered to vote on a parcel, that is used for agriculture that parcel and any other nearby parcels used for agriculture owned by the same family are entitled to a fifty percent agricultural homestead reduction in all property taxes; any person who casts a ballot, in a government election, in another state, or nation, that person not a resident of New Amsterdam, for that calendar year.

The General Assembly shall in a manner set by law determine how a city, or a town, in which the parcels are located shall assess each parcel at its full market value, but land

used for agriculture shall be assessed at its agriculture value; and setup how equalization rates will be calculated, to make-up for differences in actual assessment rates in different towns and cities for use by counties and for when a village, school district, or other special district exists in more than one city or town; a county may to take over assessment if its towns and cities allow it; The following types of parcels shall be property tax exempt for property taxes: government owned parcels, but if an municipality, school district, or special tax district, owns parcels outside its boundaries it shall be taxable; Indian Tribe owned parcels; parcels used for cemeteries; a not for profit owned library; a not for profit owned orphanages who certified the parcel it is used for sheltering orphans; parcels owned by a religious corporation, if their clergy has certified the parcel is used for religious services at least 40 times a year, and/or is used for a rectory for a nearby parcel used for religious services and/or a religious social club; a not for profit school corporation owned parcel who certified the parcel it is used for education; a not for profit college corporation owned parcel who certified the parcel it is used for education; a not for profit university corporation owned parcel who certified the parcel it is used for education; a not for profit hospital and/or clinic corporation owned parcel who certified the parcel it is used for health care; a not for profit homeless or aged shelter corporation owned parcel who certified the parcel it is used for shelter; a not for profit pregnancy care center corporation owned parcel who certified the parcel it is used care and/or shelter; a not for profit community activity center corporation owned parcel who certified the parcel it is used for recreation; a non for profit benevolent and moral association owned parcel who certified the parcel is used for benevolent actions; a not for profit animal welfare shelter owned parcel who certified the parcel is used for animal welfare. Unless stated in this subsection G, state law shall define what is required to certify each year for their type of use for an exemption, and may define other types of parcels owned by nonprofit corporations' that shall be property tax exempt; and define a formula how parcels that have both taxable and exempt uses will be partially taxed. Parcels of vacant land or parcels with vacant buildings, owned by non-profit corporations may be required to be tax property exempt if plans are filed with the city or town to show the parcel will be used for an exempt reason within 20 years of the date of purchase. Counties, towns, cities, or villages by adopting a local law may file for bankruptcy, in the appropriate court; public authority corporations, school districts, BOCES Districts, and special tax districts by adopting a regulation may file for bankruptcy, in the appropriate court. The state of New Amsterdam may not enact any property tax. After an administrative hearing, any appeals over property taxes, assessments, or exemptions will be first heard in the appropriate Community Court.

Any county, city, town, village or other special tax district, excluding school and library districts budget year shall be from first day of December to last day of November of the following year; whenever a proposed budget increase shall exceed two percent (2%) from the previous year's budget or a proposed property tax rate increase shall exceed two percent (2%) from the previous year's property tax rate; the proposed budget and/or property tax rate increased shall be submitted to their voters for a yes or no vote, on Election Day in November. Sixty (60) percent of voters voting on it must vote yes for it to be approved. If approved the budget shall take effect at the start of fiscal year and

property taxes will be collected as defined by law; however, if defeated or no budget/property tax rate vote was held, the budget that county, city, town, village or other special tax district excluding school districts and library districts must have a budget increase of less than two percent (2%) and the property tax rate increase must be less than two percent (2%).

All school and library districts budget year shall be from first day of July to last day of June of the following year. The school budget shall be submitted to the voters, for a yes or no vote, on Primary Day. If a proposed budget increase shall exceed two percent (2%) from the previous year's budget or a proposed property tax rate increase shall exceed two percent (2%) from the previous year's property tax rate, sixty (60) percent of voters voting must vote yes for it to be approved. If the budget is approved it will take effect as defined by state law. If a school district budget is defeated a contingency budget will be adopted; the amount of any contingency budget increase shall be less than two percent (2%), per enrolled student as of first day of June. If a library district budget is defeated on Primary Day the district must have a budget increase of less than two percent (2%) and the property tax rate increase must be less than two percent (2%).

Any county, city, town, village and other special tax districts excluding school and library districts shall have any borrowing, which the term will exceed one year, approved by that county, city, town, or other special tax districts voters as a separate vote on Election Day; before the money is borrowed. Any school district, or library district shall have any borrowing, which the term will exceed one year, approved by voters as a separate vote on Primary Day; before the money is borrowed. However, no county, city, town, village, school districts, or other special tax districts may borrow more money if that debt shall cause the total amount of debt to exceed five percent of the total assessed value of all parcels within that municipally or district. Any county, city, town, village or other special tax district, excluding school and library districts property tax bills will be mailed, after the twenty-seventh day of December, but before the fifth day of January and be due on the first day of February; any school and library districts property tax bills will be mailed after the fifteenth day of August, but before the last day of August and will be due of the first day of October. State law shall allow the bills be combined into two mailing and shall determine what local official(s) will collect and distribute the payments within fifteenth days of receipt to the appropriate municipalities and/or districts; and what penalties there will be for late payment or late distribution.

Only Counties may enact a local sales tax not to exceed (3%) three percent but at least (40%) percent of any revenue produced by a county sales tax must be given to towns, cities and school districts within or partially within that county based on formula and timetable set by state law. The total state and local sales taxes may not exceed (6%) six percent what goods may be taxed shall be set by this constitution § 14, and state law.

H. State laws may be enacted to enforce this section.

§ 75. [PUBLIC SCHOOL OPERATIONS]

Schools operated by a School District or a BOCES District are public schools.

School Districts (other than village school districts) shall be governed by a nine-member elected school board elected on Primary Day under § 43, in a manner setup by this constitution and state law. All School Districts shall provide and appropriate free education in public schools for all district residents, who are or will be on the last day September, of the school year, between the ages of five years and twenty years old, or until they graduate high school whichever occurs first. School Districts shall provide students who reside in the district the option of transportation to and from its schools and if students who reside in the district attend any non-district school within the school district or within 20 miles of the district boundary it shall provide the option of transportation for them as well. All school's buildings constructed after January 1, 2030 that contains elementary students shall not have a capacity of more than 700 students and no addition shall be built to an existing to school that contains elementary students to increase its capacity to exceed 700 students. A school district may enact, by regulation, a tax on utilities which may not exceed (3%) three percent. All public high schools that have surplus space must admit students who not residents of the district if their parent or guardian applies according to polices set by law and/or the host school board; the school district they reside in shall pay tuition to the host district; the amount of the tuition shall be set by host school board up to limits set by the state Education Commissioner. Each school district Superintendent shall be hired with a three-year contract by that school board, and they have right to dismiss the Superintendent early for cause. School boards shall by passing regulations collect property taxes in a manner set by this constitution and by state law.

There shall be at least 32 Boards of Cooperative Educational Services (BOCES) created by state law and funded by the state Education Department according to a formula set by law they shall have no taxing power, but may charge tuition; to provide shared educational programs and services to school districts within the state. All school districts that have less than 10,000 students attending their schools must assigned to be a member of a BOCES. Each school board shall appoint a director to serve on that BOCES board of directors of which its school district is a member; who will serve at the pleasure of that school board. Each BOCES Superintendent shall be hired with a three-year contract by that BOCES board of directors and they have right to dismiss the BOCES Superintendent early for cause. The General Assembly shall by law decide what services each BOCES will provide, but each BOCES shall setup a technical public high school that allows students to complete high school grades 9 thru 12 in three years by removing some course requirements; a student's parent or guardian must apply in the same way as attending any other non-home district high school.

All public school classes shall be audio and video recorded so that absent students or students who wish to rehear and view the lessons can view and hear them over the internet on their own computer, phone, a library's computer, or other device at their convenience; the faces of students shall not be shown. All public schools will in a school year shall offer at least nine hundred (900) hours of instruction for elementary students (grades K thru 8); and offer at least one thousand (1,000) hours of instruction in high school; Each school year shall end by the second Friday in June, and have a vacation break of at least 80 consecutive calendar days between

school years. Each Wednesday when a school is open, school districts shall at request of a student's parent or guardian transport students, from their school departing by 1pm, to a place of religious instruction, if such location is within the school district or within 20 miles of the district boundary; their parent or guardian shall arrange to have the student picked up there at their own expense. The Department of Education shall set up a policy so that School districts who lack enough room, for their students, shall sent some or all students, to other school districts and pay tuition to the host district. Schools shall provide lunch for their students who choose not to bring their own lunch between 11AM and 12:30PM. Times listed in this section can only be changed in an emergency.

Residents of parcels of land that are adjacent to each other or only separated by a road, highway, railroad, body of water, and/or a watercourse may incorporate a new School District to be succeed from any existing school district. The proposed school district must have at least two hundred (200) people, and less than ten thousand (10,000) people, under the age of twenty residing in it, and be less than 25 square miles. First, the residents must draw up a map, select a name and have one fifth (1/5) of the residents, or three hundred (300) residents, whichever is less, in the proposed new School District sign a petition agreeing to the map and new school district. Second the map, and petition must be filed with the state board of elections, before September 1st of any year. The state board of elections, shall then schedule a vote on the proposed school district on the next Election Day in November. Only voters who reside within the proposed school district may vote on creating it. If a majority of those voting approve it the new school district will be created on next first of July after its officers are elected on next Primary Day under § 43, but since all offices are vacant, they shall take office as soon as their election is certified.

The General Assembly shall by law setup the ways School districts and BOCES districts are governed; better define a procedure for the people to create new a school district by petition and for the people by petition to merge school districts, but only if the new or merged school district will be under ten thousand (10,000) students on its first year. High schools shall help students age fifteen (15) or older, who lack a driver's license, obtain non-driving photo Id from the department of motor vehicles at the high school free of charge to the student. All schools should normally be open on Election Day to make it easier for parents to vote. State laws may be enacted to enforce this section.

TRANSITION

§ 76. [COURTS, HOLDOVER OFFICERS, AND CRIMINAL LAW TRANSITION]

State of New York Criminal Laws and procedure may remain in effect in the State of New Amsterdam, and used against crimes that occur, in the appropriate court, for a maximum of two years after the first election under this Constitution is held expiring on August 1st , unless replaced by new state laws sooner, to give the General Assembly time to enact new court procedures and criminal statutes. Any killing of a human being, kidnapping, or rape that occurred in the State of New Amsterdam when it was part of the State of New York may be tried in the appropriate Criminal Court under the State of New York Criminal Laws in effect at the time. State of New York Civil Laws, Motor Vehicles moving violation laws, and procedures, may remain in effect in the State of New Amsterdam, and used for civil cases and Motor Vehicles

moving violations that occur, in the appropriate court, for a maximum of fourteen months after the first election under this Constitution is held expiring on December 15th , unless replaced by new state laws sooner, to give the General Assembly time to enact new court procedures, motor vehicle statutes, and civil statutes.
Sheriffs and District Attorneys in New York State counties that become State of New Amsterdam counties will remain in office for the remainder of their term or three years whichever is less, and be assigned by the Chief Justice of the state to serve in the appropriate senate district. Surrogate Court Judges, in New York State counties that become State of New Amsterdam counties will remain in office for the remainder of their term or six years whichever is less, and be assigned by the Chief Justice of the state to serve in the appropriate senate district. County Court Judges will be become Criminal Court Judges in New York State counties that become State of New Amsterdam counties will remain in office for the remainder of their term or six years whichever is less, and be assigned by the Chief Justice of the state to serve in the appropriate senate district. The former New York supreme court trial judges that serve in districts that become State of New Amsterdam counties will remain in office for the remainder of their term or six years whichever is less, and be assigned by the Chief Justice of the state to serve in Community Court in the appropriate county. The former New York Supreme Court - Appellate Division judges that serve in districts that become State of New Amsterdam counties will remain in office for the remainder of their term or six years whichever is less, and be assigned by the Chief Justice of the state to serve as Superior Appeals Court Judge in the appropriate counties. The Supreme court shall adopt judicial rules assigning the counties to each Superior Appeals Court until the General Assembly sets by law the counties each Superior Appeals Court serves.

Unless otherwise stated in this constitution, or by state law, all licenses, certificates, registrations, degrees, corporations, deeds, or permits, granted under the State of New York laws will remain valid in the State of New Amsterdam for two years after the first election under this Constitution, or until they would have expired, whichever period is longer, unless this Constitution requires a shorter period.

§ 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. Those running for office need only be a United States citizen and resident of the newly created State of New Amsterdam. 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 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, regular session start on the normal date and any residency requirement will take effect as defined in this constitution.