

1-30-1990

Criminalized Drug Laws.

Follow this and additional works at: http://repository.uchastings.edu/ca_ballot_inits

Recommended Citation

Criminalized Drug Laws. California Initiative 505 (1990).
http://repository.uchastings.edu/ca_ballot_inits/670

This Initiative is brought to you for free and open access by the California Ballot Propositions and Initiatives at UC Hastings Scholarship Repository. It has been accepted for inclusion in Initiatives by an authorized administrator of UC Hastings Scholarship Repository. For more information, please contact marcusc@uchastings.edu.



Office of the Secretary of State
March Fong Eu

1230 J Street
Sacramento, California 95814

#505
ELECTIONS DIVISION
(916) 445-0820
For Hearing and Speech Impaired
Only:
(800) 833-8683

July 2, 1990

TO: ALL COUNTY CLERKS/REGISTRARS OF VOTERS AND
PROPONENT (90145)

FROM: Caren Daniels Meade
CAREN DANIELS-MEADE
CHIEF, ELECTIONS DIVISION

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

TITLE: CRIMINALIZED DRUG LAWS.
INITIATIVE STATUTE.

SUMMARY DATE: January 30, 1990

PROPONENT: Thomas B. Neece

CDM/b1/cb





Office of the Secretary of State
March Fong Eu

1230 J Street
Sacramento, California 95814

ELECTIONS DIVISION
(916) 445-0820
For Hearing and Speech Impaired
Only:
(800) 833-8683

#505

January 30, 1990

TO ALL REGISTRARS OF VOTERS, OR COUNTY CLERKS, AND PROPONENT(90023)

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:

**CRIMINALIZED DRUG LAWS.
INITIATIVE STATUTE.**

Circulating and Filing Schedule

- 1. Minimum number of signatures required.....372,178
Cal. Const., Art. II, Sec. 8(b).
- 2. Official Summary DateTuesday, 01/30/90
Elec. C., Sec. 3513.
- 3. Petition Sections:
 - a. First day Proponent can circulate Sections for
signatures.....Tuesday, 01/30/90
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, 06/29/90+
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.....Monday, 07/09/90

(If the Proponents file the petition with the county on a date prior to 6/29/90, 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).

+ NOTE TO PROPONENTS WHO WISH TO QUALIFY FOR THE NOVEMBER 6, 1990 GENERAL ELECTION: The law allows approximately 107 days for county election officials to check and report petition signatures and transmit 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 107 days. However, if you want to be sure that this initiative qualifies for the November 6, 1990 General Election, you should file this petition with the county before March 23, 1990.

- 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
.....Wednesday, 07/18/90**
- 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
.....Wednesday, 08/08/90
- (If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 7/09/90, the last day is no later than the fifteenth day after the county's receipt of notification.)
Elec. C., Sec. 3520(d), (e).
- f. If the signature count is more than 409,395 or less than 353,569, then the Secretary of State certifies the petition has qualified or failed, and notifies the counties. If the signature count is between 353,569 and 409,395 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of all signatures
.....Saturday, 08/18/90**
- 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
.....Tuesday, 10/02/90
- (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 8/08/90, the last day is no later than the thirtieth working 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
.....Saturday, 10/06/90

**Date varies based on receipt of county certification.

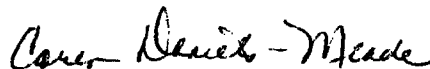
4. The Proponent of the above-named measure is:

Thomas B. Neece
9475 Laughlin Way
Redwood Valley, California 95470

5. Important Points:

- (a) California law prohibits the use of signatures, names and addresses gathered on initiative petitions for any purpose other than to qualify the initiative measure for the ballot. This means that the petitions cannot be used to create or add to mailing lists or similar lists for any purpose, including fund raising or requests for support. Any such misuse constitutes a crime under California law. Elections Code section 29770; *Bilofsky v. Deukmejian* (1981) 123 Cal.App. 3d 825, 177 Cal.Rptr. 621; 63 Ops. Cal.Atty.Gen. 37 (1980).
- (b) Please refer to Elections Code sections 44, 3501, 3507, 3508, 3517, and 3519 for appropriate format and type consideration in printing, typing, and otherwise preparing your initiative petition for circulation and signatures. Please send a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file.
- (c) Your attention is directed to the campaign disclosure requirements of the Political Reform Act of 1974, Government Code section 81000 et seq.
- (d) When writing or calling state or county elections officials, provide the official title of the initiative which was prepared by the Attorney General. Use of this title will assist elections officials in referencing the proper file.
- (e) When a petition is presented to the county elections official for filing by someone other than the proponent, the required authorization shall include the name or names of the persons filing the petition.
- (f) When filing the petition with the county elections official, please provide a blank petition for elections official use.

Sincerely,



CAREN DANIELS-MEADE
Chief, Elections Division

Attachment: POLITICAL REFORM ACT OF 1974 REQUIREMENTS

JOHN K. VAN DE KAMP
Attorney General

State of California
DEPARTMENT OF JUSTICE



1515 K STREET, SUITE 511
P. O. BOX 944255
SACRAMENTO 94244-2550
(916) 445-9555

January 30, 1990

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

(916) 324-5508

JAN 30 1990

MARCH FONG EU, Secretary of State
By *[Signature]*
Deputy

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

Dear Mrs. Eu:

Initiative Title and Summary
Subject: CRIMINALIZED DRUG LAWS. INITIATIVE STATUTE.
Our File No. SA 89 RF 0039

Pursuant to the provisions of sections 3503 and 3513 of the Elections Code, you are hereby notified that on this day we mailed to the proponent of the above-identified proposed initiative our title and summary.

Enclosed is a copy of our transmittal letter to the proponent, 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 and address of the proponent is as stated on the declaration of mailing.

Very truly yours,

JOHN K. VAN DE KAMP
Attorney General

[Signature]

MARY WHITCOMB
Initiative Coordinator

MW:lac

Enclosures

Date: January 30, 1990
File No.: SA 89 RF 0039

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

CRIMINALIZED DRUG LAWS. INITIATIVE STATUTE. Repeals all laws prohibiting the use, cultivation, transportation, or possession of criminalized drugs, in any form. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: This measure would provide an unknown net savings for state and local costs due to a redirection and reduction of existing state and local law enforcement activities related to drug violations. There would be unknown savings to state and local governments, probably in the hundreds of millions of dollars annually, to the extent that violators of drug laws would be jailed in federal, rather than state or local government facilities; unknown increased state and local drug treatment and related program costs, to the extent reduced enforcement activity results in increased drug usage; and unknown reduction in state and local revenues due to the elimination of fines.

SA89RF0039

State Attorney Generals Office
1515 "K" Street
P O Box 944255
Sacramento, Ca 94244-2550

3 October 1989

To Whom it Concerns:


This is a request for the Attorney Generals Office to prepare Title & Summary for a substantive initiative Statute on the November 1990 Ballot;

THIS INITIATIVE WILL PROVIDE FOR THE DECRIMINALIZATION OF
ALL DRUGS IN THE STATE OF CALIFORNIA

INITIATIVE TO REPEAL THE PROHIBITION OF CRIMINALIZED DRUGS
IN THE STATE OF CALIFORNIA

THIS INITIATIVE MAKES NULL AND VOID
ALL AND EACH EXISTING LAW PROHIBITING THE USE,
CULTIVATION, TRANSPORTATION, OR POSSESSION OF
CRIMINALIZED DRUGS, IN ANY FORM, IN THE STATE OF
CALIFORNIA.

THIS INITIATIVE MAKES NULL AND VOID
ENTIRELY AND COMPLETELY ALL AND EACH EXISTING
LAW PROHIBITING THE USE, CULTIVATION, TRANSPORTATION
OR POSSESSION OF CRIMINALIZED DRUGS, IN ANY FORM,
IN THE STATE OF CALIFORNIA.


Thomas B. Neece
9475 Laughlin way
Redwood Valley, California 965470

RECEIVED
NOV 17 1989
INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

JOHN K. VAN DE KAMP
Attorney General

State of California
DEPARTMENT OF JUSTICE



1515 K STREET, SUITE 511
P.O. BOX 944255
SACRAMENTO 94244-2550
(916) 445-9555

January 30, 1990

(916) 324-5508

Thomas B. Neece
9475 Laughlin Way
Redwood Valley, CA 95470

Dear Mr. Neece:

Initiative Title and Summary
Subject: **CRIMINALIZED DRUG LAWS. INITIATIVE STATUTE.**
Our File No. SA 89 RF 0039

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

A handwritten signature in cursive script that reads "Mary Whitcomb".

MARY WHITCOMB
Initiative Coordinator

MW:lac

Enclosures

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: January 30, 1990

Subject: CRIMINALIZED DRUG LAWS. INITIATIVE STATUTE.

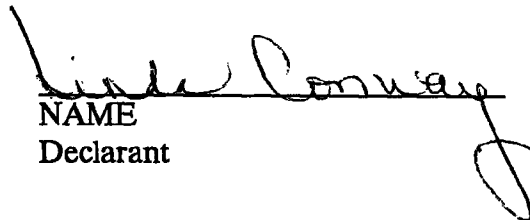
Our File No.: SA 89 RF 0039

Name of Proponent and Address:

Thomas B. Neece
9475 Laughlin Way
Redwood Valley, CA 95470

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

Executed at Sacramento, California, on: January 30, 1990.


NAME
Declarant

#505 & #506 Cathy Mitchell

NEWS RELEASE

from: Secretary of State March Fong Eu
1230 J Street, Sacramento, CA 95814
(916) 445-6375

For Immediate Release
January 31, 1990

Contact: Melissa Warren

SECRETARY OF STATE EU ANNOUNCES TWO MORE INITIATIVE DRIVES

SACRAMENTO — Secretary of State March Fong Eu announced today (Jan. 31) that she has given a Redwood Valley man the green light to begin circulating petitions in an effort to qualify two initiative measures for the ballot.

Thomas Neece is the proponent of the two initiative statutes which must be signed by 372,178 registered voters in order to earn a spot on the ballot. All signatures must be submitted to county elections officials by Jun. 29, the legal 150-day deadline.

"Criminalized Drug Laws" would repeal all laws that prohibit "the use, cultivation, transportation, or possession of criminalized drugs, in any form, in the state of California."

The other measure, titled simply "Marijuana," would likewise "make null and void entirely and completely all and each existing law" prohibiting use, cultivation, transportation or possession of marijuana in California. It is the 18th such measure to be circulated for the statewide ballot. Only one has ever qualified and been placed before the voters — Prop. 19 in Nov. 1972. It was rejected.

We were unable to ascertain a telephone number for proponent Neece.

Copies of the initiatives, their titles and summaries and circulation calendars are attached.

###

9013MW