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AUG 17 2011

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

August 10, 2011

Office of the Attorney General
ATTN: Initiative Coordinator
1300 I Street
Sacramento, CA 95814

Good day,

I am submitting the attached initiative to your office to obtain a title and summary of the chief purpose and points of the proposed initiative measure.

The title of the initiative is:

"FAIR REPRESENTATION AND POLITICAL FINANCING ACT (FRPFA) of 2012"

Please find, enclosed,

- 1) the \$200 processing fee payable to the State of California and
- 2) the statement required by Section 9608, of the Elections Code section 9015 and
- 3) my return address.

I desire this initiative to appear on the November 2012 ballot.

Thank you.

Larry Click



Attachment:

- Initiative text
- Addendums (2)

**FAIR REPRESENTATION AND POLITICAL FINANCING ACT (FRPFA) of 2012
INITIATIVE MEASURE**

SECTION 1. FAIR REPRESENTATION AND POLITICAL FINANCING ACT (FRPFA) of 2012:

1. Any politician who receives an excessive contribution may **NOT** vote on, and may **NOT** influence, any matter of government business which disproportionately benefits the specific excessive contributor or any special interest.

SECTION 2. FINDINGS and DECLARATIONS (Background):

1. Currently we have the best government money can buy... this must change.
2. Politicians hold exceptional, and often exclusive, economic, social and political power over the governed citizens. Such power demands exceptional integrity, honesty, forthrightness, transparency, fairness and the unswerving dedication to these qualities.
3. **Politicians and their interest(s) must be held to a higher standard of honesty, fairness, integrity, and scrutiny.**
4. Politicians must represent the entirety of their constituents - **NOT** just a **wealthy minority** advocating a specific agenda. The vote cast by, and the decision made by, politicians must **NOT** be influenced by previous "excessive contributions" or "special interests" – whether received directly or indirectly by the politician or by (or for) any of their personal interests.
5. The citizens know that, **IN THE PAST**, large contributions have been linked to votes on measures; and these measures inevitably resulted in 1) special advantages for the specific contributors and 2) higher taxes and higher costs to the other citizens. **IN THE PAST**, these higher costs **lowered** the standard of living of the citizens, while the specific contributors were **richly rewarded**.
6. The citizens also know that it is **impossible** to have honest, fair enforcement against offending politicians when the enforcer is a **subordinate** of the offending politician (administrative or budgetary). Therefore, a small, proportionately-sized, independent agency must perform investigations and other actions necessary for the honest, fair enforcement of this act against high-ranking, offending politicians.
7. However, **NO** agency should be granted unchecked power. As such, the functions of investigation, enforcement, acquisition and conversion of assets, and the distribution of those assets to the resident governed citizens in accordance with this Act must be carefully separated between independent agencies.

SECTION 3. Statement of Purpose

1. It is the desire of the citizens to **eliminate** the influence of **excessive** contributions on the votes cast by politicians, and/or the influence excessive contributions have on decisions affecting government business.

Therefore, the governed citizens do hereby establish and mandate this Act as follows:

SECTION 4. FAIR REPRESENTATION AND POLITICAL FINANCING ACT (FRPFA) of 2012:

A. SPECIFIC PROVISIONS OF THE ACT:

1. Any politician who receives an excessive contribution may **NOT** vote on, and may **NOT** influence, any matter of government business which disproportionately benefits the specific excessive contributor or special interest.
2. The people remain encouraged to write and/or call the appropriate politician to make suggestions, and to work for and advocate a desired outcome reflecting their principles and desires. The people are encouraged to contribute reasonable amounts to the campaign of the politician of their choice. Such interaction, without the transfer of an excessive contribution to the politician or the politician's interest, is applauded, encouraged and advocated. In such cases, the politician remains unrestricted regarding their vote or influence upon matters of government business.

KEY DEFINITIONS:

A. Politician:

- 1) Herein, any **non-excluded**, elected official, and any **non-excluded "appointed government administrator"** shall individually and collectively be referred to as a **"politician(s)"**

B. Contributor:

- 1) Any entity providing any **"contribution"** of **"value"** to a **politician** or the politician's interest shall be referred to, herein, as a **"contributor"**.

C. Excessive contributor:

- 1) Any entity providing any **"contribution"** of **"value greater than the insignificant amount"** to a politician or the politician's interest shall be referred to, herein, as an **"excessive contributor"**.

D. Excessive (excess) contribution

- 1) Anything valued at more than the equivalent of the earnings of one person's normal work week at the prevailing minimum wage. Specifically, this is calculated as 5 days, times 8 hours per day, times the prevailing United States official minimum wage. (For example: 5 days x 8 hours per day x \$8 per hour = \$320.00 US currency). This value or less is considered an **"insignificant amount"**. All items of value, other than cash, contributed shall be appraised and converted, if necessary, so as to be measured in the currency of the United States (e.g.: dollars).

E. (See addendum titled: "DEFINITIONS -- Initiative Acts of 2012" for additional definitions)

3. Penalties are imposed on **offending politicians** who receive excessive contributions AND then vote for, or influence government business for, a disproportionate benefit to the excessive contributor or special interest.
4. A **very small**, proportionately sized, but completely independent, "Government Contribution Investigation and Oversight Organization (GCIOO)" will 1) perform investigations and other oversight actions necessary for the honest, fair, enforcement of this act and will ensure compliance with this Act, and 2) ensure proper checks and balances. The Director and managers of the GCIOO shall be **elected** by the citizens. The GCIOO is staffed at approximately one third the number of elected politicians. Directly involved oversight staff are rewarded for diligence, and severely punished for excessive actions.
5. A very small, proportionately sized, but completely independent, "Distribution Agency" will 1) ensure the fair and rapid distribution of assets to the **resident governed** citizens, and 2) ensure proper checks and balances. The Director of the Distribution Agency shall be **elected** by the citizens. The Distribution Agency is staffed at approximately one eighth the number of elected politicians.
6. Most seized funds are distributed directly to the **resident governed citizens in accordance with this Act**.
7. After confidential investigations, all documentation and findings shall be immediately made part of the **easily-accessible public record**.
8. The financial interests of politicians and any pass-through entity shall be subject to ongoing and/or random investigations, under the provisions of this Act. Investigations by the GCIOO and the Distribution Agency (the oversight agencies) are **strenuously restricted** to the **financial status and funding sources** of the politician and any pass-through entity.
 - A. Such investigations by the oversight agencies shall be for the **sole purpose** of determining whether or not the politician received any "excess **contribution**" or has any **"special interest"** in matters requiring a "vote" or which will result in a decision, policy, procedure, or other matter of government business which is disproportionately beneficial to the excess contributor.
9. **Contributors free to contribute any amount**

- A. The **contributor** is, and will always remain, free to hold any economic, political and/or social opinion which they deem worthy; and shall remain free to contribute any amount they desire to any politician (or the politician's interest) whom/which they deem worthy.
10. ALL citizens are, and will always be, **encouraged to write or call** the appropriate politician to make suggestions, or to advocate a desired outcome. Such **INTERACTION, WITHOUT THE TRANSFER OF AN EXCESSIVE CONTRIBUTION TO THE POLITICIAN OR THE POLITICIAN'S INTEREST, IS ENCOURAGED AND ADVOCATED.**
11. The **politician** is, and will always remain, free to hold any economic, political and/or social opinion which they deem worthy. The politician is free to use his own funds to campaign for office. However, the politician may not vote so as to disproportionately benefit their own personal interest, or any specific excessive contributor or a specific excessive contributor's interest.
- 12. Fund raising**
- A. The politician remains free to receive any amount of funds from such matters as book publishing, speaking tours, etc, and such income shall not fetter the politician's vote, decision, or influence - unless that vote, decision, or influence disproportionately benefits the publisher (or the publisher's interest) or the organizer (or the organizer's interest) of the speaking tour, etc.
- B. Fund raising restrictions**
- C. However, this Act stipulates fund raising restrictions. To avoid the appearance of circumvention, if the politician or an entity acting for the politician or for the politician's interest "**sells**" something (e.g.: a tangible article, a meal or attendance at any event or any such similar tangible or intangible item or activity) the politician may retain any amount received **BELOW** the sum of the 1) **actual, physical cost** of the product/meal/item plus 2) the insignificant amount. Any amount above this sum shall be forfeited by the politician (or their interest) and/or seized by the GCIOO for distribution in accordance with this Act.
- D. The **reasonableness** of the price to the buyer of any item/meal/event shall assume that the item/meal/event is non-exclusive and not unique and that the politician holds no favored position which would make the item/meal/event any more valuable than any similar item/meal/event offered/held by any other person. No politician shall offer items for "auction" (by that or any other term) if the proceeds of that "auction" in any way accrue to the politician or any of the politician's **direct** interests. Note: any account held by, or for, the politician [e.g.: a campaign fund (by that or any other name)] is specifically a **direct** "interest". Note that a politician may attend/host/speak at any function where funds are raised for a charity/cause - providing the politician or the politician's **direct** interest is not benefited by any excessive contribution.
- E. Promotions or advertisement benefiting the politician, if paid for by a supporter or supporting organization, shall be construed as a direct contribution to the politician and to the politician's direct interest.
- F. In keeping with the advocacy of personal involvement in the political process, the cost of personal **labor** by constituent volunteers shall not accrue to the politician as a "contribution", for the purposes of this Act.
- 13. SPECIFIC INCLUSIONS:**
- A. Specifically included in the provisions of this Act are **elected or appointed politicians** serving in any of the following **tax-supported, or fee-supported**, public positions and **tax-supported, or fee-supported**, public offices (including similar positions by different names):
- 1) Any member of **any decision making board** (by whatever the name or title of the board) (e.g.: the **Air Quality Control Board**) having authority to impose mandated requirements on a business or governed citizen, or to assess a fine against a business or any governed citizen.
 - 2) Any member of committees **deciding policy** which will be imposed on the **governed citizens** (e.g.: policy regarding vehicle emissions testing and standards, building codes, energy efficiency standards, tax rates, any fee which is not equally and uniformly applied to all the **governed citizens**, or any fee which is not equally and uniformly applied to all users of

a public asset, or any fee which is not equally and uniformly applied to those benefiting from a public service, etc.)

- 3) Any elected politician, or appointed politician, or appointed member of a committee, at a level or government **deciding scholastic policy** and instructional content - except as specifically excluded within this Act.
 - 4) All **elected** positions of the official or quasi-official system of judicial **courts**. (For example, by these or any other names: judges, justices, magistrates, , and the **District Attorney**),
 - 5) Anyone serving in a position determining or approving plans for **real estate development** (strategic or implementation) - other than "plan check" and engineering/code-compliance review.
 - 6) All **arbitrators** if their arbitration fee is not divided equally between the parties being arbitrated.
 - 7) Any / all politician(s) influencing for, or involved in, the **selection of a contractor** to the government, or where the contractor will act for, or on behalf of, the government.
14. To prevent circumvention of the intent of this act, this act **eliminates and prohibits** any and all **contractors, or grantees** (by those or any other names / titles) who serve in an official or quasi-official **managerial /decision-making** capacity of any "tax-supported, or fee-supported, public office" and/or who perform any official "government business".

15. **SPECIFIC EXCLUSIONS:**

- A. **Except as specified** under "**Specific Inclusions**", this Act shall **NOT** be applicable and **NOT** enforceable to **politicians and employees** of the government who do **not perform the actions** cited in the paragraph titled "Specific Inclusions".
- B. Specifically excluded are politicians of the local or district-level **PTA**, the **local, city or district School Board**, school **Principals and Vice Principals**, and similar-level tax-supported, or fee-supported, positions and organizations which do not perform the actions cited in the paragraph titled "Specific Inclusions".
- C. Specifically Excluded are **elected politicians who perform only an administrative role** - and who do not perform the actions cited in the paragraph titled "Specific Inclusions"
- D. Excluded are for example (but not limited to, and by these or any other names appropriate to the function):
 - a. Agricultural Commissioner
 - b. Assessor- Clerk- Recorder
 - c. Auditor-Controller
 - d. Coroner
 - e. **Registrar of Voters**
 - f. Treasurer / Tax Collector
 - g. Sheriff
 - h. Any **Secretary of State**

16. **A CHANGE IN FUNCTION CHANGES ACCOUNTABILITY**

- A. **However**, this Act **shall be enforceable** on such candidates, offices, and incumbents if and when these officers and/or candidates and/or incumbents **begin** to control and/or influence and/or cause the **initiation of government policy or procedures** in areas **not** associated with their specified elected office duties as of January 2011, and/or
- B. If they begin to control and/or influence and/or cause the **initiation of the expenditure or direction** of government funds in areas **not** associated with their specified elected office duties as of January 2011.

17. **ALL POLITICIANS HAVE AN INTRINSIC "SPECIAL INTEREST"**

- A. ALL politicians are deemed to have **constructively received a direct excessive contribution** from any direct or indirect interest with which they were associated **before** assuming the political office.

- B. All politicians are hereby specifically deemed to have a "**special-interest**" in and desire to **benefit** any direct or indirect interest with which they were associated **before** assuming the political office.
- C. As such, **NO** politician may vote for, or influence any decision regarding, any action which will benefit, directly or indirectly, presently or in the future, any **direct or indirect interest** with which they were associated **before** assuming the political office or with which they became associated after taking office.
- D. Any **politician** who **sets aside** or transfers, or in any way seeks to separate himself from any current or former business (e.g.: by a trust account or transfer of ownership to a family member [to the 3rd generation by blood or marriage or common law]) or friend or business associate or by contract), while a candidate (or prior to becoming a candidate) for elected office or while in an elected office or while being considered for or serving in an executive administrative capacity is deemed to have a "**special interest**" in that **former business**, and is **SPECIFICALLY PROHIBITED** from **voting** for, or in any way **influencing present or future** laws, or policy or procedures which would disproportionately **benefit any special-interest**, or former business, or any direct, or any indirect personal economic interest of the **politician**.

18. ATTEMPTED ISOLATION

- A. If any entity contributes more than the insignificant amount to the politician, any contributor, politician, candidate, company, and/or any organization or entity who/which sets aside or transfers value to a third party or another organization or "**pass-through entity**" in an attempt to **isolate** himself (personally or corporately) from any current or former economic interest(s) or other restricted entity in order to 1) **make a contribution or 2) to campaign to become a politician or 3) to remain a politician** is, hereby, specifically designated as an **excessive contributor**.
- B. **It is constructively deemed** that there is reasonable expectation the contributor will be associated with that/those "set-aside" interest(s) in the future.

19. PASS-THROUGH ENTITIES

- A. A "pass-through entity" receives value from one or more contributors and then contributes to a politician. (Examples include but are not limited to: other politicians, "societies", groups, trusts, funds, associations, special causes having a specific desired outcome).
- B. If the pass-through entity contributes more than the insignificant amount to the politician the "pass-through entity" is herein deemed an excessive **contributor** and **all contributors to the "pass-through entity" are deemed excessive contributors regardless of:**
 - a. **the amount of the contribution to the pass-through entity, and/or**
 - b. **whether passing value directly to the politician or to any of the politician's interest, or to another "pass-through entity".**

20. NO ABDICATION

- A. The burden of government for which an incumbent was elected, and the accountability under this Act may not be circumvented / side-stepped by transferring responsibility for governing to any other agency or contractor. Any politician who votes to, influences for, or encourages any attempt to abdicate or relinquish (by any name) to any other substitute entity any historic functions of the position for which the politician was elected or appointed (as of January 2011), shall be deemed an **offending politician**.
- B. **In addition**, any and all **measures**, policies, procedures, or any other activity of government **business** performed / accomplished / initiated / modified by the substitute entity to which government business was abdicated, shall be **immediately and automatically voided, rescinded and nullified**. Any payment to the substitute entity shall be recaptured and distributed to the governed citizens.

21. INDEPENDENT ANALYSIS / CONSULTANTS / ANALYSTS

- A. Any entity (person, firm, commission or organization – by whatever name) from which the politician seeks assistance for data gathering and/or analysis, shall be investigated if they provide

recommendations regarding any policy, any vote, any decision, or influence in any way the decision making process of the politician. If the investigation reveals any direct or indirect link to an interest which is in any way linked to the politician or the politician's interest, the report or recommendation shall be nullified, and any resulting related vote, or related matter of government business, shall be overturned, and the politician relying on the consulting agency or entity shall be deemed an **offending politician**.

22. AUTOMATIC NULLIFICATION

- A. Any politician(s) who cast(s) a **vote(s)** in any election or makes a decision and who is later determined to be an offending politician as it relates to that vote, decision, or government business, shall have their vote(s) immediately and automatically **nullified**; and the **measure** shall be determined based on the **previously recorded votes** of the remaining politicians (who are not "offending politicians"). This automatic nullification is in **addition** to the forfeitures imposed on any offending politician.

23. OFFENDING POLITICIANS

- A. Any **politician** found to have received an excessive contribution and who **attempts** to "vote" or influence **government business** (as broadly defined herein), whether successfully or unsuccessfully, in violation of this Act, is determined to be, and is herein deemed, an "offending politician".
- B. Any "pass-through" politician who attempts to retain the excessive pass-through contribution is hereby viewed as attempting to circumvent this Act, and is deemed an offending politician.
- C. Any politician who, or politician's interest which, receives a contribution, and who then hires, pays, contributes to, or in any other way transfers an excessive contribution (excessive value) to a receiving politician(s) or that receiving politician's interest is hereby deemed an offending (contributing) politician. In such case, the contributing politician's public and/or personal staff, and/or any committees on which the contributing politician serves, is/are considered part of the contributing politician's "interest".

24. FORFEITURES FOR OFFENDING POLITICIANS

- A. An **offending politician** shall
- 1) forfeit all **"compensation received from the excessive contributor"** as this is deemed an illegal contribution.
 - 2) forfeit all right to **vote** on **any** future measure (may not cast any vote on any matter(s) or perform any other "government business") for the remainder of their term of office.
 - 3) have their "vote" or decision which disproportionately benefits the excessive contributor (as broadly defined herein) expunged, **overturned** and nullified in the appropriate official record.
 - 4) forfeit all right to any and all unpaid **salary**, and
 - 5) forfeit all right to any/all form of future **compensation** associated with the **elected** or **appointed** position for the duration of the term of office, and.
 - 6) forfeits all other **benefits** which would normally arise from acceptable service in the position, and.
 - 7) forfeit all right to all future **benefits** (by whatever name), and
 - 8) forfeit **any and all retirement** income/compensation (by whatever name). For clarification, the offending politician shall receive **no** retirement income and **no** additional benefits above that which the politician previously set aside from the politician's previously paid salary. If these previously set aside personal funds are held on "account" with the tax-supported organization or any other approved holding organization, the politician may withdraw the amount currently in their account (using standard accounting procedures and subject to tax withholding).
- B. **FORFEITURES BY THE OFFENDING POLITICIAN SHALL BE TIMELY SEIZED BY THE GCIOO AND TRANSFERRED TO THE DISTRIBUTION AGENCY FOR TIMELY DISTRIBUTION DIRECTLY TO THE RESIDENT GOVERNED CITIZENS IN ACCORDANCE WITH THE PROVISIONS OF THIS ACT.**

- C. **UNDER NO CIRCUMSTANCES SHALL ANY FORFEITED, SEIZED OR FINALIZED ASSETS BE PLACED IN, OR LENT TO, ANY "FUND", OR "BUDGET", OR "ACCOUNT" OR TO ANY ENTITY (BY WHATEVER NAME) MANAGED BY ANY POLITICIAN(S) OR CONTROLLED BY ANY POLITICIAN;S INTEREST OUTSIDE THE INDEPENDENT DISTRIBUTION AGENCY.**
- D. All forfeited, seized and finalized funds will be held in accounts controlled only by the Distribution Agency. All seized liquid assets and all finalized assets are **specifically and irrevocably reserved** for distribution to the resident governed citizens in accordance with the provisions of this Act.
- E. However, the **ELECTED** offending politician shall **NOT be removed** from office. As such, no circumvention of this Act may be accomplished by any subordinate; and the governed citizens are not burdened by excessively frequent elections. The office shall remain filled, but all costs associated with the **elected** politician (present and future) and the incumbent's ability to vote on any measure shall be removed. **EXCEPTION:** The only exception is when sufficient number(s) of **offending** politicians are removed from income and voting status such that the total number of remaining voting members in that governing body (e.g.: the County Board of Supervisors, or the State Senate) falls below the necessary quorum. In such case, all **offending politicians** in that governing body (e.g.: the County Board of Supervisors, or the State Senate) shall be immediately and automatically removed from office. The GCIOO shall ensure compliance with this provision. The election official for that governing body shall ensure that a special election is rapidly held to replace all of those **offending** politicians in that governing body.
- F. **In addition to the other forfeitures** herein described for offending politicians, an offending politician who is described, herein, as an "**appointed government administrator**" shall be immediately **removed** from their office and **expelled** from the tax-supported organization from which they received their salary, before expulsion. A **new** "appointed government administrator" shall be elected by the governing board, and that new "appointed government administrator" shall serve under the same constraints specified by this Act.
- G. Additionally, the offending politician, shall be **ineligible to campaign** for, or be elected to, or be appointed to, or be in any way a consultant for, advisor for, personal assistant to, employee of, or contractor for any tax supported office or any tax supported organizational position at the level of government commensurate with the scope of this Act and the **level of government** at which the offending politician served.

25. CONDITION OF ACCEPTANCE OF PUBLIC OFFICE:

- A. As a condition of the acceptance of public office each non-excluded politician must willingly and verbally accept all provisions stipulated in this act. If any politician serves in political office without such verbal acceptance, their service is deemed to automatically imply consent to, and voluntary acceptance of, all provisions stipulated in this act.
- B. By accepting any political office (or the return to any political office or to a different political office - whether at the same or different level of government) the politician is deemed to have **specifically and voluntarily** accepted, and **voluntarily** agrees to be subject to, all provisions of this Act Particularly and specifically is the **voluntary** acceptance of this provision to relinquish ALL retirement income and ALL benefits from ALL government sources, **regardless** of when or through what office or service those benefits were acquired, if they are determined to be an offending politician. By accepting any political office, and serving therein, the politician, hereby, specifically and voluntarily relinquishes his right to an "entrapment" defense.

26. HOLD HARMLESS

- A. A politician who receives an "excessive **contribution**" and desires to be held **harmless** shall:
- 1) contact the GCIOO and disclose the details of the "excessive contribution" and
 - 2) immediately physically provide the "excessive contribution" to the Distribution Agency at the appropriate government level; and
 - 3) grant (in writing), the ownership and title to the contribution to the Distribution Agency.
- B. The Distribution Agency shall rapidly reimburse to the politician the "insignificant amount" from the contribution.

27. APPEAL REGARDING A PERCEIVED UNFAIR GCIOO RULING

- A. A challenge may arise by the politician regarding a perceived unfair ruling by the GCIOO.
- B. The politician may appeal the ruling via the judicial court system having the same government scope as this Act.
- C. However, no public funding shall be used to defend the politician. Additionally, no government paid staff, nor any government funded contractor, may be used to represent or defend the politician or be used to prepare documents on behalf of the politician.
- D. Any politician discovered to be using, or to have used, any government paid staff or any government contractor(s) to participate in the politician's challenge, shall be automatically deemed an **offending politician** subject to forfeitures specified herein.

28. PROCESSING SEIZED / FINALIZED ASSETS

- A. If the asset is not a liquid asset (e.g.: cash), the Distribution Agency shall quickly appraise, advertise, and auction items, to convert the asset to a liquid asset.
- B. As soon as the seized and/or finalized assets become a liquid asset, the liquid assets shall be divided in accordance with the provisions of this Act and shall be placed in accounts dedicated solely for the timely distribution in accordance with the provisions of this Act.
- C. Under no circumstances may these funds be placed in any general pool or fund (by that or any other name) controlled by any politician outside the Distribution Agency. Under no circumstances may these funds be used by, lent to, bestowed upon, given to or borrowed (by that or any other term) by any politician(s) or organization controlled by politician's interests outside the Distribution Agency. Under no circumstances may these funds be used by the GCIOO or by the Distribution Agency until timely distributed. Distribution shall be directly to the recipients in accordance with the provisions of this Act.

29. INCENTIVE TO DILIGENCE

- A. As an **incentive to diligence**, additionally, from any seized assets (**EXCEPT** assets voluntarily relinquished by the politician under the "Hold Harmless" provision), the GCIOO **investigative staff who were directly involved** in the investigation and seizure (i.e.: that staff in the specific local office(s) which was responsible for the seizure) and the GCIOO manager(s) of the specific local office(s) which was responsible for the seizure and the representative(s) of the Distribution Agency of the specific local office(s) which was directly responsible for the seizure, (or the heirs of any of those individuals warranted an incentive appropriate to the seizure) are hereby specifically granted the right to receive, and are mandated to receive, a timely distribution of their per capita share of "**incentive funds**". Incentive funds are a very small portion of seized and/or finalized assets. (See the Addendum titled **DEFINITIONS -- Initiative Acts of 2012, "incentive funds"**). All remaining seized and/or liquid assets shall be designated for timely distribution directly to the resident governed citizens.

30. PENALTY FOR EXCESSIVE SEIZURE

- A. However, to ensure **fair, honest and proper investigation and seizure**, any politician adjudicated in a court of law to have had assets seized without a reasonable proof of connection between the politician (and/or the politician's interest) and an excessive contribution:
- B. shall have the value of the seizure **returned** to the politician **AND**
- C. **the investigator shall compensate the politician 1/4 of the investigator's annual base salary AND**
- D. **the investigator's manager shall compensate the politician 1/4 of the manager's annual base salary AND**
- E. the representative of the Distribution Agency involved in the seizure decision **shall compensate the politician 1/4 of the Distribution Agency representative's annual base salary as a "penalty compensation"**.
- F. The penalty shall come from the investigator's and the manager's and the representative's **personal** funds (specifically: salary and/or retirement account) - **not** from any government, or GCIOO, or Distribution Agency fund(s). The penalty compensation shall be paid directly to the politician by the financial agency which provides the salary and benefits to the investigator, the investigator's manager, and the representative. The amount so repaid will be withdrawn from the

investigator's, the manager's, and the representative's salary over time, and in an amount not to exceed a 10% salary reduction per person, per pay period - until fully satisfied.

31. CONDITION OF SERVICE IN THE GCIOO OR DISTRIBUTION AGENCY

- A. As a condition of the acceptance of service in the GCIOO or Distribution Agency each agent/manager/representative must willingly and verbally accept all provisions stipulated in this act. If any agent/manager/representative serves without such verbal acceptance, their service is deemed to automatically imply voluntary consent to, and voluntary acceptance of, all provisions stipulated in this act.

32. PUBLIC INPUT

- A. Any governed citizen may report questionable activity by a politician to the GCIOO and an investigation shall be commenced.

33. CONFIDENTIAL INVESTIGATION

- A. The details of the investigation shall remain closely held within the GCIOO during the investigation.
- B. However, after the investigation, the GCIOO shall place the **details** and outcome of the **investigation** into the easily accessible **public record**.

34. INVESTIGATIONS PERMITTED

- A. Any entity contributing value to the politician or the politician's interest shall be investigated to determine whether the entity is a pass-through entity. Any value which is found to be conveyed via any pass-through entity shall be seized and timely distributed to the resident governed citizens in accordance with this Act.
- B. Operations may be mounted **covertly**, without notice and **randomly**, to determine whether or not any politician is **willing to accept** a contribution in exchange for the politician's vote or influence.
- C. No warning is to be issued prior to the investigative operation.
- D. If necessary during an investigation, investigators are permitted operating funds with which to substantiate, or follow through on, their stated ability to "contribute" to the politician - per the terms decided during the investigation. (Such funds shall be confiscated and returned to the GCIOO and held in preparation for the next investigation).
- E. Concealed **recorders** and other **surveillance** devices are specifically **authorized** during any conversation with or surveillance of the politician or with those representing the politician's interest.
- F. Any politician found **willing** to circumvent this Act shall be deemed to have violated this Act; and shall be deemed an offending politician, and shall be immediately subject to the forfeitures provided in this Act.
- G. Investigating GCIOO agents/officers are, hereby, granted **specific immunity** from any **untruth they must tell** during the investigation while conversing/corresponding with
 - 1) the politician, or
 - 2) those who in any way represent the politician's interest, and/or with
 - 3) any "pass-through entity".
- H. Specifically **authorized**, hereby, are investigation(s) of any/all **entity(ies)** who are **suspected of providing an excessive contribution**.
- I. Specifically **authorized**, hereby, are investigation(s) of the **politician's financial accounts** and other benefits to determine the sources of contributions of value they have received.
- J. Specifically **authorized**, hereby, are investigation(s) of any of the **politician's interest(s)** to determine the sources of benefits of value they have received.

- K. Specifically **authorized**, hereby, are investigation(s) of any/all entities suspected of being **pass-through entities** to determine the sources of income (and/or contributions) of value that pass-through entity received.
- L. Specifically authorized, hereby, are investigation(s) of any/all organizations/ **entities** suspected of providing any excess **contribution** to the politician or for the politician's interest.

35. MANDATED COOPERATION

- A. All entities, whether governmental, semi-governmental or private, are hereby **mandated to cooperate** with any/all GCIOO investigation(s). The only exception to this provision shall be the United States Constitution and any amendments thereto, which conflict with this provision (e.g.: prohibition against testifying against oneself). This Act supersedes other privacy laws as it applies to the investigation of the contribution source(s) to a politician or their interest. This Act does NOT supersede other privacy laws when applied to non-politicians.
- B. Failure to cooperate will result in **seizure(s)** of any/all funds from the entity (e.g.: individual or collective body - whether formally or informally organized) refusing cooperation.

36. TRACEABLE VOTES

- A. Other existing laws shall be modified to mandate, and all future laws shall mandate that all **votes** by politicians, as defined in this Act, shall be conducted in a manner which permits traceability back to the **politician** voting and/or deciding any aspect of government business. No "show of hands" votes or pooled tally shall be an acceptable form of bill passage or policy determination.
- B. Other existing laws shall be modified to mandate that all **decisions** shall be documented in a manner which permits traceability back to the **politician** (as defined by this Act) voting and/or deciding / directing / influencing any outcome of government business.

37. INTERIM HEAD OF THE GCIOO AND THE DISTRIBUTION AGENCY

- A. This Act mandates that the head of the GCIOO and the Distribution Agency be elected by a simple majority affirmative vote of the resident governed citizens at the next available special or general election occurring after this Act is established. Until such candidates can make themselves known and an election can be held, the head of an existing INDEPENDENT Ethics Organization shall head the GCIOO and the Treasurer at the level of government applicable to this Act shall head the Distribution Agency.
- B. If the head of an existing INDEPENDENT Ethics Organization and the Treasurer (both positions are herein defined as a politician) act to subvert the intent of this Act, the offender(s) shall be deemed offending politicians, and the sanctions and punishments associated with that designation shall be imposed **by** the elected heads of the GCIOO and the Distribution Agency immediately after they take office.

38. MODIFICATION OF THIS ACT:

- A. UNDER NO CIRCUMSTANCES WILL / SHALL / CAN ANY ELEMENT OF THIS ACT BE CHANGED WITHOUT A SIMPLE MAJORITY AFFIRMATIVE VOTE OF THE RESIDENT GOVERNED CITIZENS at the scope of government represented by this Act. Resident governed citizens will vote directly on ANY / EACH / and ALL proposed changes. **Under no circumstances** shall any incumbent politician individually or collectively or by any combination of incumbent politicians attempt to modify, undermine, circumvent, or attempt to nullify this Act, or any provision of it, in any way.
- B. Any politician advocating the change of any part of this Act by any means **EXCEPT** a simple majority affirmative vote of the resident governed citizens shall immediately be deemed an "**offending politician**" and shall be subject to the forfeitures stated in this Act.

39. PREEMINENCE

- A. This Act is hereby granted, and mandated, precedence over all other conflicting **laws**, and/or **policies** and/or **procedures** and/or **directives** (by whatever name) of prior date, having the same "scope" of government as this Act (except the appropriate Constitution at the same or higher scope of government).

- B. All other conflicting **laws**, and/or **policies** and/or **procedures** and/or **directives** (by whatever name) of prior date, having the same "scope" of government as this Act are hereby mandated to be modified, as necessary, to align with the provisions of this Act, or to be voided and nullified.

40. CONFLICTING MEASURES

- A. This Act shall take effect notwithstanding approval by the voters of another measure relating to any similar matter, not directly in conflict with this measure, by a greater number of affirmative votes.
- B. If this Act is superseded by law by any other conflicting ballot measure approved by the voters at the same election, and the conflicting measure is later held invalid, this measure shall be given the full force of law.

41. COMMENCEMENT

- A. To preclude subterfuge, this Act shall become **effective upon the date on which it received a simple majority** of affirmative votes cast by the resident governed citizens.

42. DURABILITY

- A. This Act shall have legal standing and durability / duration until changed or eliminated by a simple majority of affirmative votes cast by the resident governed citizens. If this Act is changed, the new Act shall be durable until similarly changed or eliminated. Successive generations of this Act shall have the same legal standing and durability.

43. SEVERABILITY

- A. The provisions of this Act are severable. If any provision of this Act or its application is held invalid, the invalid provision shall not affect other provisions or applications that can be given effect without the invalid provision or application.

44. INCLUSIONS

- A. The addendum titled: "**DEFINITIONS -- Initiative Acts of 2012**" is included in, and made an integral part of, this Act by reference.
- B. The addendum titled: **DISTRIBUTION AGENCY** are included in, and made an integral part of, this Act by reference.
- C. The addendum titled: "**GOVERNMENT CONTRIBUTION INVESTIGATION AND OVERSIGHT ORGANIZATION (GCIOO)**" is included in, and made an integral part of, this Act by reference.

DEFINITIONS -- Initiative Acts of 2012
ADDENDUM TO INITIATIVES

TERMS and DEFINITIONS:

Herein, all terms indicating possession by the politician (For example, but not limited to the personal wealth of the politician) or the contributor shall be specifically extended to include any and all interests, direct and/or indirect, past and/or indicated or promised for the future.

The definition of any word, defined herein, shall also apply, in full, to the various tenses (e.g.: past, present, and/or future) as appropriate to the context (e.g.: receive, received)

The definition of any word, defined herein, shall also apply, in full, to any form of that root word (e.g.: direct, directly, receive, receipt).

Herein, when an example is given for clarification, the item is not limited to the example(s) given.

Herein, "e.g.:" shall mean "for example", and, for further specification or clarification, "i.e.:" shall mean "that is".

Herein, the definition of a word which can be used as various parts of speech (e.g.: a noun or a verb) shall be considered applicable to any or all such parts of speech as logic and context dictate. An example is the word "benefit". Each part of speech shall be applicable whether the implication of the word is that the politician is receiving or is giving.

- **abdicate / abdication** – means the deferral of historical responsibilities and /or historical roles to another entity.
- **abdicate / abdication – means** the deferral of historical responsibilities and /or historical roles to another entity.
- **Acquire / acquires** is broadly defined to include:
 - 1) the act of constructively taking **physical possession** of anything of value,
or
 - 2) the act of constructively receiving a **promise or commitment or provision for future** delivery or transfer or future benefit of anything of value.
- **Asset** - Any valuable, but non tangible, or non-liquid asset or asset not convertible into monetary form (e.g.: a contributed vacation) shall have the value assessed and that amount shall be the value of the asset. (This amount shall be seized from the offending politician's personal assets, or the assets of the offending politician's other, direct interests or indirect interests.)
- **appointed** – means directed to serve, or authorized to serve, in an administrative or executive or management position whereby a vote or official approval of the appropriate group – usually comprised of an official Board or Council or other such panel of administrators – is required to officially install the incumbent into the appointed position.
- **appointed government administrator** -- means any person serving in, or being considered for, any **appointed position** as an executive to serve as the head, director, chief, or any executive officer (e.g.: the County Administrative Officer) of any government entity and where such appointment requires an appropriate number of votes or approval indications, not from the governed, but rather from a board (e.g.: county Board of Supervisors) or council (e.g.: City Council) of a **government entity** or **quasi-government entity**.
- **"A benefit" / "of benefit" / beneficial** – means anything providing an advantage to the one benefited, whether: **financial / economic**, (e.g.: payoff, or something of value, or the elimination of unions, or the elimination of taxes for the contributor or the contributor's interest, or a favorable land acquisition, a mandate of action for which public funds will pay),
or
political, (e.g.: advantageous position or influence over another, or control or power over another)
or
social (e.g.: prohibition against eating meat, or a mandate to spay or neuter pets).

"Benefit" specifically INCLUDES any government business which would **adversely** impact any individual, organization or group which **competes** with the **contributor**.

For the one (or one's interest) benefited it also includes, but is not limited to any one, or any combination of, the following:

-) any advantageous provision, (e.g.: sole source procurement)
-) any action or influence toward a favorable outcome (e.g.: putting the contributor in better competitive position)
-) any action or influence which will cause, or result in, a favorable outcome for the contributor, (e.g.: eliminating competitors)

For the one (or one's interest) benefited it also includes, but is not limited to any one, or any combination, of the

following

directly or **indirectly** to:

- 1) the contributor or
 - 2) the contributor's **interest**, or
 - 3) the politician or
 - 4) the politician's interest
- in the **present** or in the **future**,
any **bestowal or enabling of any of the following**,

- 1) assistance,
- 2) subsidy,
- 3) compensation,
- 4) contract,
- 5) advantage,
- 6) profit,
- 7) gain

or any other such advantage which will accrue, or flow by any path, by any means, to the one benefited

The one benefited can be any one, or any combination, of the following:

- 1) individual,
- 2) group,
- 3) organization,
- 4) consortium,
- 5) association,
- 6) any other **entity**, (by any name, and whether or not officially organized) who/which is uniquely advantaged in any way, or who/which is advantaged as a group of less than 5% of the politician's constituents.

"Benefit" also includes any specific action or targeted outcome on behalf of the **contributor**, or for the benefit of the **contributor**.

"Benefit" includes the enhancement of the **personal** wealth of 1) the **contributor** or 2) **any one or any combinations of the contributor's interests** - including, but not limited to, the property of the **contributor**, or income sources of the **contributor**.

- **board / council** – means a group of individuals or organizational representatives who vote on proposals, and who make rules, procedures and policies by which a government organization operates.
- **bunk container** - truck trailers, cargo containers suitable for loading onto airborne, or sea-going cargo vessels or over-the-road trucks. Bulk containers shall be differentiated from "product containers".
- **candidate** – means anyone who has indicated or **announced**, formally or informally, their **intention to serve** in the appropriate **tax-supported public office** if and when they are later **elected** by the governed citizens. This includes any willing individual whose name appears on an official ballot for a **tax-supported public office**. However, this also includes **write-in candidates**.
- **channels** means American sources of material. If the material does not exist within the US, then the lowest cost of acquisition from sources external to the continental US.
- **citizens of the United States** – For the purposes of this Act: 1) An individual born of parents one or both of whom, are/were United States Citizens OR one who has been legally naturalized and taken an oath of allegiance to the United States AND 2) one who is an adult having a mailing address and official residence in the United States or any of its **Insular Areas** (formerly protectorates), AND 3) an adult who is registered to vote in the district of their residence.
 - citizens of the United States – United States citizens having a mailing address and official residence in the US or any of its protectorates, and who are registered to vote. Herein, this term is specifically differentiated from the elected and/or appointed politicians.
- **compensation received from the contributor** shall mean, that which was received as the contribution, or the corresponding value of the contribution.

In the case of a **self funded** offending politician, **compensation received from the contributor** shall be defined as the **greater** of

- 1) the entire amount spent on the offending politician's **campaign**, or
- 2) the estimated amount which the politician's direct interest or indirect interest would have gained from the offending vote or decision or influence. (as estimated by a local, reputable appraiser, accounting firm - not one of the investigative oversight organizations or the Distribution Agency)

The greater of item 1 or 2 above shall be seized, and finalized from the offending politician's other, **direct or indirect** assets.

Constructive receipt

Regardless of the source of funds or the timing of the receipt, or the individual accepting the contribution, a contribution shall be considered **constructively received** by the **politician** if **any** of the following are true:

1) If any contributor provides any value to the **politician directly**

2) If any contributor provides any value to **creditors** of the **politician on behalf of the politician** or the politician's **direct interest** or the politician's **indirect interest** (For example, but not limited to: allowing the politician or the politician's interest to use a credit card or have a tab or any other method of using any form of credit, which is to be paid by another entity, is deemed direct constructive receipt,).

3) If any contributor transmits (by any means), directly or indirectly, any value to **entities** or **organizations** with which, or to which, the **politician** has any direct interest or any indirect interest

Any valuable, but non tangible, or non-liquid asset or asset not convertible into monetary form (e.g.: a contributed vacation) shall have the value assessed and an equivalent amount shall be seized from the assets of the direct interest or indirect interest of the offending politician.

- **competitive** - competitive means amount at which a similar economic good could be acquired if manufactured or assembled, or mined or pumped or acquired via any process of harvesting or extraction (with or without additional processing) from a source within the continental US.
- **consumer** - consumer means the final retail user of the economic good
- **continental US labor** - means the use of American labor and calculating production cost using the hourly compensation of the average American manufacturing worker
- **contributing organization(s) / entity(ies)** – (whether singular or plural) means Any/all organization(s) (and/or **entity(ies)**) which contribute to the politician or to, (or for) the politician's interest.
- **contribution** – means any **direct** transfer or any **promise or commitment or provision** of transfer of anything of **value** greater than the insignificant amount from a **contributor** to a **politician**, whether **direct** or **indirect**, whether **monetary** or **non-monetary**, whether **current** or **future**, in any form, shall be deemed a **contribution** constructively received by the **politician**.
- **contribution oversight agency** – see the GCIOO
- **contributor**
Contributor is broadly extended to include any entity who (or which), either **directly or indirectly**, provides, transfers, gives, anything of **value** to a **politician**.

The term contributor is broadly extended to mean any combination of, or any single:

individual,
group,
organization,
consortium,
association,

or

any other **entity**, (by whatever title or name) whether or not officially organized, who gives, provides, or causes, **directly or indirectly**, the **politician** to receive, **directly or indirectly**, in the **present or future**, anything of **value** over the **insignificant amount** (basis 2011).

The term contributor is broadly extended to include the direct interest and/or the indirect interest of the politician.

The term contributor is broadly extended to include anyone who provided or who provides or who will provide any benefit of **value** to the politician.

The term contributor is broadly extended to include anyone who has any special interest (economic, social or political) in an outcome decided/influenced by the politician.

For the purposes of this Act, "contributor" includes any organization or entity which advertises (by that or any other name) in any mass media on behalf of, or for the benefit of, the politician - where the fee for the advertisement (by that or any other name) **exceeds** the insignificant amount.

Specifically **excluded from the definition of "contributor"** are individuals who personally donate their time to campaign for the politician/candidate.

- **control** – the ability to make decisions toward a desired goal or purpose, and the authority to issue orders supporting that goal, and/or the authority and power to mobilize forces to carry out actions in support of that goal or purpose. It also means the ability to direct the events of an entity, or to direct the actions of an entity

- **cost of production** - The mathematical product (multiplication) of the "labor rate" times the "number of man-hours required to "create or acquire" the economic good – assuming the use of the most current tools and equipment available within the borders of the United States..
- **creditor** – means any entity to whom the **politician** is indebted for any economic good or service the **politician** received. It also includes any entity to which the **politician** caused an entry to be **charged** to any account. A creditor includes anyone who and/or any organization which has provided to the **politician** an economic good or service, and for which they desire payment or reimbursement.
- **demographic market** means that population in the geographic area in which the economic good is to be sold (or through which the economic good is to be transferred)
- **direct** – means straight from the **contributor** to the **politician** or from the **politician** to the **contributor**
- **direct interest** – means any one or combination of the following:
 - any entity which (prior to the politician assuming the duties of the office) provided funding to, or advocated, or actively supported the politician,
 - any organization (or entity) whose role is to support the politician or the politician's interest – particularly if the organization (or entity) held contributed funds for use in supporting the politician or the politician's interest.
 - any business, entity or organization holding anything of value over which the **politician** has or formerly had any **fiscal control** or **directive influence**,
 - any entity for which the **politician** has (or had) even extended family ties, or
 - any entity whose purpose is to affect social awareness or change to which the **politician** has or had ties, or
 - any entity with which the **politician** has or had economic/business interest(s) or
 - any entity with which the **politician** has other direct political-interest ties
 - any entity with which the **politician** has other direct social-interest ties
 All politicians are hereby specifically deemed to have an "**direct-interest**" in and desire to **benefit** any direct or indirect interest with which they were associated **before** assuming the political office.
- **direct, popular vote** - the votes cast by all citizens of the United States (and the people of its insular areas (formerly known as "protectorates", for example Puerto Rico) who chose to exercise their right to vote in an honestly conducted election or the consideration of a ballot measure.
- **directly to the contributor** shall mean
 - a direct path, without intermediary(ies), from the **politician or the politician's influence** to the **contributor**, or for the contributor's personal use and/or personal control.
 - This includes a direct path from the politician to the **contributor**,
- **distribution** – a disbursement of liquid assets to the resident governed citizens, less usual and customary fees charged by the Escrow Agent, or other disbursements as specified within the Act
- **Distribution Agency** – The Distribution Agency is the very small organization independent from the WDO and independent from the government departments the WDO investigates. is responsible for enforcement against offending politicians It shall 1) be a check and balance of the WDO and 2), dispose of non-liquid, physical assets seized from offending politicians, and 3) distribute the converted, liquid assets directly to the resident governed citizens. This Agency is a very small, independent organization having managers elected by the citizens. It has minimal staff, and is sized as a very small fraction of the number of elected officials over which it has oversight.
- **easily accessible public record** -- means
 - 1) rapidly posted to, and listed on, an appropriate, well publicized web page (and other electronic media as appropriate)
 - 2) rapidly available in printed form upon request by any governed citizen
 - 3) stated in a publication of general circulation (as appropriate, as required in the Act, or at the discretion of the **WDO**).
- **economic good** - any economically useful item - whether tangible or intangible.
 - Tangible items include, but are not limited to, items: printed, written, manufactured or assembled, or mined or pumped or acquired via any process of harvesting or extraction (with or without additional processing).
 - AND economic good includes
 - Intangible items which include, but are not limited to, the dollar value of human services (for example but not limited to technical information services or technical help services – whether provided by phone or by internet.
 - Intangible items also include but are not limited to items which are: electric or electronic, (but, specifically excluding the value of internet electronic traffic),
 - Intangible items also include but are not limited to the value of intellectual goods or intellectual property, (for example but not limited to a computer program or part thereof, or a design, or part thereof).
 - Specifically **EXCLUDED** from this definition for the purposes of this Act are non-business internet transmissions.
 - Specifically, **EXCLUDED** from this definition for the purposes of this Act is money in certain forms as specified in the Act and only under the restrictions imposed by the Act.
 - Specifically **EXCLUDED** from this definition for the purposes of this Act are items for which there is

pictorial proof filed with the US Customs Service that the item(s) originated in the United States or were in use in the United States, were exported, and are being returned to the United States substantially unmodified.

- Specifically **EXCLUDED** from this definition for the purposes of this Act are humans possessing proper travel authority, and crossing the border as a matter of travel - whether for business or pleasure.

- **EILOO** - See Equity in Law Oversight Organization
- **electd** -- means having received sufficient votes from the **appropriate constituents** to be chosen to serve in 1) a tax-supported public office or 2) in an **appointed** administrative position of a tax-supported government organization.
- elected candidate -- **means** anyone who has been **electd** to the **tax-supported public office** or position sought by the candidate, but has not yet been inducted into the office.
- **Electronically / electronic form / electronic** -- any digital (data) item or analog item (for example, but not limited to: a voice conversation).
- **entity** -- means any individual or group or company or business or organization or cause or foundation or nation or political structure or association, or league (by that title or any other name), whether private or governmental or any combination of private and government, whether singular or plural, who stand individually or who associate themselves as a collective or cooperative group -- officially or unofficially, for any specific purpose or purposes.
- **Escrow agent** -- and independent agency determined by open source selection which holds the tax receipts until timely distribution can be accomplished.
- **Equity in Law Oversight Organization (EILOO)** - The investigative agency charged with oversight of elected and appointed politicians as it relates to self-serving legislation and/or policy; or to self-serving exemption from legislation and/or policy, It has the power, when acting with the Distribution Agency, to seize assets of offending politicians and their interests.
- **Excessive (Excess) contribution** -- means a contribution of value greater than the **insignificant amount**
- **Finalize/finalization** -- means the legal, financial and administrative steps necessary to convert legal title to real or personal property, and to convert physical assets into liquid assets (including publicizing and conducting public auctions). It requires, and authorizes those steps necessary to place the liquid assets in an escrow account - for timely distribution to the **resident governed citizens** in accordance with this Act.
- **foreign** -- any entity having its loyalty (whether in whole or in part) to any entity or political cause or group other than the United States and/or its source of institutional authority from a location or entity other than within the furthest landmass boundaries of the United States (including its insular areas (formerly known as "protectorates", for example Puerto Rico). Includes, but not limited to, any economic good having origin in any location outside the United States.
 - foreign -- any entity having its loyalty and source of institutional authority in a location other than within the furthest landmass boundaries of the United States (including its protectorates)
- **GCIIO** -- see Government Contribution Investigation and Oversight Organization
- **Gives** -- means any transfer from the contributor to the Candidate or Incumbent or Administrator, either directly or indirectly
- **governed citizens** -- means resident citizens who have an active residence (not simply a P.O. Box) in the geographic area governed by the scope of this act, **whether or not registered** to vote.
- **government administrator** (also defined as **public administrator**) **manages** and/or **directs the staff** of any government or quasi-government organization existing or created at the level of this act (i.e.: federal agency if this act is a federal act, or state agency if this act is a state act, or county agency if this act is a county act or city agency if this act is a city act). A government administrator **controls**, or in any way **directs, the expenditures** of that **government entity or quasi-government entity**. A government administrator **approves** the creation of **procedures and policy** for that **agency**
- **Government agency** -- means a government entity
- **government business** -- means the direct and/or indirect **action** to initiate and/or establish (or modify), or effort to **influence** (to any degree), any, or all, of the following (including any other name carrying a similar connotation)
1) It is also broadly defined. For example, but not limited to, any of the following:
adjudication,
allocation of government-controlled public funds and/or assets
bill (a written law or legislation),
contract (an agreement for payment in exchange for an economic good or service)
code of standards/norms/acceptable level of performance or behavior
decision
declaration, directive, direction or mandate
directive
disbursement

distribution of government funds and/or assets
distribution of government-controlled public funds and/or assets
endorsement
expenditure
establishment of a fee
grant or denial of approval(s)
law,
measure, (a written law or legislation)
motion (a proposed written law or legislation)
position statement
policy
procedure,
pronouncement
proposed law,
proposition
recommendation,
resolution,
tax
treaty,

or any other matter allocated to the government for its action.

- **government entity** – means any chartered or registered or duly constituted and officially recognized person (e.g.: the governor), office (e.g.: Mayor's office), agency (e.g.: _____), commission (e.g.: _____), or organization or group (e.g.: Board of Supervisors), whose business is governance. A government entity has the official recognition, from the appropriate next-higher level of government, that the government entity is an agent of the government.
The government entity also may include any official policy **making group**, or policy **enforcing** group, or decision-making **board** or **council** or any other such government unit.
- **Government Contribution Investigation and Oversight Organization (GEIOO)** – The investigative agency charged with oversight of elected and appointed politicians. It has the power, when acting with the Distribution Agency, to seize assets of offending politicians and their interests.
- **government funds** – means any amounts collected by the government via any form of tax, fee, levy, or any other such source of government income. It also includes any amount(s) disbursed via payment, grant, allocation, allowance (by those or any other such name(s)). It also includes any form of **value** indicated by any **stamp, credit, voucher, IOU** or any other form of **value** (by any other name) issued by any **tax-supported government entity**.
- **historic functions** – functions traditionally relegated to elected American officials acting ethically on behalf of, and in the best interest of, the governed citizens (for example, but not limited to:
creating laws, policies, and procedures,
levying taxes,
determining the proper use of public land,
raising and maintaining an army and/or committing troops to battle,
determining rules of commerce,
determining judicial rules regarding civil law and criminal punishment,
and similar matters of governance.)
- **import** - import means to transfer, whether physically or electronically, into or through, any part of the United States (or any of its insular areas (formerly known as "protectorates", for example Puerto Rico) from any source or location outside the geographic area of the United States .
- **import tax** - a tax imposed directly, and only, on the entity seeking to import the economic good – **under no circumstances** shall any import tax be misconstrued as an additional sales tax (by whatever name) levied (by whatever name) on the intermediate recipient (e.g.: wholesaler/warehouse) or on the final consumer. This import tax shall be collected directly from the importer in US dollars
- **imported item(s)** is equivalent to, and exclusively defined as, newly imported, or modified items – The classification of newly imported item shall NOT apply to items which have pictorial proof, previously filed with the Customs Service before the item(s) was/were removed from US soil, showing that it/they are owned by a US citizen and are being returned in substantially the same condition and with the same functionality it/they had when it/they left the United States.
For example, but not limited to:
 -) The personal household effects belonging to a US citizen returning from duty or service in a foreign country returning with items which were originally purchased, or in general use in, the United States. The personal household effects exemption shall be limited to one such exemption per head-of-household per year.
 -) Equipment used in the course of business (e.g.: unmodified musical or medical instruments,)
 -) Empty containers which were exported and are being returned to the US
 -) Items exported for repair (although import duty may be charged on the repaired portion of the item).

-) Animals (domestic) temporarily exported for pasturage purposes and returned within eight months.
-) Other re-imported items which are specifically specified as allowed after a direct, popular majority vote of the citizens of the United States.
- **importer** – importer means any corporation, agent, organization, consortium, fund, trust, individual, or any other entity (by whatever title or name) who attempts to import any "economic good".
- **incentive funds** – means **ten (10) percent** of the seized and/or finalized assets - **excluding** assets voluntarily relinquished by the politician under the Hold Harmless provision.
- **incumbent** -- means anyone currently serving in any **tax-supported public office**
- **indirect (indirect)** -- means by any **path** from the source to the recipient – whether from the politician to the contributor or from the contributor to the politician (or to, or through, any of their respective interests). It also includes any **pass through** individual(s) or organization(s) between the contributor and the **politician or between the politician and the contributor**. It specifically includes any **contributor's direct business interests**. It also includes any path through any other social cause, specially formed group or organization (whether formally created or informally associated), foundation, company, or any other such entity
- **Influence -- means** any action to use the position of the appointed government administrator, or the position of the elected incumbent to **direct**, or control or guide, or advocate **the outcome** of, any present or future **matter** any action to use the position of the appointed government administrator, or the position of the elected incumbent to **influence** of any present or future **matter**
- **insignificant amount** – means anything valued at less than or equal to the equivalent of the earnings of one person's normal work week at the prevailing minimum wage. Specifically, this is calculated as 5 days, times 8 hours per day, times the prevailing United States official minimum wage. (For example: 5 days x 8 hours per day x \$8 per hour = \$320.00 US currency). All value shall be appraised and converted, if necessary, so as to be measured in the currency of the United States (e.g.: dollars).
- **Insular Area** (formerly "protectorate") - means Puerto Rico, US Virgin Islands, American Samoa and any other area under the official protection of the United States.
- **interest** -- means - whether **past, present or future**, whether **direct** or **indirect**, whether any **single** or any **combination** of the following:
 -) any **person or group** or organization, or foundation, or entity with which one has/had a common concern, and for which one desires a **benefit** to accrue
 -) any **organization/committee/board/group** (by any other name) formed to fund or support the **candidacy** of the politician or to provide support of **value** to the politician (e.g.: election committee, or campaign fund, etc.)
 -) any **political** desire toward a specific outcome
 -) A **stake, share, or involvement** in an undertaking – especially, but not limited to, a **financial** one
 -) The **selfish** pursuit toward one's own **welfare** or advantage; (e.g.: self-interest)
 -) A legal matter of concern, or title to property, or legal right(s) in **property** (whether tangible or intangible)
 -) any matter concerning an immediate and/or extended **business**
 -) any matter concerning an immediate and/or extended **family/relative** (to the 3rd generation by blood-line, marriage, agreement or contract)
 -) any matter concerning an immediate or extended **friend or associate**.
 -) any matter concerning any entity (For example, but not limited to: a business) placed into any form of **trust or holding company** (by those or any other names) for the purposes of temporarily placing the entity outside the control of the politician or the politician's interest (for example, but not limited to: family, friend, associate, law firm, bank, etc.).
 -) A **subject or goal** about which one is concerned or enthusiastic - For example, but not limited to: a social **cause** or any non-profit or not-for-profit **entity** (e.g.: Humane Society, Green Peace, Center for Community Change, Advocates for Social Change, etc.) - including any coalition of such entities.
- **Item** – any economic good
- **item containers** – the container which contains one useable item. For example, but not limited to the box containing one pair of shoes, or one lamp, or one box of pencils.
- **judicial decisions** – decisions, rulings, determinations (by whatever title or name) issued by elected or appointed officers of the United States, or any other, United States judicial and/or United States legal system. Judicial

decisions by non-elected bodies (particularly foreign associations) and/or non-elected individuals are specifically ignored/voided/nullified for the purposes of this Act.

- **level of government** – means the legal scope (or span of legal influence) of government at which this act is enforceable (i.e.: the extent of the influence of the state, if this act is a state act; the extent of the influence of the county, if this act is a county act)
- **material** means the physical elements used in production
- **matter** – means any element of **government business** historically allocated to the entity of government (as of January 2011) at the level of the scope of this act (state if this act is a state act; the county if this act is a county act)
- **medium of exchange** – means anything of value which another entity will accept as payment for goods (whether tangible or intangible) exchanged or services rendered.
- **Newly imported item(s)** is equivalent to, and exclusively defined as, newly manufactured, or newly acquired (mined, pumped, etc.) items, or newly repaired / modified items.
EXCLUSIONS: – The classification of newly imported item shall NOT apply to items which have pictorial proof, previously filed with the US Customs Service before the item(s) was/were removed from United States soil, showing that it/they are 1) owned by a US citizen and are 2) being returned in substantially the same condition and with the same functionality it/they had when it/they left the United States.
For example, but not limited to:
 -) The personal household effects belonging to a US citizen returning from duty or service in a foreign country and returning with items which were originally purchased or in general use in the United States prior to the foreign duty or service. The personal household effects exemption shall be limited to one such exemption per head-of-household per year.
 -) Equipment originally purchased or in general use in the United States used in the course of business (e.g.: unmodified musical or medical instruments,)
 -) Empty containers which were exported and are being returned to the US – however, any and all contents shall be subject to inspection, evaluation and import taxation.
 -) Items originally purchased or in general use in the United States exported for repair (although import tax may be charged on the repaired portion of the item).
 -) Animals (domestic) temporarily exported for pasturage purposes and returned within eight months.
 -) Other items which are specified as allowed by a direct, popular majority vote of the citizens of the United States.Additionally, the classification of newly imported item shall NOT apply to money in the form of currency or gold or silver or precious metals, but ONLY under the condition that proof from the reputable third party is provided that the money has been transferred into an irrevocable trust (or escrow account) which is controlled by an independent third party, and from which those funds can only and exclusively be used for payment of an existing contract to acquire economic goods produced by another independent third party in the United States or its insular areas (formerly known as “protectorates”, for example Puerto Rico); or can only and exclusively be used for payment of an existing contract to acquire economic services produced by another independent third party in the United States or its insular areas.
- **offending item** – an imported economic good for which documentation does not match the actual contents of a container; and/or an imported item and/or a foreign service which is in use within the boundaries of the United States for which no documentation can be produced to prove an import tax has been paid.
 - offending politician – any elected or appointed official who attempts to thwart, delay, nullify, or in any way circumvent this Act.
- **offending politician** – means any **politician** found to have received a contribution and who **attempts** to vote in violation of this Act, or influence **government business** (as broadly defined herein), whether successfully or unsuccessfully, in violation of this Act.
AND, it also means any politician, judge, or official (whether elected or appointed) who attempts to thwart, delay, nullify, reduce, waive, (by those or any other names) or in any way circumvent this Act.
- **offshore** - off shore means outside the boundaries of 1) the continental US, and 2) the state of Alaska and 3) the state of Hawaii. Offshore is not related solely to oceanographic boundaries. (For example: Canada and all islands and countries south of the Southern continental US border are considered "offshore".)
- **on behalf of** -- means that any entity has paid, directly or indirectly, for goods or services received by the **politician** directly or indirectly.
- **or** When used to separate a list of elements or conditions or constraints shall mean that any of the listed items, or any combination of the listed items apply. The phrase and/or, and the word or shall be synonymous, herein, (unless logical exclusivity prevails among elements of the list) and shall be interpreted to mean any single or any combination of the elements specified (including extension of the list of elements, if provided by that section).
- **pass-through entity** – means any **entity(ies)** which receives **value** from a contributor and transmits any part of it to any of the following, or any combination of the following:
 -) the **politician** or

-) the **politician's interest** or
-) the **politician's direct interest** or
-) the **politician's indirect interest**) or
-) any **other organization(s), person(s), or entity(ies)** with the eventual goal of benefiting the politician or the politician's interest.
- **physical possession** – means the actual possession of, or **present enjoyment** of, the value
- **politician** – means any governing official who is not specifically excluded and any of the following as applicable:
 -) candidate,
 -) elected candidate,
 -) incumbent who votes on proposed legislation or policies (by those or any other names),
 -) **appointed government administrator** who influences government policy or decisions,
 -) any **contractor(s)** compensated in any way by a politician or paid from tax (and/or fee) funds for their service in a government or quasi-governmental or advisory role and who are **not specifically excluded**, and/or who serve in, or for, any tax-supported public office, or who **influence** any government business
 -) Anyone who defines binding rules, policies, procedures, and/or taxes, on citizens;;
 -) Anyone who decides how land which is covered by government oversight is used
 -) Anyone who decides the amount or taxes/fees and/or how tax/fee revenue is expended.
- **politician's influence** – means the offices, agencies, organizations, accounts, laws, policies, procedures, staff, under the organizational control or pressure or deal-making (directly or indirectly) of the politician.
- **populous** – means those **people** (more inclusive than resident governed citizens) living in the area of influence of this act (the state if a state act; the county if a county act, etc.)
- **produce / produced** - produce / produced means the process of creating or acquiring any economic good (for example: including but not limited to, mining / pumping / manufacturing / growing / harvesting / etc). It also includes any service rendered.
- **Product** – means any economic good (for example: including but not limited to any item made, or provided, or acquired by, mining / pumping / manufacturing / growing / harvesting / etc – whether or not processed). It also includes any service rendered.
- **product containers** - smaller, more individualized containers (usually but not limited to cardboard (by that or any other name) boxes. Such product containers hold sufficient product to permit efficient warehousing and eventual distribution to a single retail company (but not limited to a single physical retail location). For example, but not limited to: a "case" of shoes having multiple pairs of shoes.
- **promise or commitment or provision** – means any assurance or indication that future value will follow. (For example: a promise of a later payment or a later employee position with the contributor (or an entity under the contributor's control or under the contributor's influence) or the **direct** or **indirect** indication of a later consultant position with the contributor (or an entity under the contributor's control or influence) or the indication the **politician** would be the sole source supplier to the contributor (or an entity under the contributor's control or influence) would be acquisition of a future value, and would be **constructive receipt** of the value.)
- **provides** – means causes, in any way or by any action or influence, to come to fruition - either directly or indirectly, presently or in the future.
- **public office** – means any officially recognized government position within an organization which exerts any **influence** over, or make any **decisions** regarding, **government business**,
- **purchaser** means the final or intermediate buyer of the economic good.
- **quasi-government entity** – means any combination of government entities, and/or any combination of government and private entities.
- ratify (by that or any other name) - to be approved and officially sanctioned. For the purposes of this Act, this means the direct, majority, popular vote of the majority of the citizens of the United States and the people of its insular areas (formerly known as "protectorates", for example Puerto Rico)
- **receives (received / receive)** – means **acquires**, in the **present** or via any expectation of **future** benefit - either **directly or indirectly**.
- **resident American governed citizens** – fully documented American **citizens** who have their active personal residence within, and spend more than one-half of their time within, the boundaries of the fifty (50) United States.
- **resident governed citizens** – means documented American citizens who have an active residence (not simply a P.O. Box) in the geographic area governed by the **scope of this Act**, **AND** who are **registered** to vote.
- **retail price** - retail price shall be the competitive final price to the consumer
- **retail sale** - retail sale shall mean distribution to the final retail US consumer.
- **scope** – means this act is enforceable at the government of a particular state within the United States if this legislation is enacted at the state level. If this legislation is enacted at the county level, the act is enforceable at the government of a particular county with any state within the United States, etc.)
scope of this act also means the legal scope (or span of legal influence) of government at which this act is enforceable (i.e.: the extent of the influence of the state, if this act is a state act, the extent of the influence of the county, if this act is a county act)

- **shall be taxed** means that a tax shall be levied - including all necessary actions to collect the tax.
- **similar product** - similar product shall mean a product substantially of the same purpose, quality and functionality.
- **slash (the "/" character)** - means "and, or" as logic allows.
- **Sovereignty** – the right to decide individually or as a collective body those things which are meaningful to the individual or to the collective body – particularly regarding the actions which should be taken, and the relative costs of those actions.
- **special escrow account** - special escrow account means an account specifically established for the collection, holding and per-capita distribution of import taxes. No funds shall ever be borrowed from the special escrow account. Except to fund the watch-dog organization, the funds in the special escrow account may never be used, in any way, for the general obligations of government. This account shall be auditable by the Federal Government Auditor, but shall remain out of the control of elected officials.
- **special interest – (Politician's)** – means any 1) **direct** interest or any 2) **indirect** interest, or 3) **present** interest or 4) indicated or promised **future** interest which might benefit the **politician personally or their interest**. All politicians are hereby specifically deemed to have a "**special-interest**" in and desire to **benefit** any direct or indirect interest with which they were associated **before** assuming the political office.
- **State law** – any law established by the direct, popular vote of the people of that State [or, as specifically applicable, that US insular area (formerly known as "protectorate", for example Puerto Rico)]
 - State law – any law established by the direct, popular vote of the people of that State (or, as specifically applicable, that US protectorate)
- **Supremacy** – any actual, or implication of, higher authority
 - Supremacy – any actual, or implication of, higher authority
- **tax** - tax shall mean the collection of a fee measured in US dollars
- **tax refund** - tax refund means a distribution from the dedicated escrow account established specifically for, and which contains the collections of the import tax.
- **tax-supported public office** -- means any office or job or position within the organizational structure of a **government entity or quasi-government entity** in which, or by which, or through which, the incumbent of that public office is compensated from funds which source, in whole or in part, from **government funds**.
- **the continental US** - the continental US (continental United States) shall mean only the officially recognized states of the United States - specifically including the physically separated states of Hawaii and Alaska, and specifically **excluding** insular areas (formerly known as "protectorates", for example Puerto Rico).
- **The US** - shall include **all** states of the continental United States **and including** all insular areas (formerly known as "protectorates", for example Puerto Rico) of the United States.
- **Timely Distribution (Timely distributed) to the Resident Governed Citizens** – means that any and all assets forfeited directly, and/or **finalized** assets shall be **distributed to the** resident governed citizens **on a per-household basis** at the time when tax refunds are distributed. **Under NO circumstances shall ANY forfeited, seized or finalized assets be placed in any fund, or budget, or account (by whatever name) managed by any other politician(s)**. All seized and finalized assets are **specifically reserved** for distribution to the resident governed citizens.
- **transfer** - - the transition through the US or any of its insular areas (formerly known as "protectorates", for example Puerto Rico) to a nation other than the US.
- **Treaty** (by that or any other title or name) – an agreement usually, but not restricted to agreements between nations, toward a common goal or purpose.
- **United States (also US)**– The individual states of the North American union which have associated themselves as the United States of America. Any reference to the United States shall equally apply to its insular areas (formerly known as "protectorates", for example Puerto Rico) unless specifically modified (for example but not limited to: the continental United States).
- **US Import Service** – the independent Service of the United States which defines, assesses and collects import tax; and which inspects imported containers. This Service performs services similar to the former US Customs Service.
- **valid source** – means
 - a source of **value** or **benefit** having **all** of the following (which shall be verifiable during investigation within 30 days of investigation commencement) :
 -) a unique individual, with a given, family name
 -) a unique phone number
 -) a unique address
 -) having a verifiable, direct (first hand) **live individual** contributor (not a business or other such entity) with whom an interview reveals a genuine contribution of value - without expectation of any corresponding vote or influence upon government business.
- **Value** – means
 - any useful **economic good** for which barter, or payment via any **medium of exchange**, or quid-pro-quo service would normally be required.

Value is ascribed to any item or act which increases physical and/or psychological pleasure (e.g.: an award or personal service) or which reduces displeasure.

Value also includes intangible elements (for example: any present **control over** an entity and includes any promise or indication of future **control over** an entity).

However, **for the purposes of this act, value specifically means** an amount in excess of the insignificant amount.

- **verified American citizens** - means natural persons having verifiable birth records or naturalization documents showing official US citizenship. For distribution purposes, persons must be documented as of the end of the previous calendar year.
- **vote** – means
 - 1) Cast an indication of preference regarding an official motion or proposition requiring a decision, which is being considered by the leaders of the tax-supported organization. As determined by context, "vote" can also mean the indication of preference by the resident governed citizens.
and/or
 - 2) Vote broadly also includes the exercise of the ability to have a **determining influence** regarding the definition of (or the implementation of) any **executive order**.
and/or
 - 3) Vote broadly also includes the exercise of the ability to permit or authorize or direct or influence any government business.
- **wholesale sale** - wholesale sale shall mean distribution to the wholesale US consumer who will perform warehousing and/or additional manufacturing or additional processing toward a final economic good.

GOVERNMENT CONTRIBUTION INVESTIGATION AND OVERSIGHT ORGANIZATION (GCIOO)

PURPOSE:

1. To investigate contributions to politicians and to politician's interests, contributing entities, and to enforce this Act, an **small** (and **proportionally** sized), fully **independent**, contribution investigation, oversight and enforcement organization is, hereby, established.

GCIOO DIRECTOR AND MANAGERS ELECTED

1. The **Director** of the GCIOO shall be **elected** from, and by, the resident governed citizens at the level of government commensurate with this Act, and shall serve for a term of **4 years**.
2. Until appropriate candidates can campaign, and until an election can be held to establish the Director of the GCIOO, the previously existing Ethics Committee (by that or any other name) shall, if necessary, become an independent agency with its own budget, and shall lead the GCIOO. If there is no previously existing Ethics Committee (by that or any other name), this Act shall be held in abeyance until elections can be held at the next available general or special election.
3. The following position titles shall appear on the next available ballot, and in such number(s) of positions as shall be appropriate for the governing body for which oversight is required:
 - A. GCIOO Director (one such position)
 - B. GCIOO Manger (one such position for each 16 politicians monitored – the number shall be rounded as specified below)
4. The **Managers** of the GCIOO shall be **elected** from, and by, the resident governed citizens at the level of government commensurate with this Act, and shall serve for a term of **4 years**.
5. No other authority shall be required, and the elections officials are hereby mandated to ensure these positions, and the names of candidates for those positions, appear on the ballot.
6. Any existing politician or Ethics Committee member found to act to delay or thwart such honest election, or to prohibit any candidacy, shall be immediately deemed an offending politician – and this/these offense(s) shall be enforceable by, and immediately after election of, the GCIOO Director and managers.
7. Current and former politicians, and individuals who were in any way directly associated with a current or former politician, are barred from serving in the GCIOO.

GCIOO PROPORTIONALLY SIZED

1. GCIOO investigative staff will be set at one (1) investigator for every four (4) ELECTED and/or appointed politicians they oversee. When calculating the number of staff, the number of investigative staff will be rounded up to the next larger integer. For example: a county having 6 elected members of the Board of Supervisors and 1 appointed County Administrative Officer has 7 politicians. 7 divided by 4 is 1.75, so there shall be 2 investigators for this scope of government.
2. GCIOO management staff shall be set at one (1) manager for each four (4) investigators. The number of management staff will be rounded up to the next larger integer.
3. For example if there are 2 investigators, then $2 / 4$ is 0.5. Therefore, rounding up, 1 manager would be required.
4. GCIOO support staff shall be one (1) support member per four (4) investigators. The number of support staff will be rounded up to the next larger integer.
5. For example if there are 2 investigators, then $2 / 4$ is 0.5. Therefore, rounding up, 1 support staff member would be required.
6. There shall be one elected GCIOO Director
7. The GCIOO Board of Directors shall set policy within the scope of this Act for the GCIOO staff. The GCIOO Board of Directors shall be comprised of representatives from the GCIOO management staff, and shall consist of 1 board member for each 7 managers. The number of board members will be rounded up to the next larger integer. GCIOO Board of Directors members shall annually rotate service, by random selection. No GCIOO Board of Directors member may serve two consecutive terms.
8. The GCIOO Director shall prepare proposals for modifications to this Act as necessary and ensure placement, when appropriate, on the ballot of a general election at the same level of government as this Act.

9. All members of the GCIOO will swear (or affirm) allegiance to the Constitution of the United States and to the Constitution of the State in which the GCIOO functions (unless functioning at the federal level) and will swear (or affirm) allegiance to faithfully, truthfully and honestly uphold the duties and obligations of their organization, and shall be independently investigated and confirmed to be people of exceptional integrity and high moral character before being accepted as an GCIOO investigator or staff member.

GCIOO TRANSPARANCY

1. The GCIOO shall make completely transparent and readily accessible to any member of the general public during normal business hours,
 - A. its budget status,
 - B. its expenditures,
 - C. its findings (immediately after confidential investigation is complete),
 - D. its procedures,
 - E. and
 - F. its processes.

GCIOO AUTHORITY AND INDEPENDENCE

1. GCIOO is hereby established as a fully **independent** agency with control over its own independent management, staff, and independent budget.
2. GCIOO is hereby granted **extra-judicial** enforcement authority (specifically outside and apart from the normal processes of the sluggish judicial court system).
3. GCIOO is hereby granted **sufficient authority** to rapidly investigate and rapidly enforce the provisions of this Act.
4. GCIOO is hereby granted the **specific authority** to, and **mandated the specific duty** to
 - A. maintain knowledge of the **location** of all real, tangible and intangible personal property/assets of politicians and the politician's direct and indirect personal interest(s),
 - B. to **investigate** political and social associations of politicians and/or politician's interest(s) by any effective means necessary. This specifically includes the ability to determine (by any means) the location of all assets of the politician's direct and indirect assets and interests.
 - C. to understand in depth the politician's business, political, and social interests.
5. Any other law(s) prohibiting/limiting the effective, rapid, thorough investigation by the GCIOO staff shall be modified as necessary to comply with this Act. Specifically, for investigations within the scope of this Act, this Act supersedes prior laws.
6. The GCIOO shall have the **specific duty to**, and the **authority to**, demand immediate explanation, from the politician (or any of their interest(s)), the source of any/all assets. Any funds/value/possessions which cannot be properly explained shall be deemed an excessive contribution, and immediately seized for distribution in accordance with this Act.
7. To ensure transparency, the most accurate and complete **list** available of the direct and indirect personal interests of the politician shall be **public record** and available to any governed citizen as part of the **easily accessible public record** and/or upon specific request by a governed citizen. The requestor shall receive the list within one month of the request.

GCIOO INVESTIGATION AND ENFORCEMENT AUTHORITY:

1. This GCIOO is granted the right and the authority to **investigate** entities for which it is granted oversight within the scope of this Act.
2. This GCIOO is granted the right to **enforce** the "forfeitures" stated elsewhere in this Act
3. If there is **sufficient evidence** to convince the local GCIOO management board **AND** the representative(s) of the local independent Distribution Agency that there has been a breach of this Act at the scope of government commensurate with this Act, any one or any combination of the following actions are granted to the GCIOO:
 - A.) the right and authority to prevent a vote by an offending politician,
 - B.) the right and authority to negate any vote cast by or directive by, or influence of, an offending politician.

- C.) the GCIOO is hereby **specifically granted** the authority to order other entities to "**freeze assets**" (to prevent transfer or disassociation) consisting of any real and/or personal property of the offending politician or the politician's interest – specifically including homes – even if "homesteaded"
- D.) the GCIOO is hereby **specifically granted** the authority to **seize** any real and/or personal property of the offending politician or the politician's interest sufficient to satisfy the requirements of this Act – specifically including, if necessary, homes – even if "homesteaded". The authority to **seize** any real and/or personal property extends to any location, and includes any means necessary.

NON-GOVERNMENT ENTITIES ORDERED TO COMPLY

1. All non-government entities (for example, but not limited to: banks, brokerages, and storage facilities, where assets may be kept, etc.) are hereby ordered and mandated to **cooperate** and **comply** with the official GCIOO investigation, and to freeze assets and/or to **relinquish** assets belonging to, or allocated to/for, the offending **politician** or the politician's **interest**, when presented with an **order** signed by a representative of GCIOO management **and** the representative of the independent ~~Distribution Agency~~. Other laws which conflict with this provision and predate this Act shall be modified or voided

GCIOO INVESTIGATION LIMITATIONS:

1. The GCIOO is **restricted** to investigate ONLY upon politicians and their interests and suspected sources of excessive contribution to determine ONLY whether an excessive contribution has been received, and the amount of the excessive contribution, if any.
2. This Act specifically **PROHIBITS** the GCIOO from investigating any matter other than "excess contributions". If, during the course of investigation, other illegal activity is discovered, the appropriate investigating/policing agency shall be apprised by the GCIOO of its findings.
3. The authority of, and the investigative scope of, the GCIOO is specifically **restricted** and **prohibited** against citizens **not** associated with the politician and/or who are **not** implicated in an excessive contribution to the politician or the politician's interest.
4. The GCIOO shall retain all necessary enforcement rights necessary to carry out the intent of this Act.

CHECKS AND BALANCES

1. To ensure fair, honest, and proper distribution of seized assets directly to the registered governed citizens in accordance with this Act, and to preclude any motivation to excessively seize assets, the GCIOO is mandated to transfer ALL seized assets to the ~~Distribution Agency~~ – properly documenting all transfers and including all amounts in the easily accessible public record.
2. The GCIOO shall **NOT** retain any seized assets.
3. Both the GCIOO and the ~~Distribution Agency~~ shall independently document any seizure and shall independently account for all assets transferred. All documentation regarding such transfers shall immediately become part of the easily accessible public record maintained by EACH of the GCIOO and the Distribution Agency. After sufficient actions are taken to ensure assets are frozen before seizure, ALL DOCUMENTATION AND EVIDENCE REGARDING A BREACH OF THIS ACT SHALL BE MADE PART OF THE EASILY ACCESSIBLE PUBLIC RECORD in a timely manner by the GCIOO and the Distribution Agency. This information shall be made available at no cost to any governed citizen.

GCIOO ACTIONS REGARDING "HOLD HARMLESS"

1. The GCIOO shall document the "hold harmless" disclosure - which shall become part of the easily accessible public record.
2. The GCIOO will act as a check and balance on the ~~Distribution Agency~~ to ensure the accuracy of items seized and amounts seized, and shall ensure the amount of the "hold harmless" "excessive contribution" is published in the easily accessible public record.

GCIOO ADMINISTRATIVE AUTHORITY

1. The director of the GCIOO is hereby directed to and granted the specific authority to define **budgets, plans, procedures, policies** and practices by which the organization functions - specifically subject to the constraints specified in this Act. No extension of the scope, or modification to the scope, specified in this Act is permitted to GCIOO administrators, investigators or staff in any area:

GCIIO BUDGET

1. As an **independent agency** with an **independent budget**, the GCIIO shall be allocated sufficient budget from the general fund of the political organization over which the GCIIO has oversight, at the scope of government at which this Act is applicable, to pay for **staff, equipment and operating expenses, and legal council** (as needed), as specified in the budget submitted by the GCIIO Director, plus necessary and customary, anticipated / actual **legal and public relations** costs which shall be necessary to defend its actions.
2. Under **NO circumstances** shall the budget or administrative direction or GCIIO management or GCIIO staff be subject to any action by the politicians over which the GCIIO has **oversight**.
3. Under **NO circumstances** shall the budget or administrative direction or GCIIO management or GCIIO staff be subject to any action by politicians at any **higher scope or lower scope** of government.

GCIIO FUNDING

1. To **prevent subterfuge by politicians who control the budget**, the GCIIO is specifically granted **first priority** claim to all necessary operating funds consistent with the constraints within this Act, and shall receive operating funds **directly** from the public treasury – independent of politicians who control the budgets of other government departments or agencies. As such, GCIIO funding shall be allocated directly from the treasurer (by whatever name or title, at the level of government having the same "scope" of this Act), to the GCIIO **before** any other budget or funding authorization or allocation is distributed to any other government agency.
2. Any treasurer (by whatever name or title, at the level of government having the same "scope" of this Act) of public funds - whether elected or appointed - who **fails to comply** with the provisions of this section of this Act shall be automatically deemed an "offending politician" subject to the forfeitures specified within this Act.
3. GCIIO budget and funding shall be sufficient to establish, and sustain an appropriate **office work space(s)** and environment for its staff in an office building(s) near those politicians over whom the GCIIO has oversight responsibility. There shall be sufficient offices **geographically separated** to ensure efficient oversight into the daily activities of politicians and for the identification and tracking of politician's assets and politician's interests.
4. The GCIIO shall also be granted allocation of **first priority** to sufficient funds to ensure **adequate communication** with the **populous** regarding its purpose, accomplishments, progress, status, and **needs**.

GCIIO BUDGET CONSTRAINTS:

1. Except for surveillance equipment, the equipment provided for use by the GCIIO agents and the office space occupied by the GCIIO staff in each geographic area shall be **no better than the average** for any other similarly sized staff within a two (2) mile diameter of the location where the politicians (over which that GCIIO office has oversight responsibility), accomplish official business. The GCIIO shall periodically determine whether it is more cost effective to lease, buy or build required office space.
2. As a **check and balance**, plans regarding office space and justification for purchase or construction of required office space shall be presented to the **Distribution Agency** for consideration. The **Distribution Agency** shall determine the reasonableness of the plans and sufficiency of justification, and shall **decide** whether or not the GCIIO should proceed.

GCIIO STAFF COMPENSATION SHALL BE

1. For GCIIO **managers compensation shall be** 80% of the base salary
2. authorized to be paid (whether or not any salary or compensation is paid to any politician) by the tax-supported entity to the median base salary of the politician(s) over which the GCIIO has oversight.
3. for **investigators compensation shall be** 80% of the compensation of a GCIIO **manager** and subject to the same terms as specified for the manager
4. for **support staff compensation shall be** 50% of the compensation of a GCIIO **manager** and subject to the same terms as specified for the manager
5. for legal council – normal and customary fees commensurate with the geographic area in which the applicable politicians serve
6. GCIIO personnel who directly and personally participate in investigations and/or votes to seize, and seizure actions shall receive their per capita share of the returned funds.

GCIIO PERSONAL LIABILITY – DUE DILLIGENCE

1. GCIIO personnel who are involved directly and who personally participate in investigations and/or votes to seize, and seizure actions are liable to politicians if those politicians are adjudicated by a court of law having the

scope of this Act, and the politician is found not guilty of receiving an excessive contribution as defined by this Act and then voting or attempting to vote on government business providing a disproportionate benefit to the contributor.

2. Each GCIOO member who directly and personally participated in investigations and/or votes to seize, and seizure actions shall pay from their personal funds and from their personal salary one quarter (1 / 4) of one year's GCIOO member's salary. The rate of recompense shall be 10% of the WDP member's pay each month until the recompense is complete. No funds allocated to the GCIOO (except for allocations for salary) shall be used as substitute for the salary deduction.
3. The payroll agent controlling the GCIOO member's pay shall redirect the funds from the GCIOO member to the politician.

OPTION TO CALL FOR HIGHER LEVEL ENFORCEMENT

1. This GCIOO is granted the right to call upon the next higher scope of governmental authority for matters of enforcement, if necessary.

OPTION TO CALL FOR HIGHER LEVEL ADJUDICATION

1. This GCIOO shall be granted the right to call upon the next higher scope of governmental authority to review and adjudicate contended matters.
2. When called upon by the lower level GCIOO, and after acting, the next higher governmental enforcement organization shall be reimbursed for all related, justifiable, expenses from the budget of the lower level organization it enforced upon, or adjudicated against.

DISTRIBUTION AGENCY

A. As an independent Check and Balance on the Government Contribution Investigation and Oversight Organization (GCIOO) the Distribution Agency is hereby established as a very small, independent agency with its own management and budget.

1. The Distribution Agency Director shall be elected by a simple majority affirmative vote of the resident governed citizens at the level of government appropriate to this Act.
2. The Distribution Agency is hereby granted similar powers, as the GCIOO, to acquire operating funds. It is hereby granted **second position** for the acquisition of operating funds from the treasurer (by whatever name or title, at the level of government having the same "scope" of this Act).
3. To ensure **fair, open, honest, and proper distribution of seized assets directly to the registered governed citizens in accordance with this Act**, and to **preclude** any motivation to excessively seize assets, the Distribution Agency is mandated to
 - A. act as a check and balance in the **decision to seize**, and to
 - B. **receive and guard** ALL seized assets
 - C. properly document all transfers between the GCIOO and the Distribution Agency.
 - D. shall publish accomplished seizures in the easily **accessible public record**

B. Roles and Responsibilities

1. The Distribution Agency is hereby granted the right and obligation to:
 - A. participate in the decision to seize assets from an offending politician
 - B. After sufficient actions are taken by the GCIOO to ensure assets are frozen before seizure, **ALL EVIDENCE REGARDING A BREACH OF THIS ACT SHALL BE MADE PART OF THE EASILY ACCESSIBLE PUBLIC RECORD** in a timely manner by the Distribution Agency. This information shall be made available at no cost to the governed citizen.
 - C. hold all seized liquid assets,
 - D. **convert** the **names** on the **legal title** for any non-liquid, real or personal property seized **from** the offending politician or the offending politician's interest **to** the name of the organization having the same scope as this Act (for example: Kern County).
 - E. **"finalize"** by filing appropriate documents specifying the seizure and authorizing the conversion of names appearing on property title
 - F. file appropriate documents with the appropriate government property recorder (e.g.: the county Clerk and Recorder or the name of the comparable government department commensurate with scope of this Act).
 - G. Convert the fixed asset to liquid asset(s).
 - H. Establish a trust account and transfer funds into and out of that trust account.
 - I. Distribute the liquid assets per the stipulations in the Act.

C. PROCESSING SEIZED / FINALIZED ASSETS

1. Both the GCIOO and the Distribution Agency shall independently document the seizure and shall independently account for all assets transferred. All documentation regarding such transfers shall immediately become part of the easily **accessible public record** maintained by EACH of the GCIOO and the Distribution Agency.
2. The Distribution Agency is hereby authorized, and mandated, to
 - A. **advertise the upcoming open public auction** in a publication with a general circulation to all governed citizens. if a single publication will not reach the governed citizens, multiple publications which collectively reach governed citizens). The Distribution Agency is hereby authorized and mandated to place notification on an appropriate web site (and/or any equivalent thereof as technology advances) specifying the description of any seized non-liquid, physical asset, together with the date and exact location of the **open public auction** not less than five (5) times in a period of not less than 2 weeks prior to the open public auction. The auction shall be held in a location easily accessible to the general public.
 - B. **sell** all seized physical assets at a well-publicized **public auction** to **convert** the physical assets into liquid assets.
3. This Act mandates that all / any agency(ies) of the government which maintain(s) the **names and addresses** of resident governed citizens at the level of government appropriate to this Act shall provide the names and addresses of resident governed citizens at the level of government appropriate to this Act in a standard electronic format to the Distribution Agency.

4. The Distribution Agency shall establish a dedicated **trust account** containing ALL seized and/or finalized assets. This trust account shall be dedicated solely for the timely distribution directly to entities as defined in this Act. The dedicated trust account shall be managed by, and **only** by, the Distribution Agency.
5. Under **no circumstances** can / may / shall / will ANY of the funds held in any trust account by the Distribution Agency be lent to, used by, obligated by or on behalf of any politician, committed, or borrowed (by that or any other term) by any politician or the GCIOO or by the Distribution Agency until timely distributed **directly** to the recipients as specified in, and in accordance with, the provisions of this Act.
 - A. **"timely distribute"** "incentive funds", to the **appropriate individuals** in accordance with the provisions of this Act.
 - B. **"timely distribute"** **ALL** assets **other than** the "incentive funds" to the resident governed citizens at the level of government appropriate to this Act in accordance with the provisions of this Act.

D. Distribution Agency MEMBERSHIP

1. The management staff who comprise the Distribution Agency shall be people **elected** from and by the resident governed citizens. Distribution Agency management shall serve a **four (4) year term**.
2. Until appropriate candidates can campaign, and until an election can be held to establish the management staff of the Distribution Agency, the previously existing Ethics Committee (by that or any other name) shall lead the Distribution Agency. If there is no previously existing Ethics Committee (by that or any other name), elections shall be held at the next available general election.
3. The Ethics Committee shall take no action to delay or thwart such elections. Any existing politician found to act to delay or thwart such honest election, shall be immediately be deemed an offending politician.
4. The following position titles shall appear on the next available ballot, and in such number(s) of positions as shall be appropriate for the governing body for which oversight is required:
 - A. Distribution Agency Director (one such position)
 - B. Distribution Agency Manger (one such position for each 40 politicians monitored – the number shall be rounded as specified below)
5. No other action shall be required to ensure these positions appear on the ballot.

E. Distribution Agency PROPORTIONALLY SIZED

1. Their shall be one elected Distribution Agency Director who shall set policy with the scope of this Act for the Distribution Agency staff.
2. Distribution Agency **asset conversion / finalization staff** will be set at $1/10$ of the number of elected and/or appointed politicians they oversee. The number of asset conversion / finalization staff will be rounded to the next larger integer.
3. For example if there are 25 elected and/or appointed politicians, then $25 / 10$ is 2.5. Therefore, rounding up, 3 **asset conversion / finalization staff** would be required.
4. Distribution Agency **asset conversion / finalization staff** will be compensated similarly as a GCIOO investigator.
5. Distribution Agency **management** staff shall be set at **one (1)** manager for each **four (4)** asset conversion / finalization staff. The number of management staff will be rounded to the next larger integer.
6. For example if there are 3 asset conversion / finalization staff, then $3 / 4$ is 0.75. Therefore, rounding up, 1 manager would be required.
7. Distribution Agency **management** staff will be compensated similarly as a GCIOO manager.
8. Distribution Agency **support** staff shall be **one (1)** support member per **four (4)** management staff. The number of management staff will be rounded to the next larger integer.
9. For example if there is 1 manager, then $1 / 4$ is 0.25. Therefore, rounding up, 1 **support** staff would be required.
10. Distribution Agency **support** staff will be compensated similarly as a GCIOO support staff.

F. PENALTY FOR EXCESSIVE SEIZURE

1. The penalty for excessive seizure shall be imposed on the representative(s) of the Distribution Agency who were **directly** involved with the **decision** to seize, and shall be the **same percentage** as specified for the GCIOO members who were directly involved with the investigation, the decision to seize and the seizure. The penalty shall be paid in accordance with the same terms as that specified for involved GCIOO members.

G. ALEGANCE

1. The entire staff of the Distribution Agency will **swear** (or affirm) **allegiance to the Constitution** of the United States and to the Constitution of the State in which the Distribution Agency functions (unless functioning at the

federal level) and will swear (or affirm) allegiance to faithfully, truthfully and honestly uphold the duties and obligations of their organization, and shall be independently investigated and confirmed to be people of exceptional integrity and high moral character.