



## California Bill of Rights Initiative 2.0

SECTION 1, A . We, the People, still hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain Unalienable Natural Rights, from conception to natural death, that among these are life, liberty, acquiring, possessing, protecting property, and pursuing and obtaining safety, happiness, and privacy from government.

B. The State of California shall make no law prohibiting the free exercise of the People's Unalienable Natural Rights to Life or abridging the People's Unalienable Natural Rights to Life, Liberty, Production, Distribution, Use and Consumption of air, carbon dioxide, water, food, habitat for humanity, universal heal thy self-care and energy generating natural resources.

C. The State of California shall not levy any taxes, fees, assessments or fines on the People's Unalienable Natural Rights to Life, Liberty, Production, Distribution, Use and Consumption of air, carbon dioxide, water, food, habitat for humanity, universal heal thy self-care and energy generating natural resources.

D. The State of California, upon approval by the electorate, shall repeal the 1970 California Environmental Bill of Rights (CEQA), the 1976 California Coastal Act (Prop. 20), California Endangered Species Act (CESA), California Global Warming Solution Act (AB32), California Sustainable Development Act (SB-375), California Air Resource Board (CARB) and CA/EPA (1991) and expunge all references and all citations from the repealed laws and regulatory agencies policies found within the California Public Resource Code and Health and Safety Code.

E. The enumeration in the California Constitution, of certain Unalienable Natural Rights, shall not be construed to deny or disparage other retained Unalienable Natural Rights by the People of California. The Ninth Amendment to the United States Constitution prohibits the federal government from violating or infringing upon rights not specifically enumerated in the Constitution and reserves to the people of California certain rights as they were understood at the time that California was admitted to statehood, excluding amendments. The guarantee of those rights is a matter of contract between the people and the State of California and the United States as of the time that the compact with the United States was agreed upon and adopted by California and the United States; and

F. The People of California, individually, shall have the Unalienable Natural Right to NULLIFY Federal powers not *specifically* delegated to the United States by the Constitution, nor prohibited by it to the State of California, or the People. The Tenth Amendment of the United States Constitution defines the total scope of federal power as being that which has been delegated by the People of the Several States to the federal government, and all power not delegated to the federal government in the Constitution of the United States is reserved to the States, respectively or to the People themselves. The powers reserved to the People and the State of California are those powers as they were understood at the time that California was admitted to statehood, excluding amendments. The reservation of those powers is a matter of contract between the state and people of California and the United States as of the time that the compact with the United States was agreed upon and adopted by California and the United States;

G. Power to regulate interstate commerce was delegated to the federal government in the Constitution. As understood at the time of the founding, the regulation of commerce was meant to empower Congress to regulate the buying and selling of products made by others (and sometimes land), associated finance and financial instruments,

and navigation and other carriage, across state jurisdictional lines. This interstate regulation of “commerce” did not include agriculture, manufacturing, mining, malum in se crime, or land use. Nor did it include activities that merely “substantially affected” commerce; and

H. Power vested in Congress to “regulate” an activity does not include the power to “prohibit” such activity; and

I. Regulation of intrastate commerce is reserved to the States or to the People under the Ninth and Tenth Amendments to the United States Constitution.

SECTION 2. California Bill of Rights 2.0: A new section of law to be codified in the California Statutes as , California Bill of Rights 2.0, unless there is created a duplication in numbering, reads as follows:

A. The State of California declares that the regulation of hazardous waste, clean air, water and of the production, exploration, drilling, development, operation, transportation and processing of oil, natural gas, petroleum, and petroleum products that originate and remain inside the State of California and have not been proven and adjudicated by the California court system or the federal court system to specifically be causing, or to have caused, quantifiable harm to any persons or places beyond the borders of California shall be intrastate commerce and shall not be subject to federal law or federal regulation under the authority of the United States Congress to regulate interstate commerce.

B. Each State of California environmental agency and each state agency with limited environmental responsibilities, within its areas of environmental jurisdiction, shall to the extent deemed necessary cooperate with federal environmental agencies in the regulation of hazardous waste, clean air, water and of the production, exploration, drilling, development, operation, transportation and processing of oil, natural gas, petroleum, and petroleum products but shall not be required to enforce federal laws or regulations relating to such environmental regulation.

SECTION 3. Any federal law, rule, order, or other act by the federal government violating the provisions of this act is hereby declared to be invalid in this state, is not recognized by and is specifically rejected by this state, and is considered as null and void and of no effect in this state.

SECTION 4. Any official, agent, or employee of the government of the United States, or employee of a corporation providing services to the government of the United States that enforces or attempts to enforce an act, order, law, statute, rule or regulation of the government of the United States in violation of this act shall be guilty of a class B felony.

SECTION 5. Any public servant of the State of California that enforces or attempts to enforce an act, order, law, statute, rule or regulation of the government of the United States in violation of this act shall be guilty of a class B misdemeanor.

SECTION 6. This act shall become effective (DATE), upon approval by the people of the State of California

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**NOTE:** Please note that the **Unalienable Natural Rights** “legal” definitions used for this proposed **California Environmental Preservation Act** initiative are found below. We respectfully request that the Attorney General cite appropriately the word Unalienable in the pending Title & Summary for this **California Environmental Preservation Act** initiative.

#### **UNALIENABLE RIGHTS**

The state of a thing or right which cannot be sold. **Things which are not in commerce**, as public roads, are in their **Nature Unalienable**. Some things are **Unalienable**, in consequence of particular provisions in the law forbidding their sale or transfer, as pensions granted by the government. **The Natural Rights of life and liberty are Unalienable. Bouviers Law Dictionary 1856 Edition**

**Unalienable:** incapable of being alienated, that is, sold and transferred. **Black's Law Dictionary Sixth Edition, page 1523**

You can not surrender, sell or transfer **Unalienable Rights**, they are a gift from the creator to the individual and cannot under any circumstances be surrendered or taken. All individual's have **Unalienable Rights**.

**INALIENABLE RIGHT:** You can surrender, sell or transfer **Inalienable Rights** if you consent either actually or constructively. Inalienable rights are not inherent in man and **can be alienated by government**. Persons have **Inalienable Rights**. Most state constitutions recognize only **Inalienable Rights**.