

7-26-1983

Fire Safety Standards For Cigarettes And Little Cigars. Initiative Statute.

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Office of the Secretary of State
March Fong Eu

1230 J Street
Sacramento, California 95814

0323
Elections Division
(916) 445-0820

December 29, 1983

TO: ALL REGISTRARS OF VOTERS/COUNTY CLERKS/PROPONENT(S)
FROM: *Deborah Seiler*
DEBORAH SEILER
ASSISTANT TO THE SECRETARY OF STATE
ELECTIONS AND POLITICAL REFORM

Pursuant to Elections Code 3520(b) you are hereby notified that the total number of signatures to the hereinafter named proposed INITIATIVE STATUTE filed with all county clerks is less than 100 percent of the number of qualified voters required to find the petition sufficient; therefore, the petition has failed.

TITLE: FIRE SAFETY STANDARDS FOR CIGARETTES AND LITTLE CIGARS.
INITIATIVE STATUTE.

SUMMARY DATE: JULY 26, 1983

PROPONENT: NEAL HEMEL

DS/lda



Office of the Secretary of State
March Fong Eu

1230 J Street
Sacramento, California 95814

Elections Division
(916) 445-0820

0323

July 26, 1983

TO ALL REGISTRARS OF VOTERS, OR COUNTY CLERKS, AND PROPONENT

Pursuant to Section 3513 of the Elections Code, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed Initiative Measure entitled:

**FIRE SAFETY STANDARDS FOR CIGARETTES AND LITTLE CIGARS.
INITIATIVE STATUTE.**

Circulating and Filing Schedule

- 1. Minimum number of signatures required 393,835
Cal. Const., Art. II, Sec. 8(b).
- 2. Official Summary Date Tuesday, 7/26/83
Elec. C., Sec. 3513.
- 3. Petition Sections:
 - a. First day Proponent can circulate Sections for signatures . . Tuesday, 7/26/83
Elec. C., Sec. 3513.
 - b. Last day Proponent can circulate and file with the county.
All Sections are to be filed at the same time within each
county. Friday, 12/23/83+
Elec. C., Secs. 3513, 3520(a).
 - c. Last day for county to determine total number of signatures
affixed to petition and to transmit total to the Secretary of
State Friday, 12/30/83

(If the Proponent files the petition with the county on a date prior to 12/23/83, the county has five working days from the filing of the petition to determine the total number of signatures affixed to the petition and to transmit the total to the Secretary of State.) Elec. C., Sec. 3520(b).

+ **PLEASE NOTE:** To the Proponent who may wish to qualify for the 1984 Primary Election. The law allows up to approximately 58 days to county election officials for checking and reporting petition signatures and transmitting results. The law also requires that this process be completed 131 days before the election in which the people will vote on the initiative. It is possible that the county may not need precisely 58 days. But if you want to be sure that this initiative qualifies for the 1984 Primary Election, you should file this petition with the county before November 29, 1983.

FIRE SAFETY STANDARDS FOR
CIGARETTES AND LITTLE CIGARS.
July 26, 1983
Page 2

d. Secretary of State determines whether the total number of signatures filed with all county clerks meets the minimum number of required signatures, and notifies the counties. Sunday, 1/1/84**

e. Last day for county to determine total number of qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State Monday, 1/16/84

(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 12/30/83, the last day is not later than the fifteenth day after county's receipt of notification.)
Elec. C., Sec. 3520(d), (e).

f. If the signature count is more than 433,218 or less than 354,452, then the Secretary of State certifies the petition has qualified or failed, and notifies the counties. If the signature count is between 354,452 and 433,218 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of all signatures Wednesday, 1/18/84**

g. Last day for county to determine actual number of all qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State Friday, 2/17/84

(If the Secretary of State notifies the county to determine the number of qualified voters who have signed the petition on a date other than 1/16/84, the last day is not later than the thirtieth day after county's receipt of notification.)
Elec. C., Sec. 3521(b), (c).

h. Secretary of State certifies whether the petition has been signed by the number of qualified voters required to declare the petition sufficient. Sunday, 2/19/84**

**Date varies based on receipt of county certification.

4. Campaign Statements:

Last day for the Proponent to file a Campaign
Statement of Receipts and Expenditures for period
ending 1/20/84. Friday, 1/27/84

(If the Secretary of State finds that the measure has
either qualified or failed to qualify on a date earlier
than 12/23/83, the last date to file is the 35th calendar
day after the deadline for filing petitions or the date of
notification by the Secretary of State that the measure
has either qualified or failed to qualify, whichever is
earlier. The closing date for the campaign statement
is seven days prior to the filing deadline.)
Gov. C., Secs. 84200(d), 84202(j).

5. The Proponent of the above named measure is:

Neal Hemel
2321 Oberlin
Palo Alto, CA 94306
(415) 857-0727

Sincerely,



DEBORAH SEILER
Assistant to the Secretary of State
Elections and Political Reform

NOTE TO PROPONENT: Your attention is directed to Elections Code
Sections 41, 44, 3501, 3507, 3508, 3516, 3517, and 3519 for appropriate
format and type considerations in printing, typing, and otherwise preparing
your initiative petition for circulation and signatures. Your attention is
further directed to the campaign disclosure requirements of the Political
Reform Act of 1974, Government Code Section 81000 et seq.

0323



JOHN K. VAN DE KAMP
Attorney General

State of California
DEPARTMENT OF JUSTICE

1515 K STREET, SUITE 511
SACRAMENTO 95814
(916) 445-9555

July 26, 1983

FILED
In the office of the Secretary of State
of the State of California

JUL 26 1983

MARCH FONG EU, Secretary of State

By *Barbara J. Lee*
Deputy

Honorable March Fong Eu
Secretary of State
1230 J Street
Sacramento, California 95814

Dear Mrs. Eu:

Re: Initiative Title and Summary.
Our File No. SA83RF0016

Pursuant to the provisions of section 3503 and 3513 of the Elections code, you are hereby notified that on this day we mailed to the proponent(s) of the above identified proposed initiative our title and summary.

Enclosed is a copy of our transmittal letter to the proponent(s), a copy of our title and summary, a declaration of mailing thereof, and a copy of the proposed measure.

According to information available in our records, the name(s) and address(es) of the proponent(s) is as stated on the declaration of mailing.

Very truly yours,

JOHN K. VAN DE KAMP
Attorney General

Handwritten signature of Robert Burton in cursive.

Robert Burton
Deputy Attorney General

Enclosure

(RF-10, 6/83)

Date: July 26, 1983
File No.: SA83RF0016

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

FIRE SAFETY STANDARDS FOR CIGARETTES AND LITTLE CIGARS.

INITIATIVE STATUTE. Requires State Fire Marshall to adopt rules and regulations establishing fire safety performance standards for cigarettes and little cigars. Provides these standards are to be based on studies conducted in conjunction with the Bureau of Home Furnishings. Requires these studies be supported entirely through private gifts and grants and no state monies be appropriated. Provides for printing "fire-safe" on product packages that comply with standards. Provides that any person selling or distributing products for consumption in California that do not comply with standards constitutes a misdemeanor punishable by specified fine. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: The adoption of this measure would not result in a substantial net increase in state costs. It would result in undetermined costs to local governments for law enforcement activities and in undetermined revenue to state special funds and local governments from fines and penalty assessments.

(RF-6)

"Fire-safe Cigarette Initiative"

Section 13135 is added to the Health and Safety Code, to read:

13135. (a) (1) The State Fire Marshall shall, by June 1, 1985 prepare and adopt rules and regulations which establish fire safety performance standards for cigarettes and little cigars;

(2) Fire safety performance standards for cigarettes and little cigars shall be developed by the State Fire Marshall based on studies conducted by the Bureau of Home Furnishings of the Department of Consumer Affairs in conjunction with the State Fire Marshall.

(3) The State Board of Fire Services shall contract with the Bureau of Home Furnishings and the State Fire Marshall to conduct the studies necessary to establish fire safety performance standards for cigarettes and little cigars. The studies shall be supported entirely through private gifts and grants and no state moneys shall be appropriated therefor.

(b) The packages of any cigarette or little cigar which complies with the fire safety performance standards established by the State Fire Marshall pursuant to this section should have the phrase "fire-safe" printed on the package in readable size.

(c) Any person who, 18 or more months after the establishment of the fire safety performance standards, engages in the sale or distribution of any cigarette or little cigar to be consumed within the State of California which does not comply with the fire safety performance standards established by the State Fire Marshall pursuant to this section is guilty of a misdemeanor punishable by a fine of one thousand dollars (\$1,000) per day for each day of violation.

(d) For the purposes of this section, the following terms have the following meanings;

(1) "Cigarette" means either of the following:

(A) Any roll of tobacco wrapped in paper or in any substance not containing tobacco.

(B) Any roll of tobacco wrapped in any substance containing tobacco which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette described in subparagraph (A).

(2) "Little cigar" means any roll of tobacco wrapped in leaf tobacco or any substance containing tobacco, other than any roll of tobacco which is a cigarette within the meaning of paragraph (1), and as to which 1,000 units weigh not more than three pounds.

(3) "Sale or distribution" includes distribution of samples or any other distribution not for sale.

Current addition

Amendment #1

July 5, 1983

2321 Oberlin
Palo Alto, CA 94306
(415) 857-0727

John K. Van De Kamp
Attorney General
1515 K Street, Suite 511
Sacramento, Ca. 95814

RE: Initiative title and summary
Subject: Fire Safety Cigarettes
Our File No. : SA83RFO016

Dear Mr. Van De Kamp:

Enclosed is an amended version of the Fire-safe Cigarette Initiative. I would like this version to be the one that has the official title and summary. This new version has one section that has been added. No other changes have been made. I realize that this may move the official title and summary date further into the summer. I am willing to take that chance.

Thank you for your cooperation.

Sincerely yours,

Neal Hemel

Neal Hemel

JOHN K. VAN DE KAMP
Attorney General

State of California
DEPARTMENT OF JUSTICE



1515 K STREET, SUITE 5
SACRAMENTO 958
(916) 445-957

July 26, 1983

Neal Hemel
2321 Oberlin
Palo Alto, California 94306

Re: Initiative Title and Summary.
Subject: Fire Safety Standards for Cigarettes and Little Cigars.
Our File No. SA83RF0016

Pursuant to your request, we have prepared the attached title and summary of the chief purposes and points of the above identified proposed initiative. A copy of our letter to the Secretary of State, as required by Elections Code sections 3503 and 3513, our declaration of mailing, and the text of your proposal that was considered is attached.

The Secretary of State will be sending you shortly a copy of the circulating and filing schedule for your proposal that will be issued by that office.

Please send us a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file in this matter.

Very truly yours,

JOHN K. VAN DE KAMP
Attorney General

Robert Burton
Deputy Attorney General

Attachment

(RF-9, 6/83)

DECLARATION OF MAILING

The undersigned Declarant, states as follows:

I am over the age of 18 years and not a proponent of the within matter; my place of employment and business address is 1515 K Street, Suite 511, Sacramento, California 95814.

On the date shown below, I mailed a copy or copies of the attached letter to the proponents, by placing a true copy thereof in an envelope addressed to the proponents named below at the addresses indicated, and by sealing and depositing said envelope or envelopes in the United States mail at Sacramento, California, with postage prepaid. There is delivery service by United States mail at each of the places so addressed, or there is regular communication by mail between the place of mailing and each of the places so addressed.

Date of Mailing: July 26, 1983

Subject: Fire Safety Standards for Cigarettes and Little Cigars.


Our File No.: SA83RF0016

Name of Proponent(s) and Address(es):

NEAL HEMEL
2321 Oberlin
Palo Alto, California 94306

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Sacramento, California on July 26, 1983.


MARSHA L. BIERER
Declarant

Barbara Lee

March Fong Eu
Sacramento, CA 95814
(916) 445-6371

For Immediate Release
July 26, 1983

Contact: Caren Daniels

FIRE SAFETY INITIATIVE MEASURE BEGINS CIRCULATION, REPORTS EU

SACRAMENTO -- Concerned by the fire hazard presented by cigarettes, a Palo Alto man has begun an initiative campaign to establish fire safety performance standards for cigarettes and small cigars, Secretary of State March Fong Eu announced today (July 26).

Neal Hemel, telephone number (415) 857-0727, is spearheading the drive to qualify the initiative statute, "Fire Safety Standards for Cigarettes and Little Cigars", for the June 1984 primary election ballot. He must submit 393,385 valid signatures of registered voters to county elections officials by Dec. 23 to place his measure before the people.

If adopted by the voters, the measure would require the State Fire Marshal to establish fire safety standards for cigarettes and small cigars, based on studies conducted in conjunction with the Bureau of Home Furnishings. These studies would be funded not by state monies, but through private donations and grants. To sell or distribute for consumption in California products which do not comply with standards would be a misdemeanor punishable by a fine specified in the measure. It further provides that the words "fire-safe" be printed on packages of products which comply with the safety standards.

A copy of the initiative, its title and summary and circulation calendar is attached for further reference.

###

8336MW



Fire Safety phoned 323

12/28 Marie Blackford
SD NO

12/28 Orange NO

12/28 LA Bran NO

12/28 S. Clara - No
John Malcher

12/28 Alameda - No
Janice Kottler

BM

323



R. A. SCOTT
DIRECTOR

ROBERT A. GRIFFITH
ASSISTANT DIRECTOR

REGISTRATION & ELECTIONS DIVISION
A. E. OLSON, REGISTRAR OF VOTERS
1300 S. GRAND AVE.
SANTA ANA, CA 92705
(714) 834-2244

MAILING ADDRESS:
P.O. BOX 11298
SANTA ANA, CA 92711

December 23, 1983

FILED
In the office of the Secretary of State
of the State of California

To: Barbara Lee, Elections Division, Secretary of State

From: Registrar of Voters, Orange County

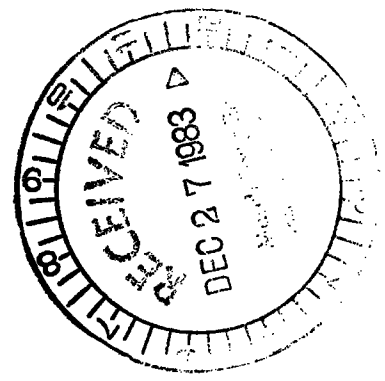
Subject: Fire Safety Standards For Cigarettes And Little Cigars.
Initiative Statute.

DEC 28 1983
MARCH FONG EU, Secretary of State
By Barbara Lee
Deputy

This is to certify that there have been no sections of the petition entitled "Fire Safety Standards For Cigarettes And Little Cigars. Initiative Statute." filed in Orange County by the proponent as of December 23, 1983.

REGISTRAR OF VOTERS
Orange County

By Ruth Reinert
Deputy





COUNTY OF SACRAMENTO

VOTER REGISTRATION & ELECTIONS

3700 BRANCH CENTER ROAD, SUITE C
SACRAMENTO, CALIFORNIA 95827
(916) 366-2051

December 27, 1983

FILED

In the office of the Secretary of State
of the State of California

DEC 30 1983

MARCH FONG EU, Secretary of State

By *Barbara J. Lee*
Deputy

ERNEST R. HAWKINS
REGISTRAR OF VOTERS

DWIGHT M. BEATTIE
ASSISTANT REGISTRAR
OF VOTERS

I. Ernest R. Hawkins, Registrar of Voters of the County of Sacramento, State of California, hereby certify that on or before December 23, 1983, no petition sections containing signatures were filed by the proponents of the Fire Safety Standards for Cigarettes and Little Cigars Initiative Statute Measure.

Ernest R. Hawkins

Ernest R. Hawkins
Registrar of Voters

CLERK'S CERTIFICATE TO INITIATIVE PETITION

I, EEVE T. LEWIS, County Clerk & Registrar of Voters
Registrar of Voters/County Clerk
of the County of Sonoma, State of California, hereby certify:

That the Fire Safety Standards for Cigarettes and Little Cigars

Initiative measure has not been
has/has not

filed with this office prior to this date; December 23, 1983

That said petition consists of 0 sections;

That each section contains signatures purporting to be the signatures of qualified electors of this county;

That attached to this petition at the time it was filed was an affidavit purporting to be the affidavit of the person who solicited the signatures, and containing the dates between which the purported qualified electors signed this petition;

That the affiant stated his or her own qualifications, that he or she had solicited the signatures upon that section, that all of the signatures were made in his or her presence, and that to the best of his or her knowledge and belief each signature to that section was the genuine signature of the person whose name it purports to be;

That after the proponent filed this petition I verified the required number of signatures by examining the records of registration in this county, current and in effect at the respective purported dates of such signing, to determine what number of qualified electors signed the petition, and from that examination I have determined the following facts regarding this petition:

1. Number of unverified signatures filed by proponent (raw count) 0

a. Number of signatures found SUFFICIENT 0

b. Number of signatures found NOT SUFFICIENT 0

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this
28th day of December, 19 83.

EEVE T. LEWIS

Registrar of Voters/County Clerk

FILED
In the office of the Secretary of State
of the State of California

JAN - 3 1984

MARCH FONG EU, Secretary of State

By Barbara Lee
Deputy

By:

Karen Clark
Deputy

(SEAL)

Sonoma



SAN JOAQUIN COUNTY
OFFICE OF THE COUNTY CLERK

RALPH W. EPPERSON
COUNTY CLERK

REGISTRATION-ELECTION DIVISION

119 EAST WEBER AVENUE
STOCKTON, CALIFORNIA 95202
TELEPHONE (209) 944-2671

BRUCE R. AVRIT
ASST. COUNTY CLERK

HERBERT B. WEEKES
CHIEF ELECTIONS CLERK

MAILING ADDRESS P.O. BOX 810
December 24, 1983

The Honorable March Fong Eu
Secretary of State
State of California
1230 J Street
Sacramento, CA 95814

FILED
In the office of the Secretary of State
of the State of California

JAN - 5 1984

MARCH FONG EU, Secretary of State
By *Barbara Lee*
Deputy

RE: FIRE SAFETY STANDARDS FOR CIGARETTES AND LITTLE CIGARS. INITIATIVE
STATUTE.

Attn: Barbara Lee

Pursuant to elections Code Sections 3513 and 3520, the County of San Joaquin has received -0- signatures for the FIRE SAFETY STANDARDS FOR CIGARETTES AND LITTLE CIGARS. INITIATIVE STATUTE.

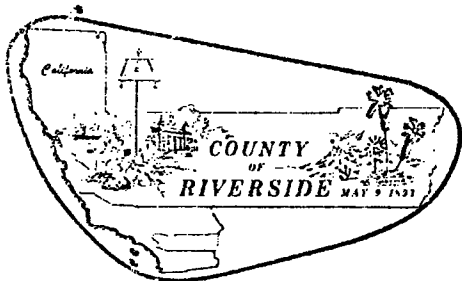
Very truly yours,

RALPH W. EPPERSON
COUNTY CLERK

Herbert B. Weekes

By: Herbert B. Weekes
Chief Elections Clerk

RWE:HBW:tb



REGISTRAR OF VOTERS

4175 Main Street, Riverside, California 92501

(714) 787-2921

COUNTY OF RIVERSIDE

ROBERT G. MORGAN
REGISTRAR

FRANK K. JOHNSON
ASSISTANT REGISTRAR

December 30, 1983

Secretary of State - Elections
1230 J Street
Sacramento, CA 95814

Attention: Barbara Lee

Dear Barbara:

No signatures were filed in Riverside County for these
initiative petitions:

SOUTH AFRICA INVESTMENTS.....
FIRE SAFETY STANDARDS.....
ELECTION CAMPAIGNS.....

Very truly yours,

ROBERT G. MORGAN
Registrar of Voters

By Barbara Myers
Deputy

FILED
In the office of the Secretary of State
of the State of California

JAN - 3 1984

MARCH FONG EU, Secretary of State
By Barbara Lee
Deputy

JAN 6