

4-5-1994

Cannabis (Marijuana) Legalization.

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Office of the Secretary of State
 Tony Miller
 Acting Secretary of State

1230 J Street
 Sacramento, California 95814

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

#644

April 5, 1994

TO ALL REGISTRARS OF VOTERS, OR COUNTY CLERKS, AND PROPONENT (94087)

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:

**CANNABIS (MARIJUANA) LEGALIZATION.
 INITIATIVE STATUTE.**

Circulating and Filing Schedule

1. Minimum number of signatures required 384,974
 Cal. Const., Art. II, Sec. 8(b).
2. Official Summary Date Tuesday, 04/05/94
 Elec. C., Sec. 3513.
3. Petition Sections:
 - a. First day Proponent can circulate Sections for
 signatures Tuesday, 04/05/94
 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 Thursday, 09/01/94
 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 Thursday, 09/15/94

(If the Proponent files the petition with the county on a date prior to 09/01/94, the county has eight 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).



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 Saturday, 09/24/94*

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, 11/07/94

(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 09/24/94, the last day is no later than the thirtieth day after the county's receipt of notification.)
Elec. C., Sec. 3520(d), (e).

f. If the signature count is more than 423,472 or less than 365,726 then the Secretary of State certifies the petition has qualified or failed, and notifies the counties. If the signature count is between 365,726 and 423,472 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of all signatures . . . Thursday, 11/17/94*

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 Monday, 01/02/95

(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 11/17/94, 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 Friday, 01/06/95*

* Date varies based on receipt of county certification.

**CANNABIS (MARIJUANA) LEGALIZATION.
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4. The Proponent of the above-named measure is:

Erica Californiaa
330 DeNeve Drive
Los Angeles, CA 90024
(310) 794-5480

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 41, 41.5, 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.

NOTE TO PROPONENTS WHO WISH TO QUALIFY FOR THE NOVEMBER 8, 1994 GENERAL ELECTION: This initiative must be certified for the ballot 131 days before the election (June 30, 1994). Please remember to time your submissions accordingly. For example, in order to allow the maximum time permitted by law for the random sample verification process, it is suggested that proponents file their petitions to county elections officials by April 22, 1994. If a 100% check of signatures is necessary, it is advised that the petitions be filed by March 2, 1994.

Sincerely,



DEIRDRE AVENT
ELECTIONS ANALYST

DANIEL E. LUNGREN
Attorney General

State of California
DEPARTMENT OF JUSTICE



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

(916) 324-5490

April 5, 1994

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

APR 5 1994

Tony Miller
Acting Secretary of State
1230 J Street
Sacramento, CA 95814

TONY MILLER
Acting Secretary of State
Anthony Miller
Deputy

Re: Initiative Title and Summary
Subject: CANNABIS (MARIJUANA) LEGALIZATION. INITIATIVE STATUTE.
File No: SA 94 RF 0012

Dear Mr. Miller:

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.

Sincerely,

DANIEL E. LUNGREN
Attorney General

Kathleen F. DaRosa

KATHLEEN F. DaROSA
Initiative Coordinator

KFD:ms
Enclosures

Date: April 5, 1994
File No: SA94RF0012

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

CANNABIS (MARIJUANA) LEGALIZATION. INITIATIVE STATUTE.

Authorizes and directs Legislature, Governor and Attorney General to provide, within reasonable standards, for use and possession of cannabis/marijuana for persons aged 21 and over, including use in public places of recreation, and to determine reasonable standard of impairment for purpose of prohibiting as unsafe commission of certain public acts while under the influence of cannabis/marijuana. Would make it a misdemeanor to expose minors and non-consenting adults to intoxicating cannabis/marijuana. Authorizes research into the beneficial uses of cannabis/marijuana. Requires the deletion or expunction of contrary laws or policies. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: Given the uncertainties with regard to how the measure would be implemented, a precise estimate is impossible at this time; however, the measure would probably result in annual net savings in tens of millions of dollars statewide.

RECEIVED
FEB 7 1994

February 3, 1994

Kathy DeRosa
1515 K Street
Sacramento, CA 95814

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Dear Kathy,

In accordance with Cal. Const. II, 10(d), and Election Code, Section 3502, I hereby submit to the Attorney General the enclosed draft of the initiative for which I, Eurica Californiaa, am Chief Proponent, along with this written request for a title and summary of the measure, having enclosed \$200 on behalf of this purpose, and declaring my will that the proposed measure be qualified for the ballot of General Elections, 1994.

No appropriations for a particular project contained within the text of the attached proposed measure, if any, was included in the exchange for a campaign contribution or a pledge for a campaign contribution for purposes of qualifying the attached proposed measure for the ballot. (see signature below)

Unless there are objections from the Attorney General, I would prefer for the attached proposed measure to be officially titled, "California Cannabis Initiative, 1994," and, I would like the official summary to read, "This measure protects the rights of minors and unwilling persons against unwarranted cannabis exposure, while at the same time protecting the dignity and worth of those who wish to enjoy cannabis peacefully. It promotes the conscientious awareness of the health and safety issues surrounding the uses of cannabis. And, it maintains open powers in the hands of the State, so that cannabis will be constantly regulated on reasonable terms."

I feel that the term "marijuana" is culturally equivalent to the term "booze", which was equally prevalent during prohibition; therefore, in calling marijuana "cannabis", I employ the unbiased value of the scientific term, for this is the same as having people say "alcohol" instead of booze. Therefore, although I understand the need to inform the public on the basis of known grounds, I am asking the Attorney General to reflect on this unbiased value in handling terms.

Sincerely,

EURICA CALIFORNIAA

Eurica Californiaa

Voter Registration Address:

Eurica Californiaa
330 DeNeve Drive
Los Angeles, CA 90024

Phone: (310) 794-5480

AN ACT TO AMEND THE HEALTH AND SAFETY CODE OF CALIFORNIA:

I. Section 11357.6, "Cannabis," is hereby added to the Health and Safety Code of California, to read:

(1) Definitions of terms:

(a) The term "cannabis" means any botanical variety of the Cannabis genus of herb, and includes any tissues or substances which are found in such a plant or its seeds.

(b) The term "intoxicating cannabis" means any tissue, substance, or product of cannabis which may serve to effect physiological intoxication.

(c) The terms "marijuana," "marihuana," and "hemp" are known synonyms for the more strict term which is cannabis.

(2) By their respective powers of legislation and government, the Governor, Attorney General, and legislature are authorized and directed to oversee that:

(a) The public shall be safeguarded as to the known and viable uses of cannabis as established through appropriate research, with emphasis given to matters of health and safety.

(b) It shall be a misdemeanor offense, punishable according to statute, to subject any minor or unwilling person to intoxicating cannabis through airborne or other exposure.

(c) A reasonable standard of impairment shall be determined such that certain acts deemed publicly unsafe under the influence of intoxicating cannabis shall be prohibited by law.

(d) A reasonable standard of liberty shall be issued according to which persons aged 21 and over may enjoy both the use and fruition of cannabis without penalty of law or reprisal.

(e) It shall be acknowledged that among the diverse population of the State of California, there are those people among us who consider the use of cannabis to be a natural extension of their experience in nature; therefore, a reasonable standard of freedom shall be issued according to which persons may enjoy both the use and fruition of cannabis in the peace of an environment which includes public areas such as beaches, parks, deserts, forests, lakes, rivers, and other areas of natural recreation, such that the public allocation of these resources is fully commensurate with the diverse aspirations of the State.

II. The legislature shall have provided for the fulfillment of this Act within 6 months of the passage of this Act, and shall continue to provide in a manner which serves to maintain and effect the continual fulfillment of the provisions of this Act, deleting and expunging any statutory laws or policies to the contrary.

III. If any provision of this Act shall be held as invalid by law or court order, then all remaining provisions, including the remaining validity of the provision so held, shall not be affected thereby, and to this end shall the provisions of this Act be of severable intent.

IV. If conflict is held between this Act and any rival, such that the rival holds preference by the statutes of law and order, then all non-conflicting parts of this Act shall operate to the fullest extent permitted by law, and shall do so by and with their original intent.

V. This Act is a reflection of the dignity and worth of persons who reside or take refuge in the State of California, to the effect that the unnecessary persecution of these persons need not occur by law regarding any natural enjoyment of the commodities of nature which are obtainable from cannabis, and to this purpose shall this Act be so fully construed as to accomplish its intent.

