

11-17-1999

Regulation Of Alcoholic Beverage Sales. Extension Of Permissible Hours For Sales And Purchases.

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

Recommended Citation

Regulation Of Alcoholic Beverage Sales. Extension Of Permissible Hours For Sales And Purchases. California Initiative 859 (1999). http://repository.uchastings.edu/ca_ballot_inits/1017

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.

DIVISIONS:

Archives
Corporate Filings
Elections
Information Technology
Limited Partnership
Management Services
Notary Public
Political Reform
Uniform Commercial Code

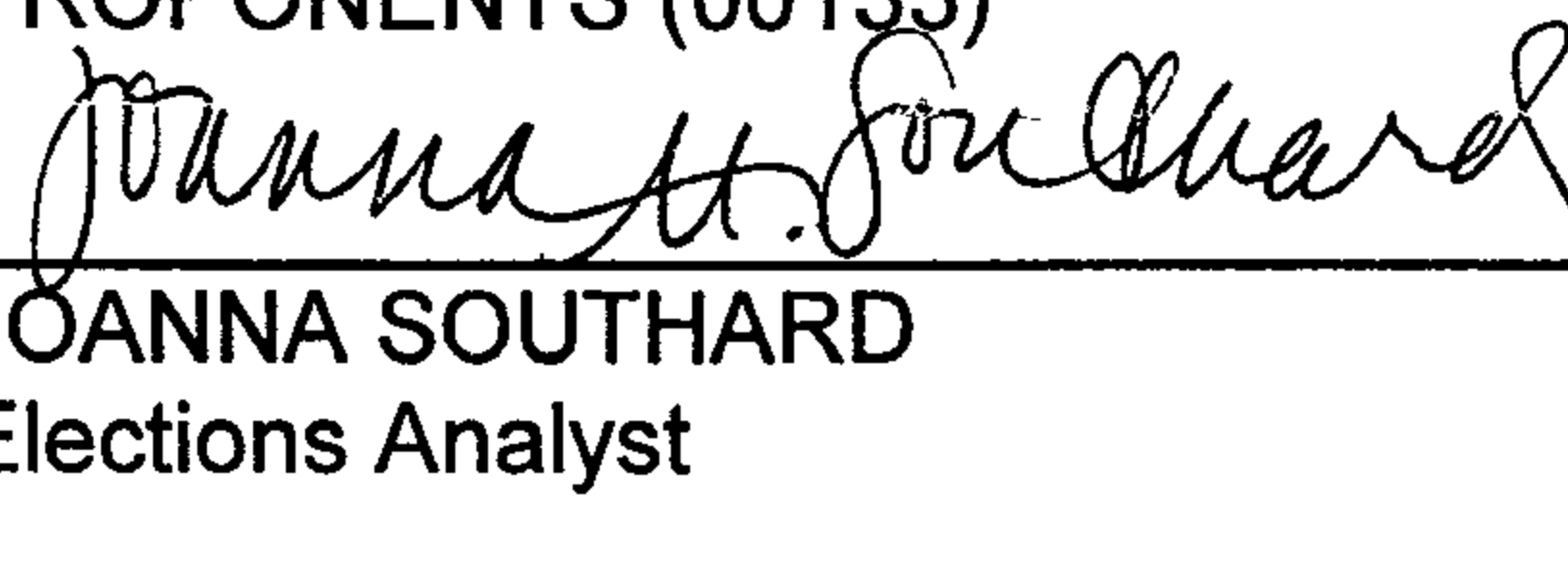


BILL JONES
Secretary of State
State of California

ELECTIONS DIVISION
(916) 657-2166
1500 - 11th STREET
SACRAMENTO, CA 95814
Voter Registration Hotline
1-800-345-VOTE
For Hearing and Speech Impaired
Only
1-800-833-8683
e-mail: comments@ss.ca.gov

May 1, 2000

TO: ALL COUNTY CLERKS/REGISTRARS OF VOTERS AND
PROPOSERS (00133)

FROM: 
JOANNA SOUTHARD
Elections Analyst

SUBJECT: INITIATIVE #859

Pursuant to Elections Code section 9030(b), you are hereby notified that the total number of signatures to the hereinafter named proposed INITIATIVE STATUTE filed with all county elections officials is less than 100 percent of the number of qualified voters required to find the petition sufficient; therefore, the petition has **failed**.

TITLE: REGULATION OF ALCOHOLIC BEVERAGE SALES. EXTENSION OF PERMISSIBLE HOURS FOR SALES AND PURCHASES.

SUMMARY DATE: November 17, 1999

PROPOSER: Joseph M. Kar

RECEIVED

MAY 03 2000

LIBRARY
100 COLLEGE OF THE



DIVISIONS:

Archives
Corporate Filings
Elections
Information Technology
Limited Partnership
Management Services
Notary Public
Political Reform
Uniform Commercial Code



BILL JONES
Secretary of State
State of California

ELECTIONS DIVISION
(916) 657-2166
1500 - 11th STREET
SACRAMENTO, CA 95814
Voter Registration Hotline
1-800-345-VOTE
For Hearing and Speech Impaired
Only
1-800-833-8683
e-mail: comments@ss.ca.gov

November 17, 1999

TO: ALL REGISTRARS OF VOTERS, OR COUNTY CLERKS, AND PROPONENTS (99264)

FROM: *Deirdre Avent*
DEIRDRE AVENT
ELECTIONS ANALYST

SUBJECT: **INITIATIVE #859**

Pursuant to Elections Code section 336, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed initiative measure entitled:

**REGULATION OF ALCOHOLIC BEVERAGE SALES. EXTENSION OF
PERMISSIBLE HOURS FOR SALES AND PURCHASES.
INITIATIVE STATUTE.**

The proponent of the above-named measure is:

Joseph M. Kar
865 Comstock Avenue, #14B
Los Angeles, CA 90024
(310) 276-1909

Received
11/29/99

1

2

#859

REGULATION OF ALCOHOLIC BEVERAGE SALES. EXTENSION OF
PERMISSIBLE HOURS FOR SALES AND PURCHASES.
INITIATIVE STATUTE.

CIRCULATING AND FILING SCHEDULE

1. Minimum number of signatures required: 419,260
California Constitution, Article II, Section 8(b)

2. Official Summary Date:..... Wednesday, 11/17/99
Elections Code section (EC§) 336

3. Petitions Sections:
 - a. First day Proponent can circulate Sections for
signatures (EC §336) Wednesday, 11/17/99

 - b. Last day Proponent can circulate and file
with the county. All sections are to be filed at the
same time within each county (EC §336, 9030(a)) Monday, 04/17/00*

 - c. Last day for county to determine total number of
signatures affixed to petitions and to transmit total
to the Secretary of State (EC §9030(b))..... Thursday, 04/27/00

(If the Proponent files the petition with the county on a date prior to 04/17/00,
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) (EC §9030(b)).

 - d. Secretary of State determines whether the total number
of signatures filed with all county clerks/registrars of
voters meets the minimum number of required signatures,
and notifies the counties (EC §9030(c))..... Saturday, 05/06/00**

 - 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
(EC §9030(d)(e)) Monday, 06/19/00

* Date adjusted for official deadline which falls on a Saturday. EC §15

** Date varies based on receipt of county certification.

INITIATIVE #859
Circulating and Filing Schedule continued:

(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 05/06/00, the last day is no later than the thirtieth day after the county's receipt of notification). (EC §9030(d)(e)).

- f. If the signature count is more than 461,003 or less than 398,139 then the Secretary of State certifies the petition as qualified or failed, and notifies the counties. If the signature count is between 398,139 and 461,003 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of **all** signatures (EC §9030(f)(g); 9031(a)) Thursday, 06/29/00**

- 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 (EC §9031(b)(c)).Friday, 08/11/00

(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 06/29/00, the last day is no later than the thirtieth working day after the county's receipt of notification). EC §9031(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 (EC §9031(d); 9033).....Tuesday, 08/15/00**

** Date varies based upon receipt of county certification.

IMPORTANT POINTS

- 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 fundraising or requests for support. Any such misuses constitutes a crime under California law. Elections Code section 18650; *Bilofsky v. Deukmejian* (1981) 123 Cal. App. 3d 825, 177 Cal. Rptr. 621; 63 Ops. Cal. Atty. Gen. 37 (1980).
- Please refer to Elections Code sections 100,101,104,9001, 9008, 9009, 9021, and 9022 for appropriate format and type consideration in printing, typing and otherwise preparing your initiative petition for circulation 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.
- Your attention is directed to the campaign disclosure requirements of the **Political Reform Act of 1974**, Government Code section 81000 et seq. A brief summary is attached for your reference.
- 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.
- 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.
- When filing the petition with the county elections official, please provide a blank petition for elections official use.

Enclosures

BILL LOCKYER
Attorney General

State of California
DEPARTMENT OF JUSTICE



1300 I STREET, SUITE 12
P.O. BOX 944255
SACRAMENTO, CA 94244-2550
Public: (916) 445-9555

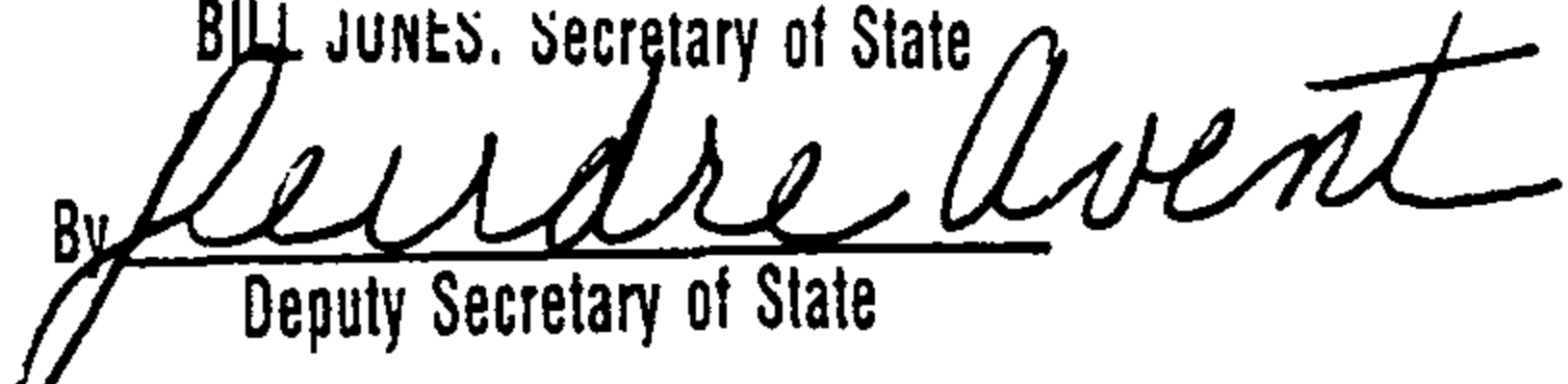
Facsimile: (916) 323-2137
(916) 324-5490

November 17, 1999

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

NOV 17 1999

BILL JUNTS, Secretary of State

By 
Deputy Secretary of State

Bill Jones
Secretary of State
1500 - 11th Street, 5th Floor
Sacramento, California 95814

RE: INITIATIVE TITLE AND SUMMARY
SUBJECT: REGULATION OF ALCOHOLIC BEVERAGE SALES.
EXTENSION OF PERMISSIBLE HOURS FOR SALES
AND PURCHASES. INITIATIVE STATUTE.
FILE NO: SA1999RF0044

Dear Mr. Jones:

Pursuant to the provisions of sections 9004 and 336 of the Elections Code, you are hereby notified that on this day we mailed our title and summary to the proponent of the above-identified proposed initiative.

Enclosed is a copy of our transmittal letter to the proponent, a copy of our title and summary, a declaration of service 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 service.

Sincerely,



DIANE CALKINS
Initiative Coordinator

For **BILL LOCKYER**
Attorney General

DC:tk
Enclosures

Date: November 17, 1999
File No.: SA1999RF0044

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

REGULATION OF ALCOHOLIC BEVERAGE SALES. EXTENSION OF PERMISSIBLE HOURS FOR SALES AND PURCHASES. INITIATIVE STATUTE. Amends Business and Professions Code section 25631 to allow sales and purchases of alcoholic beverages for an additional two hours each day. Extends the hours that on-sale liquor licensees and off-sale liquor licensees may sell alcoholic beverages and consumers may purchase alcoholic beverages from 2:00 a.m. to 4:00 a.m. Provides misdemeanor penalty for on-sale or off-sale sales or purchases of alcoholic beverages between 4:00 a.m. and 6:00 a.m. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: This measure could result in increased state and local regulatory and enforcement costs totaling several million dollars annually.

SA1999RF0044

Joseph M. Kar
865 Comstock Avenue #14B
Los Angeles, CA 90024
Tel & Fax: (310) 276-1909

September 23, 1999

Bill Lockyer, Attorney General
Attn: Initiative Coordinator,
Office of the Attorney General
1300 I Street
Sacramento, CA 95814

RECEIVED
OCT - 4 1999

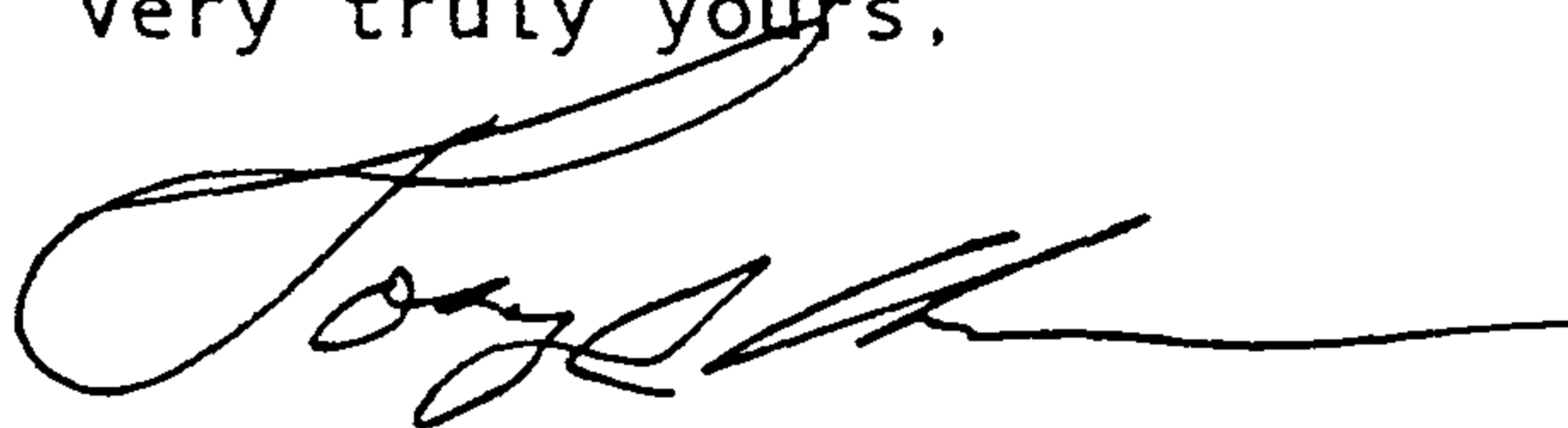
INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Dear Initiative Coordinator:

Pursuant to Elections Code §§9002 and 9004, I am submitting this written request for a title and summary for the proposed initiative attached. Also, please find a check for \$200.00 to be held in trust with the office of the State Treasurer pending this measure's qualification to the ballot.

I appreciate your attention to this matter and I await your timely response.

Very truly yours,



Joseph M. Kar

**Proposed Initiative Amendment to California Business and Professions Code
§25631**

25631. Any on- or off-sale licensee, or agent or employee of such licensee, who sells, gives, or delivers to any persons any alcoholic beverage or any person who knowingly purchases any alcoholic beverage between the hours of 4:00 o'clock a.m. and 6 o'clock a.m. of the same day, is guilty of a misdemeanor.

For the purposes of this section, on the day that a time change occurs from Pacific Daylight Time, or back again to Pacific Standard Time, "4:00 o'clock a.m." means Four hours after 12 o'clock p.m. of the day proceeding the day such change occurs.

