

11-18-1997

Arms And Ammunition. Unrestricted Personal Possession And Use.

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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

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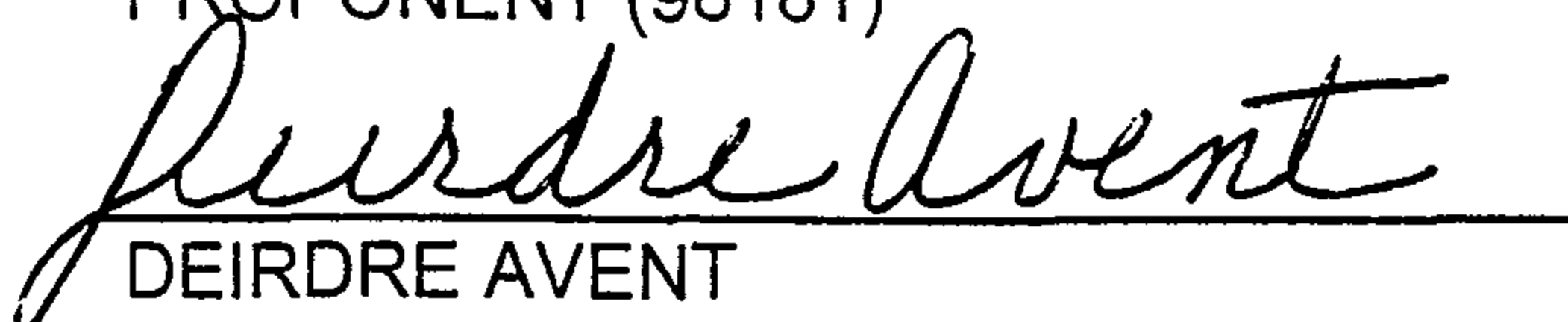
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April 29, 1998

#768

TO: ALL COUNTY CLERKS/REGISTRARS OF VOTERS AND
PROPONENT (98181)

FROM:


DEIRDRE AVENT
Elections Analyst

Pursuant to Elections Code section 9030(b), you are hereby notified that the total number of signatures to the hereinafter named proposed INITIATIVE CONSTITUTIONAL AMENDMENT 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: ARMS AND AMMUNITION. UNRESTRICTED PERSONAL
POSSESSION AND USE.

SUMMARY DATE: November 18, 1997

PROPONENT: Nicholas Fitzgerald

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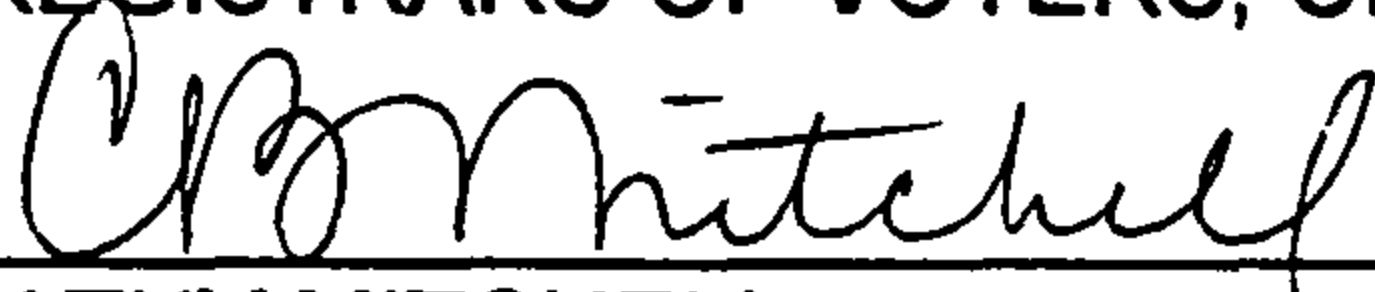
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November 18, 1997

TO: ALL REGISTRARS OF VOTERS, OR COUNTY CLERKS, AND PROPONENTS (97195)

FROM:


CATHY MITCHELL
ELECTIONS SPECIALIST

DEC 19 1997

SUBJECT: INITIATIVE #768

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:

**ARMS AND AMMUNITION. UNRESTRICTED PERSONAL
POSSESSION AND USE.
INITIATIVE CONSTITUTIONAL AMENDMENT.**

The proponent of the above-named measure is:

Nicholas Fitzgerald
14265 Terra Bella Street, #47
Panorama City, California 91402

#768
ARMS AND AMMUNITION. UNRESTRICTED PERSONAL
POSSESSION AND USE.
INITIATIVE CONSTITUTIONAL AMENDMENT.

CIRCULATING AND FILING SCHEDULE

1. Minimum number of signatures required: 693,230
California Constitution, Article II, Section 8(b)

2. Official Summary Date:..... Tuesday, 11/18/97
Elections Code section (EC§) 336

3. Petitions Sections:
 - a. First day Proponent can circulate Sections for
signatures (EC §336) Tuesday, 11/18/97

 - 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)) Friday, 04/17/98

 - 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))..... Wednesday, 04/29/98

(If the Proponent files the petition with the county on a date prior to 04/17/98,
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))..... Friday, 05/08/98*

 - 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, 06/22/98

*Date varies based on receipt of county certification. Elec. Cd. §15.



INITIATIVE #768

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 05/08/98, 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 762,553 or less than 658,569 then the Secretary of State certifies the petition as qualified or failed, and notifies the counties. If the signature count is between 658,569 and 762,553 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, 07/02/98*

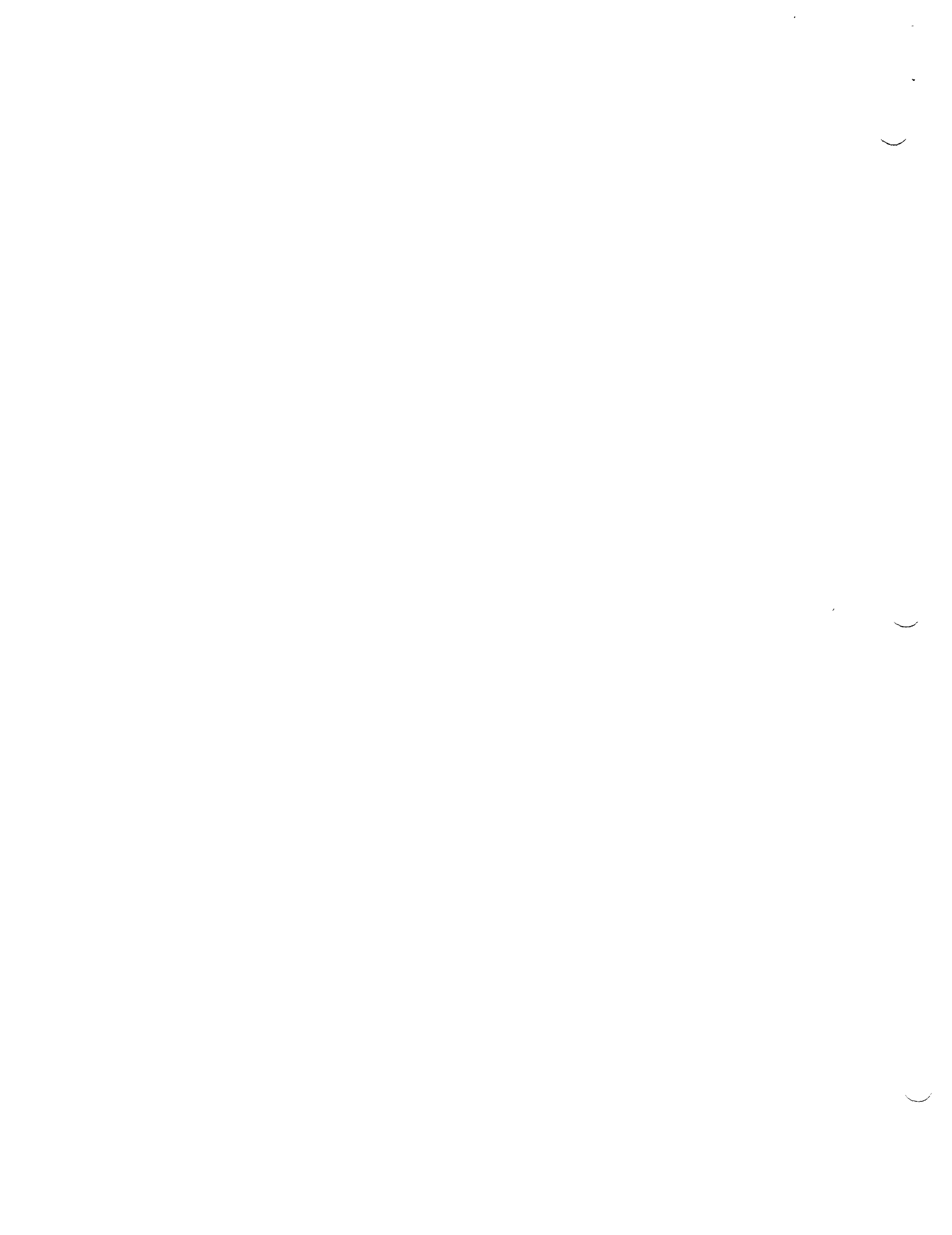
- g. Last day for county to determine actual number of all qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State. (EC §9031(b)(c)).Thursday, 08/13/98

(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 07/02/98, 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) Monday, 08/17/98*

NOTE TO PROPONENTS WHO WISH TO QUALIFY FOR THE NOVEMBER 3, 1998 GENERAL ELECTION: This initiative must be certified for the ballot 131 days before the election (June 25, 1998). 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 official by April 17, 1998. If a 100% check of signatures is necessary, it is advised that the petitions be filed by February 25, 1998.

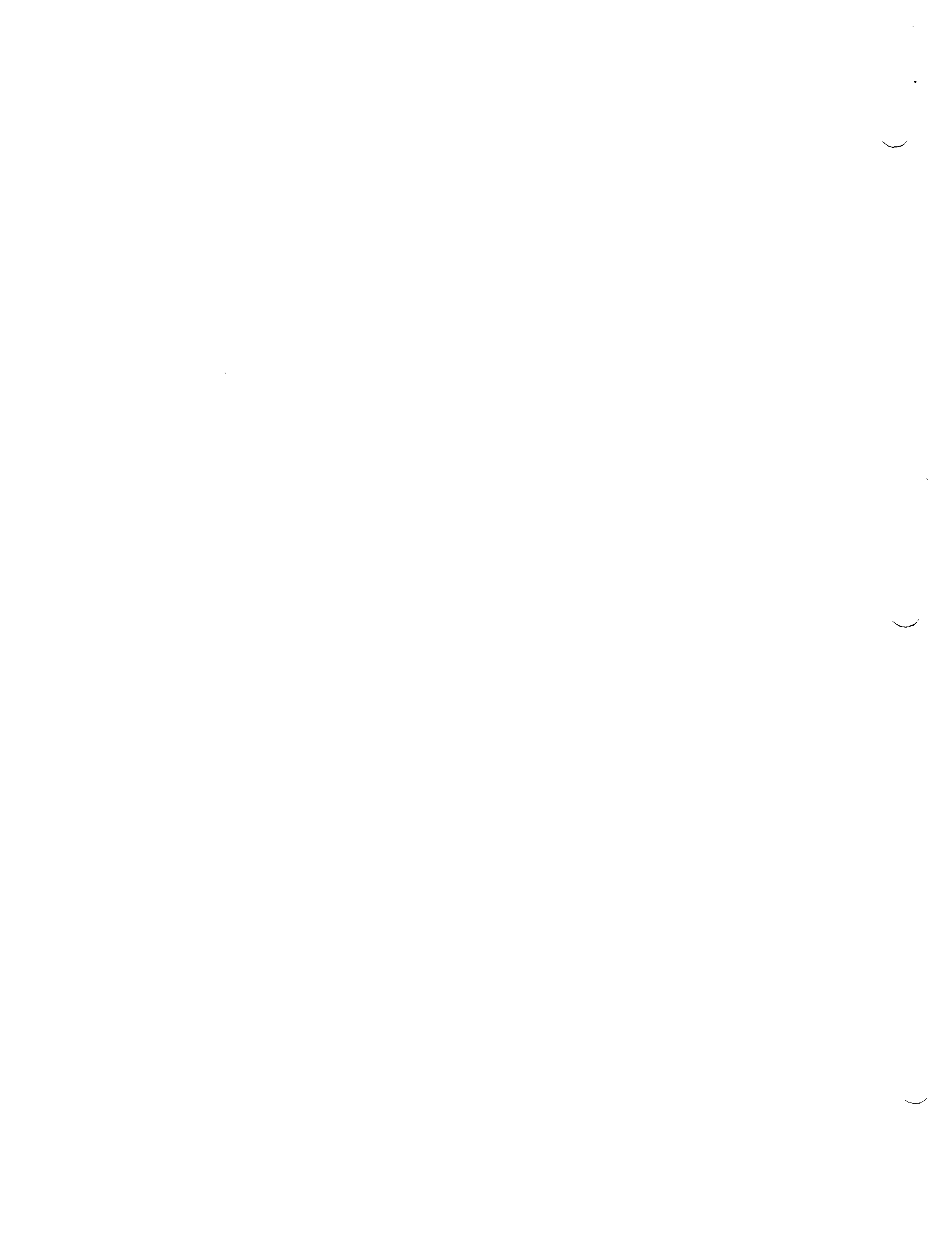
* Date varies based on receipt of county certification.



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



DANIEL E. LUNGREN
Attorney General

State of California
DEPARTMENT OF JUSTICE



1300 I STREET, SUITE 125
P.O. BOX 944255
SACRAMENTO, CA 94244-2550
(916) 445-9555
Facsimile: (916) 323-2137
(916) 324-5490

November 18, 1997

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

NOV 18 1997

Bill Jones
Secretary of State
1500 - 11th Street
Sacramento, CA 95814

BILL JONES, Secretary of State

By *Hendrie Avent*
Deputy Secretary of State

Re: Initiative Title and Summary
Subject: ARMS AND AMMUNITION. UNRESTRICTED PERSONAL
POSSESSION AND USE. INITIATIVE CONSTITUTIONAL AMENDMENT.
File No: SA 97 RF 0035

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 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

Linda A. Cabatic

LINDA A. CABATIC
Senior Assistant Attorney General

LAC:fec
cc: Nicholas Fitzgerald
Enclosures

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Date: November 18, 1997
File No.: SA 97 RF 0035

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

ARMS AND AMMUNITION. UNRESTRICTED PERSONAL POSSESSION AND USE. INITIATIVE CONSTITUTIONAL AMENDMENT. Establishes personal right of people to acquire, possess, transfer, transport, carry, and use arms and ammunition for defense of person, family, home, livelihood, liberty; for defense and safety of State; for sport, recreation. Prohibits state and local governments from restricting those rights. Provides that all existing state and local laws which are in conflict, except laws restricting persons found physically or mentally incompetent, convicted felons, or criminal activities, are inoperative. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: Probably no net direct costs to state government. Unknown, but probably not significant, net direct fiscal impact on local governments.



SA97RF0035
Amdt. #1-S

September 24, 1997

Nicholas Fitzgerald
14265 Terra Bella St. #47
Panorama City CA. 91402

Attn: Rosemary Calderon
Attorney General's Office
1300 I Street
Sacramento CA. 95814

RECEIVED
SEP 29 1997

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

RE: Your File No. SA 97 RF 0035

Ms. Calderon,

Please find attached to this letter the revised text of my proposed amendment to the State Constitution by initiative. The revision consists of provisions added to part (d) of the proposition involving persons found physically or mentally incompetent.

Thank you,


Nicholas Fitzgerald

The California Self Defense Initiative

A Proposed Statewide Constitutional Amendment by Initiative

- (a) The people of the State of California shall have the right to acquire, possess, transfer, transport, carry upon the person, and use arms and ammunition for defense of person, family, home, livelihood, and liberty; for defense and safety of the State; and for sport and recreation.
- (b) No government entity of the State or any subdivision of the State may restrict the rights of the people under section (a)
- (c) All statutes, codes, and acts of the State of California or any subdivision of the State which are in conflict with any portion of this section are inoperative upon its adoption.
- (d) This section shall be self executing. Nothing in this section shall be interpreted as invalidating any federal law, or any law restricting persons found physically or mentally incompetent, convicted felons, or criminal activities.

