



DEBRA BOWEN | SECRETARY OF STATE
STATE OF CALIFORNIA | ELECTIONS

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March 20, 2012

County Clerk/Registrar of Voters (CC/ROV) Memorandum #12096

TO: All County Clerks/Registrars of Voters and Proponent

FROM:


Katherine Montgomery
Initiative Program Manager

RE: Initiative: 1579, Related to Marijuana

Pursuant to Elections Code section 9004 (c), we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed initiative measure entitled:

**MEDICAL MARIJUANA.
PATIENT ASSOCIATIONS. INITIATIVE STATUTE.**

The proponent of the above-named measure is:

Philip W. Ganong
P.O. Box 192
Bakersfield, CA 93302

(877) 529-3655

#1579

**MEDICAL MARIJUANA.
PATIENT ASSOCIATIONS. INITIATIVE STATUTE.**

CIRCULATING AND FILING SCHEDULE

1. Minimum number of signatures required: 504,760
California Constitution, Article II, Section 8(b)
2. Official Summary Date: Monday, 03/19/12
3. Petitions Sections:
 - a. First day Proponent can circulate Sections for
signatures (Elections Code § 336) Monday, 03/19/12
 - b. Last day Proponent can circulate and file with the county.
All sections are to be filed at the same time within each
county. (Elections Code §§ 9014, 9030(a))..... Thursday, 08/16/12
 - c. Last day for county to determine total number of
signatures affixed to petitions and to transmit total
to the Secretary of State (Elections Code § 9030(b))..... Tuesday, 08/28/12

(If the Proponent files the petition with the county on a date prior to
08/16/12, 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) (Elections Code § 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..... Thursday, 09/06/12*
 - 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
(Elections Code § 9030(d) & (e))..... Monday, 10/22/12

* Date varies based on the date of county receipt.

INITIATIVE #1579
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 09/06/12, the last day is no later than the thirtieth working day after the county's receipt of notification). (Elections Code § 9030(d) & (e).)

- f. If the signature count is more than 555,236 or less than 479,522 then the Secretary of State certifies the petition as qualified or failed, and notifies the counties. If the signature count is between 479,522 and 555,236 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of **all** signatures (Elections Code §§ 9030(f) & (g); 9031(a))..... Thursday, 11/01/12*
- 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. (Elections Code § 9031(b) & (c))..... Tuesday, 12/18/12

(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 11/01/12, the last day is no later than the thirtieth working day after the county's receipt of notification.) (Elections Code § 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 (Elections Code §§ 9031(d), 9033)... Saturday, 12/22/12*

*Date varies based on the date of county receipt.

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 § 18650; *Bilofsky v. Deukmejian* (1981) 124 Cal.App.3d 825, 177 Cal.Rptr. 621; 63 Ops.Cal.Atty.Gen. 37 (1980).
- Please refer to Elections Code §§ 100, 101, 104, 9008, 9009, 9013, 9021, and 9022 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.
- Your attention is directed to the campaign disclosure requirements of the **Political Reform Act of 1974**, Government Code section 81000 et seq.
- 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.

KAMALA D. HARRIS
Attorney General

State of California
DEPARTMENT OF JUSTICE



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March 19, 2012

The Honorable Debra Bowen
Secretary of State
Office of the Secretary of State
1500 11th Street, 5th Floor
Sacramento, CA 95814

Attention: Ms. Katherine Montgomery
Elections Analyst

Dear Secretary Bowen:

Pursuant to Elections Code section 9004, you are hereby notified that on this day we sent our title and summary for the following proposed initiative to the proponent:

- 12-0005, "Patient Reasonable Access Act of 2012"

A copy of that title and summary and text of the proposed initiative is enclosed. Please contact me if you have questions. Thank you.

Sincerely,

ASHLEY JOHANSSON
Initiative Coordinator

For **KAMALA D. HARRIS**
Attorney General

cc: Philip W. Ganong, Ganong Law

FILED
In the office of the Secretary of State
of the State of California
MAR 19 2012
VIA EMAIL
AFTER 5:00PM
Debra Bowen, Secretary of State
By Deputy Secretary of State

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

MEDICAL MARIJUANA. PATIENT ASSOCIATIONS. INITIATIVE STATUTE.

Provides that patients qualified to use marijuana for medical purposes shall have the right to form an association for purposes of cultivating, processing and distributing medical marijuana within their association, and to recover reasonable costs incurred. Provides that neither the state nor any local government may prohibit operation of a medical marijuana patient association, including a storefront, unless a court finds it is an actual nuisance. Provides that medical marijuana patients have a property right to own and possess medical marijuana. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **Additional state and local tax revenues potentially in the low tens of millions of dollars annually from an increase in taxable sales of medical marijuana.** (12-0005)



**GANONG
LAW**

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January 24, 2012

RECEIVED

FEB 07 2012

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Office of the Attorney General
State of California
P.O. Box 994255
Sacramento, CA 94244-2250

Attention: Ms. MacFarland, Initiative Coordinator

Dear Ms. MacFarland:

Pursuant to Article II, Section 10(d) of the California Constitution, we are submitting the attached proposed statewide ballot measure ("Patient Reasonable Access Act of 2012") to your office and hereby request that a circulating title and summary of the chief purpose and points of the initiative measure be prepared pursuant to Elections Code §9001(a).

Also enclosed are the following:

Exhibit A: A draft of the initiative measure; and

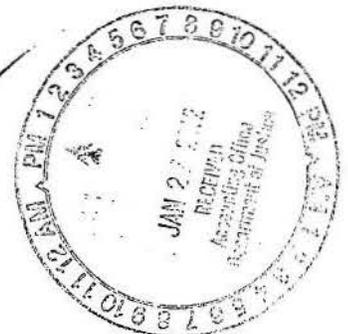
Exhibit(s) B: The required signed affidavits signed by each proponent pursuant to California Elections Code §§ 9001 and 9608, and the address of each proponent as a registered voter.

A check in the sum of \$200 to be placed in a trust fund in the Office of the State treasurer pursuant to Elections Code §9001(c). Each proponent has included their address as registered to vote in Exhibit B.

Thank you for your time and attention to this matter. Please contact us at the address above with any questions or comments.

Best Regards


PHILIP W. GANONG, ESQ.



PATIENT REASONABLE ACCESS INITIATIVE

Patient Reasonable Access Act of 2012

SECTION 1. Health and Safety Code §11362.5 is amended to add sections 11362.5 (f), (g) & (h) as follows:

- (f) Consistent with this Chapter, qualified patients have a property right under California law to own and possess medical marijuana.
- (g) Qualified patients under this Chapter shall have the right to associate for the purposes of cultivating, processing and distributing medical marijuana within their association and may recover reasonable costs incurred therefore, all free of any criminal sanctions in this Division.
- (h) Neither the state nor any regional government may prohibit the right of qualified patients under this Chapter to operate a qualified patient association, including a "store front" as allowed in section (g) above, except upon an evidenced based judicial finding of actual nuisance made on a case by case basis.

SECTION 2. If any provision of this Act or application thereof to any person or circumstance is held invalid, that shall not affect other provisions or applications of the Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.