

Northern California State Constitution

Preamble

We, as students determined to achieve a better understanding of the governmental process, to increase our awareness of contemporary issues, to promote students' involvement in politics, to encourage good leadership qualities and responsibility in high school students, do hereby establish this Constitution for the Northern California Junior State of America.

Article I: Names and Boundaries

SECTION 1. NAME

The name of the State shall be the Northern California Junior State of America. It may be referred to as NorCal JSA and/or the Northern California Junior State.

SECTION 2. STATE

The Northern California Junior State of America shall consist of areas north of 35.2 degree of north latitude (San Luis Obispo), within the state boundaries of California, Utah, and Nevada and such territories defined by the Council of Governors.

SECTION 3. REGIONS

The Northern California State shall be divided into four regions: East Bay Region [EBR], Golden Gate Region [GGR], Central Valley Region [CVR], and Greater California Region [GCR]. The Senate may set regional boundaries for the following year with a 2/3 majority vote and with the consent of the presiding Governor.

SECTION 4. TERRITORIES

The State shall also include the Nevada-Utah Territory. The territory will be led by a appointed member of cabinet, the Mayor. The Mayor will hold the same responsibilities as that of a region, but is also responsible for acting as a liaison between the Territory and the rest of the State. The Senate may set territorial boundaries for the following year with a 2/3 majority vote and with the consent of the presiding Governor.

Article II: Membership

SECTION 1. DEFINITION

- a. A member shall be defined as any high school student who belongs to an official JSA chapter within NorCal JSA and has paid the annual membership tax as established by the Council of Governors.

SECTION 2. RIGHTS

- a. All members of the Junior State shall enjoy equal protection under the law and shall not be denied any rights or privileges entitled to them by law without proper action according to the law so established within this Constitution. Norcal JSA shall not discriminate on account of race, creed, color, sex, gender, nationality, handicap, political affiliation, or sexual orientation.

Article III: The Chapter

SECTION 1. REQUIREMENTS

- a. A chapter shall be defined as a minimum of eight members who are school approved or sponsored by a local youth council.
- b. Each chapter shall have a chapter constitution.
- c. Each chapter shall elect a Chapter President who must serve as the leader of their respective chapter and represent the chapter on the Council of Chapter Presidents. The existence of co-Chapter Presidents is permitted.
- d. Each chapter shall be responsible for establishing their own government, including secretaries, vice-presidents, treasurers, chapter debate directors, etc.

SECTION 2. RIGHTS AND RESPONSIBILITIES OF THE CHAPTER PRESIDENTS

- a. No chapter shall deny its members a republican form of government.
- b. Responsibilities of a chapter president include, but are not limited to informing chapter members of regional, state or national JSA happenings, creating an environment politically beneficial for chapter members, registering the chapter for conventions, communicating with other chapter presidents and regional and state officials, assisting in the development of one-days, answering concerns and questions from their chapter members, and representing the interests of their chapters on the Council of Chapter Presidents.

Article IV: The Regions

SECTION 1. POSITIONS AND RESPONSIBILITIES

- a. The Mayor shall be the chief executive officer of his or her region.
 - i. The Mayor primarily oversees the region and works cooperatively in planning and executing major one-day conferences and regional events.
 - ii. The Mayor shall work with other regional elected officials to plan at least one regional one-day or chapter convention per year and assist Chapter Presidents with planning chapter one-day events.
 - iii. The Mayor also communicates frequently with other elected officials and cabinet members to organize said events.

- iv. Mayors will meet weekly under the direction of the governor.
- b. The Vice-Mayor shall serve as the Mayor's second in command.
 - i. The Vice-Mayor must be prepared to fill in for the Mayor if the Mayor is not available or present.
 - ii. The Vice-Mayor will also assist in planning one-day and regional events.
 - iii. The Vice-Mayor will organize regional activism projects alongside cabinet and communicate with individual chapters with information involving regional initiatives.
- c. Two Senators from each region shall be elected to serve on the Senate.
 - i. Senators will be responsible for representing their region on a state level.
 - ii. Senators act as both the legislative and judicial branches of Junior State government.
 - iii. Senators meet weekly under the direction of the Lt. Governor and are responsible for confirming cabinet, writing bills and amendments, and impeaching officers.
 - iv. As the liaison between the regions and the state, they are also primarily in charge of expanding the region, identifying problems in the state, and coming up with solutions.
 - v. The Senate must review the regional constitutions every four years, beginning with 2018, in order to ensure the constitutions reflect the needs of their respective regions.

SECTION 2. REGIONAL OFFICER DUTIES

- a. All regional officers are required to cooperate with and respect the decisions of State Officers.
- b. In the event of a vacancy of a regionally elected position, the Governor, Lieutenant Governor, Speaker of the Council, and the highest sitting official in that region shall appoint a suitable replacement with a $\frac{2}{3}$ majority vote from the Senate.

SECTION 3. INDIVIDUAL RIGHTS AND RESTRICTIONS

- a. No person or chapter may belong to more than one region or state. The members of a region are to be the only voters in the regional elections.
- b. No region shall deny its members a republican form of government.

Article V: The State Officers

SECTION 1. STRUCTURE

- a. The elected officers of the Executive Branch of the Northern State shall consist of the Governor, Lieutenant Governor, and Speaker of the Council as voted upon by a majority of the members of the Northern California Junior State at Spring State.
- b. The Governor, Lieutenant Governor, and Speaker of the Council must be tax-paid members of the Northern California Junior State.

- c. The Governor, Lieutenant Governor and Speaker of the Council shall be defined as and/or referred to as “The Big Three”.
- d. The Big Three will agree upon departments that most closely match their respective personal interests or strengths.
 - i. However, exchange of control of departments is possible as long as all three State Officers agree.
 - ii. In the event of the creation of a new department, the department must be under a specific elected official’s authority.
- e. The Big Three have many other duties that are not specified in any Junior State document, including planning Fall State, Winter Congress, and Spring State.

SECTION 2. TERM LIMITS

- a. The term of office for all elected officers shall start the June 1st following their elections and end on May 31st of the following year.

SECTION 3. GOVERNOR

- a. The Governor shall be the chief executive officer of the Northern California State.
- b. The Governor shall have the power to authorize chapters by approving their constitutions.
- c. The Governor shall have the authority to create any departments essential for the functioning of the Northern State and give them the necessary power and authority with the consent of 2/3 of the Senate.
- d. The Governor shall be responsible for all programs of the Northern California State.
- e. Should any state cabinet position become vacant, the Governor shall appoint a replacement with the consent of the Lieutenant Governor, Speaker of the Council, and 2/3 of Senate.
- f. He/she serves as a public representative of the organization and on the Council of Governors that coordinates JSA on a national level.
- g. He/she shall work with the Lieutenant Governor and Speaker of the Council to appoint and direct a cabinet to run the various departments including but not limited to: Chapter Intelligence Agency, Expansion, Debate, Convention, Communications, Technology, Activism, and Fundraising.
- h. The Governor must also work with all other officers in the state to ensure that the organization runs smoothly.
- i. The Governor, with consent from the Lieutenant Governor and Speaker of the Council, shall have the ability to remove individuals from cabinet appointments.
- j. The Governor shall have the authority to veto any bill passed by the legislature. Should the Governor fail to veto a bill within ten days of its passage, the bill shall automatically become law.

SECTION 4. LIEUTENANT GOVERNOR

- a. The Lieutenant Governor is second in command of the Northern California state.
- b. The Lieutenant Governor shall preside over and call into session the Northern California Junior State of America Senate.
 - i. Lieutenant Governor must keep the Senators directed at their primary responsibilities. He/she must be sure that all issues raised before the Senate are examined and debated carefully.
- c. The Lieutenant Governor is responsible for chairing the Fair Election Committee (FEC), provided that the he/she is not running for office.
 - i. He/she is responsible for enforcing and/or establishing state election procedures.
 - ii. If he/she is a candidate or is otherwise incapable, the Lieutenant Governor's Chief of Staff shall preside.
 - iii. He/she presides over the State Elections at Spring State, which includes maintaining order while every chapter in the state checks in at roll call and casts their ballots.
 - iv. As FEC Chair, the Lt. Governor must also communicate with candidates before and during Spring State while remaining impartial.
 - v. He/she must appoint FEC agents from a pool of selected applicants.
- d. He/she will cooperatively organize the Winter State convention with the Speaker of the Council, the Lieutenant Governor's Chief of Staff, and the Speaker Pro Tempore.

SECTION 5. SPEAKER OF THE COUNCIL

- a. The Speaker of the Council shall be the third ranking officer of the Northern California State.
- b. The Speaker of the Council shall preside over and call into session the Northern California Junior State of America Council of Chapter Presidents.
 - i. The Speaker must keep the Council of Chapter Presidents focused on its main goals of writing planks and formulating a JSA Platform.
- c. The Speaker shall work with their Speaker's Department and Chapter Presidents from every chapter in the Junior State during the year to affect change within JSA and to advocate youth-related issues throughout our state.
- d. He/she will cooperatively organize the Winter Congress convention with the Lieutenant Governor, the Lieutenant Governor's Chief of Staff, and the Speaker Pro Tempore.

Article VI: Chain of Command

SECTION 1. STATE

- a. If a member of the Big Three is unable to perform their duties, the successive officer in the Big Three may accept or decline the absent position. If the successive Chief of Staff (COS) officer does not wish to fill the position, he/she along with the other remaining Big Three officers will appoint someone to the absent position with a $\frac{2}{3}$ majority confirmation from the Senate.
- b. If a Director is unable to perform their duties, the Big Three will have the responsibility to either appoint a replacement or to promote a suitable Deputy Director if one exists. The other Directors must have a voice in the replacement process. Then the successive officer will be appointed without Senate confirmation.
- c. For any reason, if a Mayor of a region is unable to perform their duties, the Vice Mayor of the region will assume the Mayor's past duties. The Governor will appoint a suitable replacement for the Vice Mayor with a $\frac{2}{3}$ majority confirmation from the Senate. If the Vice Mayor does not wish to fill the Mayoral position or he/she is unable to, he/she along with Big Three officers will appoint someone to the absent position with a $\frac{2}{3}$ majority confirmation from the Senate.
- d. For any reason, if a Vice Mayor of a region is unable to perform their duties, the Governor may appoint a replacement, a process by which the Mayor of the same respective region, must be involved in. After passing through an interview process, the replacement must be confirmed by a $\frac{2}{3}$ majority confirmation from the Senate.
- e. For any reason, if a Senator is unable to perform their duties, the rest of the Senate will assume their workload until a replacement is decided upon. The replacement will then be chosen by the Lieutenant Governor with input from the other elected Senators and the Big Three. There will then be an interview process, after which the remaining Senators will vote, a $\frac{2}{3}$ majority needed for confirmation.

Article VII: The Legislative Branch

SECTION 1. ROLE AND STRUCTURE

- a. The Northern California State Legislature shall consist of two houses: the Council of Chapter Presidents and the Senate.

SECTION 2. LEGISLATION PROCEDURE

- a. In order for a by-law or an amendment to become law, it must pass in the Senate and Council of Chapter Presidents with a simple majority and be signed by the Governor of the Northern California Junior State of America.
 - i. If vetoed by the Governor, the bill may be returned with all objections to the Senate. However, the Senate can override a veto with a $\frac{2}{3}$ majority vote.

- b. When a piece of legislation is passed in either legislative branch, the Governor must be informed of the legislation's existence, its purpose, and its exact wording within 24 hours. Failing to do so results in the passing of such legislation null and void.

SECTION 3. COUNCIL OF CHAPTER PRESIDENTS

- a. The Council of Chapter Presidents (COCP) shall consist of one Chapter President from each chartered chapter of the Northern California Junior State. He/she cannot be a senator.
- b. The Speaker of the Council, or a petition of one fourth of the State's tax paid Chapter Presidents, shall have the power to call COCP meetings.
- c. If an Chapter President is unable to attend an COCP meeting, he or she will have to appoint a replacement to attend and vote in their place.
- d. The COCP shall be considered to have a quorum if both of the following requirements are met:
 - i. The COCP meeting takes place at an official Junior State of America event.
 - ii. No less than one third of all Chapters' Presidents or alternative appointed representatives are represented at the COCP meeting.
- e. The Speaker of the Council shall preside over and have the power to organize the COCP in such a manner he or she deems fit. If the Speaker is absent the Speaker Pro Tempore shall preside over the COCP.
- f. The COCP shall:
 - i. Have the sole authority to adopt the platform of the Northern California Junior State of America. This platform shall be the Official Stance of the Northern California Junior State of America on youth issues and shall be adopted by the vote of 2/3 of the Council of Chapter Presidents.

SECTION 4. SENATE

- a. The Senate shall consist of two Senators from each region of the Northern California Junior State. The Senators shall be elected separately by regional electorate.
- b. The Lieutenant Governor shall have the power to call Senate meetings. However, a Senate meeting may also be called by a petition of four Senators.
- c. The Lieutenant Governor shall preside over the Senate. If the Lt. Governor is absent, the Lieutenant Governor's Chief of Staff shall preside over the Senate.
- d. Beyond its legislative duties, the Senate shall:
 - i. Review and approve cabinet appointments.

- ii. Have the power to interpret the NorCal Constitution. In the instance of a judicial conflict, all tax paid members of the Northern California Junior State shall have the right to convene the Senate to address their complaint. Members shall respect the decision of the Senate regarding the Constitution. This may include, but is not limited to: investigations, impeachment proceedings, or hearings.
- iii. Act as a liaison between cabinet departments and elected officials

Article VIII: Impeachment Processes

SECTION 1. JUSTIFICATION

- a. State, regional, and chapter presidents can be impeached if they fail to properly discharge the duties of their office, fail to attend state conventions, fail to uphold the constitution of the Northern California or engage in activities that violate the spirit of the Junior State of America.

SECTION 2. HEARINGS

- a. Whenever the Senate or COCP must vote on a petition for impeachment of an official, they must hold a hearing with the official present either physically or digitally, and the official must be informed of the hearing two weeks in advance.
- b. If the hearing must be held at a statewide convention, the official may be informed of the hearing with less than two weeks notice if the hearing was scheduled within two weeks of the convention. However, the official must be informed immediately upon the scheduling of the hearing.
- c. At all hearings on impeachment petitions, the official must be given the opportunity to respond to the petition and answer the questions of Senators and members of the COCP.

SECTION 3. CHAPTER PRESIDENTS

- a. The impeachment of chapter presidents shall be conducted by the Senate.
- b. The process for impeachment of a chapter president shall begin with a petition brought to the Senate by $\frac{1}{2}$ of the tax-paid members of the chapter detailing the reasons that president should be impeached.
- c. If the Senate approves the petition by a $\frac{2}{3}$ vote, the chapter president shall be impeached.

SECTION 4. REGIONAL OFFICIALS

- a. The impeachment of regional officials shall be conducted by the Senate.
- b. The process for impeachment of a regional official shall begin with a petition brought to the Senate by 10% of chapter presidents in that region with approval of the majority of their chapters. detailing the reasons that the officer should be impeached.
- c. If Senate approves the petition by a $\frac{2}{3}$ vote, the officer shall be impeached

SECTION 5. STATE OFFICIALS

- a. The impeachment of state officials shall be conducted by the Senate and COCP
- b. Petitions may be brought to either the Senate or COCP by 20% of chapter presidents with approval of the majority of their chapters detailing the reasons that the officer should be impeached.
- c. If the COCP approves a petition for impeachment the petition by a $\frac{2}{3}$ vote, the petition shall be sent to the Senate, who must also approve the petition by a $\frac{2}{3}$ vote. If both the COCP and Senate approve the petition the officer shall be impeached.
- d. If the Senate approves a petition for impeachment the petition by a $\frac{2}{3}$ vote, the petition shall be sent to the COCP, who must also approve the petition by a $\frac{2}{3}$ vote. If both the Senate and COCP approve the petition the officer shall be impeached.

SECTION 6. EXPULSION FROM THE SENATE

- a. At any Senate meeting, a Senator may submit a resolution to expel another Senator (henceforth referred to as “The Senator”) from the Senate.
- b. The resolution should detail the reasons for the proposed expulsion.
- c. The Lieutenant Governor must deliver to The Senator notice, in writing, of the date of the hearing on the resolution at least one week in advance of the hearing. The notice must include a copy of the resolution. The Lieutenant Governor shall pursue any and all methods of communication to ensure that The Senator is aware of the hearing.
- d. At the hearing all Senators shall be allotted time to make a statement and ask questions of The Senator. The Senator shall be given time to refute the charges in the resolution.
- e. If The Senator fails to attend the hearing without notifying the Lieutenant Governor in advance, the hearing may be conducted despite their absence.
 - i. The Senate shall vote on the resolution at the next regularly scheduled Senate meeting. If 75% of the Senate votes in favor of expulsion, The Senator shall be removed from office.

Article IX: Election Procedure

SECTION 1. FAIR ELECTIONS COMMITTEE

- a. Elections for all Northern California State officers shall be conducted by the Fair Elections Committee at the Spring State Convention.
- b. The Fair Elections Committee (FEC) shall determine all procedures for the election of statewide officers including the limit on campaign expenditures. The FEC Chair(s) will have final approval over all aforementioned logistics.
- c. The FEC shall be chaired by the Lt. Governor. He or she shall select other members of the FEC, including a co-chair if needed. Should the Lt. Governor be running for office, the LTG Chief of

Staff shall chair the FEC. Should both officials be unavailable, the Big Three shall decide whom to appoint as FEC Chair.

- d. Members of the FEC must not support any candidate and must remain neutral and impartial during their time on the committee.
 - i. The Fair Elections Committee shall aid the FEC Chairperson in executing the Northern California Junior State's elections fairly and efficiently.
 - ii. The members of the FEC are allowed to collect literature and campaign paraphernalia, but they are not allowed to use this power to support any candidates. All materials they collect from candidates must not be visible in any way.
 - iii. If an FEC agent wear/displays any campaign paraphernalia, they will have to wear one for every candidate in that race.
 - iv. There shall be no secret members of the FEC.
- e. The committee shall be dissolved on June 1st following Spring State.

SECTION 2. ELIGIBILITY FOR OFFICE

- a. Any tax-paid member of NorCal JSA in grades nine through eleven is eligible for any office, so long as they have upheld the JSA Rules and Code of Conduct for at least two conventions prior to their declaration and/or continue to uphold the JSA Rules and Code of Conduct.

SECTION 3. OATH OF OFFICE

- a. Before any member of NorCal may assume an office he or she has to take the following Oath of Office:
 - i. I, _____, do solemnly swear to support and defend the Constitution of the Northern State and the Constitution of the Junior State of America; that I will bear true faith and allegiance to this organization; that I will take this obligation without mental reservation of purpose or evasion; and that I will faithfully discharge the duties upon which I am about to enter.
- b. The Oath of Office proceedings shall be overseen by the Fair Elections Committee, with at least one FEC Chair present.

Article X: Supremacy Clause

SECTION 1. POWER

- a. This Constitution supersedes all other constitutions on the region or chapter level. Anything that contradicts this Constitution will be null and void.

Article XI: Ratification

SECTION 1. PRESERVATION CLAUSE

- a. All chapters authorized prior to the adoption of this constitution shall remain authorized.

