

6-16-1982

Drug Paraphernalia

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Office of the Secretary of State
March Fong Eu

1230 J Street
Sacramento, California 95814

Elections Division
(916) 445-0820

November 23, 1982

TO: ALL REGISTRARS OF VOTERS/COUNTY CLERKS/PROPONENTS

FROM: 
DAVID B. PITMAN, ASSISTANT CHIEF OF ELECTIONS

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: DRUG PARAPHERNALIA
INITIATIVE STATUTE

SUMMARY DATE: June 16, 1982

PROPONENTS: Steve Hollowell
Kenneth Klosian
James Melchor
Alfred F. Geyer
Eugene R. Cuthbertson

DBP/ds



Office of the Secretary of State
March Fong Eu

1230 J Street
Sacramento, California 95814

Elections Division
(916) 445-0820

June 16, 1982

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:

**DRUG PARAPHERNALIA
INITIATIVE STATUTE**

Circulating and Filing Schedule

- 1. Minimum number of signatures required 346,119
Cal. Const., Art. II, Sec. 8(b).
- 2. Official Summary Date Wednesday, 6/16/82
Elec. C., Sec. 3513.
- 3. Petition Sections:
 - a. First day Proponent can circulate Sections for signatures . . Wednesday, 6/16/82
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. Monday, 11/15/82 *
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, 11/22/82

(If the Proponent files the petition with the county on a date prior to 11/15/82, 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).

* Date adjusted for official deadline which falls on Saturday. Elec. C., Sec. 60.

- d. Last day for county to determine total number of qualified electors who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State. Tuesday, 12/7/82

(If the Secretary of State notifies the counties to determine the number of qualified electors who signed the petition on a date prior to 11/22/82, the last day is not later than the fifteenth day after the notification.)
Elec. C., Sec. 3520(d), (e).

- e. If the signature count is between 311,507 and 380,731 then the Secretary of State notifies the counties using the random sampling technique to determine the validity of all signatures.

Last day for county to determine actual number of all qualified electors who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State. Thursday, 1/6/83

(If the Secretary of State notifies the counties to determine the number of qualified electors who have signed the petition on a date prior to 12/7/82, the last day is not later than the thirtieth day after the notification.)
Elec. C., Sec. 3521(b), (c).

4. Campaign Statements:

Last day for the Proponent to file a Campaign Statement of Receipts and Expenditures for period ending 12/13/82. Monday, 12/20/82

(If the Secretary of State finds that the measure has either qualified or failed to qualify on a date earlier than 11/15/82, 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).

DRUG PARAPHERNALIA

June 16, 1982

Page 3

5. The Proponents of the above named measure are:

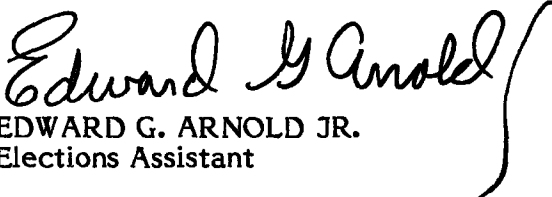
Mr. Steve Hollowell
Mr. Kenneth Klosian
Mr. James Melchor

Mr. Alfred F. Geyer
Mr. Eugene R. Cuthbertson

California Progressive Business Association
1228 "N" Street, No. 27
Sacramento, CA 95814
(916) 447-2076

Sincerely,

WILLIAM N. DURLEY
Assistant to the Secretary of State
Elections and Political Reform


EDWARD G. ARNOLD JR.
Elections Assistant

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.



State of California
Department of Justice
George Deukmejian
(PRONOUNCED DUKE-MAY-GIN)

Attorney General

June 16, 1982

555 CAPITOL MALL, SUITE 350
SACRAMENTO 95814
(916) 445-9555

FILED

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

JUN 16 1982

MARCH FONG EU, Secretary of State

By Barbara J. Lee
Deputy

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

RE: Initiative Title and Summary.
Our File No.: SA82RF0008

Dear Mrs. Eu:

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,

George Deukmejian
Attorney General

Robert Burton
Deputy Attorney General

Enclosure

Date: June 16, 1982
File No.: SA82RF0008

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

DRUG PARAPHERNALIA. INITIATIVE STATUTE. Existing statute requires businesses selling or displaying drug paraphernalia to use only a separate room from which persons under 18 are excluded. Violation is not a crime but is grounds for revocation or nonrenewal of business's license. Cities and counties are not prevented from adopting additional regulatory ordinances. This initiative would amend statute to: (1) Make knowing violation a misdemeanor punishable by specified fines for first through third offenses, and business license revocation or nonrenewal for fourth or subsequent offenses.

(2) Prevent cities and counties from adopting ordinances prohibiting or regulating drug paraphernalia sale or display.

Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments:

The measure would have an undetermined, but probably minor, net fiscal impact on state and local governments.

rec'd - 5-5-82
BB

CALIFORNIA PROGRESSIVE BUSINESSES ASSOCIATION

1228 N street, no. 27, Sacramento, CA, 95814
HOTLINE (916)447-2076

April 29, 1982

PROPOSERS: Steve Hollowell
Kenneth Keosian
James Melchor
Alfred F. Geyer
Eugene R. Cuthbertson

CALIFORNIA DRUG PARAPHERNALIA INITIATIVE

Section 11364.5 of the Health and Safety Code is amended to read:

(g) Every person who knowingly violates this section shall be guilty of a misdemeanor punishable by a fine of two hundred fifty dollars (\$250) for the first offense, five hundred dollars (\$500) for the second offense, one thousand dollars (\$1,000) for the third offense, and revocation or nonrenewal of any license, permit, or other entitlement previously issued by a city, county, or a city and county, for a fourth or subsequent offense.

Section 2, no city or county, or a city and county, shall enact or enforce any ordinance prohibiting or regulating the sale or display of items described in Section 11364.5 (d), of the Health and Safety Code.

It is the intent of this initiative to occupy the whole field of regulation of the sale or display of items defined in Health and Safety Section 11364.5 (d), and such provisions shall be inclusive of all local regulations and prohibitions relating to said items, by any city, county, or city and county, including a chartered city, county, or city and county.



State of California
Department of Justice

555 CAPITOL MALL, SUITE 350
SACRAMENTO 95814
(916) 445-9555

George Deukmejian

(PRONOUNCED DUKE-MAY-GIN)

Attorney General

June 16, 1982

Steve Hollowell and Proponents listed below
California Progressive Business Association
1228 "N" Street, No. 27
Sacramento, California 95814

RE: Initiative Title and Summary.
Subject: Drug Paraphernalia
Our File No.: SA82RF0008

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,

George Deukmejian
Attorney General

Robert Burton
Deputy Attorney General

Attachment

Also mailed to:

Kenneth Keosian
James Melchor
Alfred F. Geyer
Eugene R. Cuthbertson

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 555 Capitol Mall, Suite 350, 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: June 16, 1982

Subject: Drug Paraphernalia

Our File No.: SA82RF0008

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

Steve Holowell
Kenneth Keosian
James Melchor
Alfred F. Geyer
Eugene R. Cuthbertson
California Progressive Business
Association
1228 "N" Street, No. 27
Sacramento, California 95814

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

Executed at Sacramento, California on June 16, 1982.


MARSHA L. BIERER
Declarant

Barbara Lee

For Immediate Release
June 17, 1982

Contact: Caren Daniels

ONE INITIATIVE BEGINS, ONE FAILS REPORTS EU

SACRAMENTO -- Secretary of State March Fong Eu today (June 17) announced the beginning of an initiative drive to change the statutes governing the selling and display of drug paraphernalia. At the same time she reported the failure of a petition to prohibit rent control to qualify for the ballot.

"Drug Paraphernalia" is a statutory amendment requiring 346,119 qualified signatures to be placed before the California voters. Proponents Steve Hollowell, Kenneth Keosian, James Melchor, Alfred F. Geyer, and Eugene R. Cuthbertson of the California Progressive Business Association of Sacramento, must submit all signatures to county elections officials by November 15, 1982. Proponents are reachable at (916) 447-2076.

Under existing statute, violation of the provision that businesses selling or displaying drug paraphernalia use a separate room from which persons under 18 are excluded is not a crime but is grounds for revocation or non-renewal of the business's license. If approved by voters, this measure would amend the statute to make knowing violation a misdemeanor punishable by fines of \$250 for the first offense, \$500 for the second, and \$1,000 for the third, and revocation or non-renewal of license for the fourth or following offense. It would also prevent cities and counties from adopting ordinances prohibiting or regulating drug paraphernalia selling or display.

"Price for Real Property" was a constitutional amendment, chief impact of which would have been to eliminate local rent control operations and inclusionary zoning requirements for low and moderate income housing. Proponent Ron Cordova failed to submit sufficient signatures by the June 7 deadline for the initiative to qualify.

A copy of the new initiative, its title and summary and circulation calendar is attached.

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302

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

November 18, 1982

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

Attention Barbara Lee

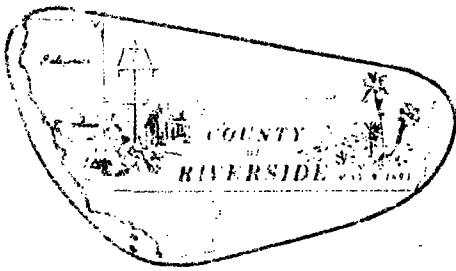
Dear Ms. Lee:

This is to advise that there were no sections of the initiative petition entitled "Drug Paraphernalia" filed in Orange County by anyone by the deadline date of 11-15-82.

Please call if you need further information.

Charline Jagers
Charline Jagers
Deputy

Orange



OFFICE OF
COUNTY CLERK
ELECTION DEPARTMENT
P. O. BOX 431
RIVERSIDE, CALIFORNIA 92502

WILLIAM E. CONERLY
COUNTY CLERK - RECORDER

ROBERT G. MORGAN
CHIEF DEPUTY
REGISTRAR OF VOTERS

November 15, 1982

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

Attention: Barbara Lee

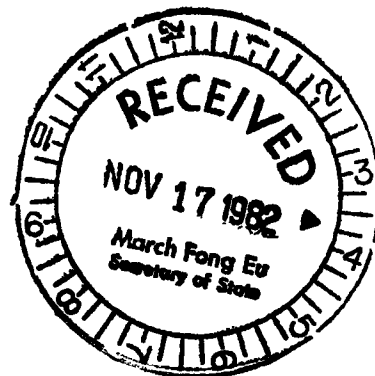
Dear Barbara:

This is to report that no signatures were filed in Riverside County for the petition titled DRUG PARAPHERNALIA.

Very truly yours,

WILLIAM E. CONERLY
County Clerk

By Barbara Myers
Deputy





COUNTY OF SACRAMENTO
DEPARTMENT OF VOTER REGISTRATION & ELECTIONS
3700 BRANCH CENTER ROAD, SUITE C
SACRAMENTO, CALIFORNIA 95827
(916) 366-2051

ERNEST R. HAWKINS
REGISTRAR OF VOTERS

Dwight M. Beattie
Chief Election and
Registrar Technician

November 17, 1982

I, Ernest R. Hawkins, Registrar of Voters of the County of Sacramento, State of California, hereby certify that on or before November 15, 1982, no petition sections containing signatures were filed by the proponents of the Drug Paraphernalia Initiative Statute.

Ernest R. Hawkins

Ernest R. Hawkins
Registrar of Voters

Ernest R. Hawkins



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 AVRIT
ASST. COUNTY CLERK

HERBERT B. WEEKES
CHIEF ELECTIONS CLERK

●
MAILING ADDRESS P.O. BOX 810

November 16, 1982

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

Attn: Barbara Lee

Re: DRUG PARAPHERNALIA INITIATIVE STATUTE

This is to inform you that under Elections Code Sections 3513 and 3520, San Joaquin County has received -0- signatures for the DRUG PARAPHERNALIA INITIATIVE STATUTE.

Very truly yours,

RALPH W. EPPERSON, County Clerk

By

Judy Podesta, Deputy Clerk

RWE:JP:tb

Office of the County Clerk



COUNTY OF SAN MATEO

HALL OF JUSTICE AND RECORDS • REDWOOD CITY • CALIFORNIA 94063
(BRANCH OFFICE: 40 TOWER ROAD, SAN MATEO, CA 94402 • (415) 573-2081)

BOARD OF SUPERVISORS

EDWARD J. BACCIOCCO, JR.
ARLEN GREGORIO
WILLIAM J. SCHUMACHER
K. JACQUELINE SPEIER
JOHN M. WARD

COUNTY CLERK • RECORDER

MARVIN CHURCH
Robert Kasper, Assistant
(415) 363-4711

November 17, 1982

Office of the Secretary of State
1230 "J" Street
Sacramento, California 95814

Attention: Barbara Lee, Elections Technician

Dear Ms. Lee:

Subject: Drug Paraphernalia - Initiative Statute

There has been no filing of subject petition sections for signature verification in this office as of the last day to circulate and file, Monday, November 15, 1982.

Sincerely,

Marvin Church
County Clerk-Recorder

MC:b