

Draft\*: *Proposed Amendment XXVIII.*

SECTION 1.

Enterprises which share their ownership and profits by selling shares in their capital equity stock shall be governed in accord with the principles of capital equity, including the principle of stockholder democracy, on a one share, one vote basis. In particular, any political contribution made by such an enterprise must be approved in advance by a vote of the stockholders in which at least a majority of the stockholders vote in favor of making that political contribution.

SECTION 2.

Each citizen of the United States who is exposed to pollution and/or other kinds of externalities, generated by the operations of one or more enterprises, public or private, that impact that citizen's district of residence to a material degree, at or above a minimum Threshold set by the Amendatory Annex incorporated herein, shall be considered to have thereby acquired an equal share in a public property, designated herein as an Externality Equity. The exercise of this equity property shall be by the periodic casting of votes, by that citizen, for the election, on a one citizen, one vote basis, of mandated, term-limited, recallable Public Directors -- of an odd number of at least five Public Directors for each such enterprise. Each thereby resulting Board of Public Directors of each such enterprise shall meet monthly, with the local management of each such enterprise, to negotiate an annual Externalities Budget for that enterprise, designed to optimize the local public impacts of the externalities produced by that enterprise, and to monitor compliance with that Externalities Budget. This right, of Citizen Externality Equity, shall apply severally to each enterprise impacting a citizen's district of residence at or above the legal minimum Threshold. Those Externalities that are still permitted by an annual Externalities Budget of an enterprise shall be permitted in exchange for an Externalities Fee, payable monthly, by that enterprise, to the Board of Public Directors of that enterprise, and which Fee shall be transferred in full, monthly, to the Citizen Birthright Equity General Fund established by SECTION 4. If the Externalities Budget negotiations deadlock, the Board of Public Directors that is party to this deadlock shall appeal, for resolution, to the Tribunal for Externality Equity. The costs of operation of the Boards of Public Directors operating within each district of residence shall be funded out of a municipal general fund, paid into by each enterprise operating with above-Threshold externalities impact within each given district of residence within that municipality, by means of an annual Externalities Tax payable by each such enterprise. The annual operating budget of each Board of Public Directors within a given municipality shall be decided by a majority vote of the Directors of the Municipal Association of Public Directors, as provided in SECTION 3, for the given municipality.

### SECTION 3.

Each citizen shall have the right to elect, on a one citizen, one vote basis, mandated, term-limited, recallable Public Director members of Associations of Public Directors whose jurisdiction is for geographical scales beyond that citizen's district of residence, at the municipal, county, state, regional, and national scales. One Association Public Director shall be elected for each Board of Public Directors in a municipality, for each municipality in a county, for each county in a state, for each state in a region, and for each region in the national union. This enumeration of Association Public Directors shall be subject to the proviso that each such Association shall consist of an odd number of Public Directors. This odd number shall be secured by the addition of an at large Association Public Director if the geographical units count for a given Association of Public Directors is an even number. Each such Association of Public Directors shall be elected by a majority vote of all citizens legally resident in the geographical base of the geographical scale of jurisdiction of that Association of Public Directors. Each such Association of Public Directors shall be empowered to meet at least annually, and to recommend coordinated zoning policies for the deployment of the entire physical plant of society at the level of that Association's geographical scale of jurisdiction, including the deployment of enterprises, public or private, and of public infrastructure. Each Association of Public Directors shall forward said recommendations to each Board of Public Directors, and to each Association of Public Directors, of all of the smaller geographical scales within that Association's geographical scale of jurisdiction.

### SECTION 4.

Each citizen shall be assigned, from birth, and by right of birth, a Citizen Birthright Equity property, in the form of an Individual Trust Fund, attached to the Citizen for life, and created to serve as an individual social safety net for each such Citizen. This socially-funded Individual Trust Fund shall be funded, and restricted in its uses, in accord with the provisions of the Amendatory Annex incorporated herein, and by Congress, in law. The general uses to which the funds of this Individual Trust Fund may be put include support to help meet the individual Citizen's needs for child care, education and training, unemployment insurance, business formation, medical care, and first home purchase, and to help compensate the victim or victims of that citizen's actions in the event of the criminal conviction of that citizen. These Citizen Birthright Equity Individual Trust Funds shall be funded, in part, by the Externalities Fees addressed in SECTION 2, by the Social Rents addressed in SECTION 5, and by Congress, in law, from general tax revenues. Disputes involving Citizen Birthright Equity Individual Trust Funds shall be resolved by appeal to a Tribunal for Birthright Equity.

## SECTION 5.

A mandated, recallable National Custodian of Social Property shall be elected by majority vote of the voting adult citizens, in elections coinciding with the elections of the President, and for a term of four years. The Custodian shall organize and maintain the Office of the Custodian of Social Property. The duties of the Custodian shall include the chartering of Social Banks, as provided in SECTION 7, the allocation of the annual National Investment Budget of the Office to those Social Banks, the receiving and safekeeping of the monthly Social Rent payments from non-Bank Citizen Stewardship Equity enterprises, and from other liable enterprises, the receiving and safekeeping Technodepreciation Insurance premiums from the same, plus from the other subscribing enterprises, the administering Technodepreciation Insurance pay-outs, the carrying out orders for construction of means of production plant and equipment in accordance with Social Bank approved Business Plans of Citizen Stewardship enterprises, managing the national Public Infrastructure Enhancement Program, and the national Basic Research Program, and chairing the Monetary Commission, all in accordance with the provisions of the Amendatory Annex, incorporated herein. The Monetary Commission shall be a body of ten term-limited, mandated, recallable commissioners, elected every four years, regionally, by majority vote of the voting adult citizens of each region, in elections coinciding with the Presidential Elections. They shall meet monthly to manage and regulate the money supply of the United States Dollar, as a debt-free fiat currency. The Federal Reserve Act of 1913, plus all subsequent Congressional legislation involving the Federal Reserve System, are hereby declared unconstitutional and repealed, replaced by the Monetary Commission of the Office of the Custodian of Social Property. The annual National Investment Budget of the Office of the Custodian of Social Property shall be financed, in part, by the proceeds of the Social Rents, and also, in part, by Congress, in law, from general tax revenues. That National Investment Budget shall be allocated, geographically, in accordance with the principle of Citizen Allocational Equity, such that the same per citizen, *per capita* investment budget is allocated to each state, and divided equally among the chartered Social Banks serving that state. This principle, of Allocational Equity, may be suspended, temporarily, by a national referendum, and by majority vote of the voting adult citizens of the United States in that referendum, in favor of a disproportionate allocation of the annual National Investment Budget, for the purpose of redressing past historical inequities, but for no more than a period of eight years per referendum. Disputes arising in the conduct of the Office of the Custodian of Social Property shall be resolved by appeal to a Tribunal for Stewardship Equity.

## SECTION 6.

Each adult citizen of the United States shall have the right to organize, together with other such citizens, a democratically self-managed Citizens Stewardship Equity Collective. If the Bylaws and the Business Plan of that Collective meet statutory requirements, as provided in the Amendatory Annex incorporated herein, and by Congress, in law, and if the members of the Collective successfully enlist one or more Social Banks to fund their Business Plan, then they shall receive credits from that Social Bank, or from those Social Banks, to procure the means of production physical plant and equipment, and the other resources, as specified in that approved Business Plan, from the Office of the Custodian of Social Property, or from other providers. These developments shall certify that Collective as a markets-competing Citizen Stewardship Equity Socialized Producers' Cooperative, establishing it as a going concern, provided that the Citizen Steward members and Collective self-employees of this Cooperative continue to abide by their approved Business Plan, and by any Covenants agreed to with their supporting Social Bank(s), and that they continue to maintain solvency in markets-competition with other Citizen Stewardship Equity enterprises, as well as with Capital Equity enterprises. Each Citizen Steward member of a Stewardship Equity Cooperative shall hold the means of production physical plant and equipment, and the other resources, so granted to that Cooperative, as Social Property, in Stewardship, and not as Private Property, nor as Personal Property. Each such Citizen Stewardship Cooperative shall pay a Social Rent on that Social Property, monthly, to the Office of the Custodian of Social Property. Each Citizen Steward member of a Citizen Stewardship Equity Cooperative enterprise shall co-own that Cooperative, as an organization, distinct from its means of production, as Individual Property, exercised as a right to vote on all of the major decisions of that enterprise. Citizen Steward members of such a Citizen Stewardship Equity Cooperative enterprise shall enjoy two streams of income from participation in that enterprise: compensation for time worked in that enterprise, commensurate with their work skills, and an equal share in the net operating surplus of that enterprise. Any political contribution made by such an enterprise must be approved in advance by a ballot in which at least a majority of the Stewards vote in favor of making that political contribution. Disputes arising in the conduct of this system of Citizen Stewardship Equity Cooperative enterprises shall be resolved by appeal to the Tribunal for Stewardship Equity.

## SECTION 7.

Each adult citizen of the United States shall have the right to organize, together with other such citizens, a democratically self-managed Social Bank Citizen Stewardship Equity Collective, and to apply to the Office of the Custodian of Social Property for a Social Bank charter, and for a share in the National Investment Budget of that Office. If the Bylaws and Business Plan of that Collective meet statutory requirements, as provided in the Amendatory Annex incorporated herein, and by Congress, in law, and if an unallocated National Investment Budget share is available for the geographical district of operation requested by this Social Bank Collective, then this Collective shall receive the credits necessary, per its Office-approved Business Plan, to render it a chartered Social Bank going concern, provided that it maintains its solvency in competition with the other Social Banks established in its geographical district of operation, competing to find and fund qualified, successful Citizen Stewardship Equity enterprises, in return for a share in the Social Rents paid by those enterprises.

## SECTION 8.

A geographically nested system of special tribunals, consisting of five justices for each geographical scale of tribunal jurisdiction, shall be established to resolve disputes arising in the conduct of the provisions of this article of amendment, and of the Amendatory Annex herein incorporated. Ultimate review of the decisions of these tribunals shall be by direct appeal to the Supreme Court of the United States. The mandated, term-limited, recallable justices of these tribunals shall be elected, by majority vote of all adult citizens voting, for terms of eight years. Their time of election shall coincide with that of the President. Any justice of these tribunals may be caused to stand in a recall election, by a recall Citizen Petition including the signatures of at least twenty per cent of adult Citizens legally residing in the district of jurisdiction served by the tribunal of which said justice is a member. A justice shall be recalled from that bench if a majority of voting citizens so vote in such a recall election.

## SECTION 9.

Congress shall have the power to enforce, by legislation, all of the provisions of this article of amendment, provided that such legislation is in accordance with the full provisions of the Amendatory Annex incorporated herein.

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\*[The current draft of the Amendatory Annex will be revised to bring it into accord with this new, **01 Dec. 2016** draft of the **28th** amendment.].