

4-18-1974

Off-Track Betting And Nevada Type Gaming

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

Recommended Citation

Off-Track Betting And Nevada Type Gaming California Initiative 90 (1974).
http://repository.uchastings.edu/ca_ballot_inits/260

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.



OFFICE OF THE ATTORNEY GENERAL

Department of Justice

555 CAPITOL MALL, SUITE 550
SACRAMENTO 95814

April 17, 1974

FILED

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

APR 18 1974

EDMUND G. BROWN Jr., Secretary of State

By Cashmere M. Apperson
Deputy Secretary of State

Hon. Edmund G. Brown, Jr.
Secretary of State
111 Capitol Mall
Sacramento, California 95814

Dear Mr. Brown:

Re: Initiative - Constitutional Amendment
Off-Track Betting and Nevada Type Gaming

Pursuant to the provisions of section 3507 of the Elections Code, you are hereby informed that on this day we mailed to Robert W. Wilson, as proponent, the following title and summary:

OFF-TRACK HORSE RACE WAGERING AND NEVADA TYPE GAMING. INITIATIVE CONSTITUTIONAL AMENDMENT. Establishes a California Funding Law Commission which shall issue one thousand licenses for the conduct of off-track pari-mutuel horse race wagering. The Commission shall also issue unlimited permits for Nevada type gaming upon request of any city council within the geographical area of the City of Palm Springs, Indio, Palm Desert and Desert Hot Springs. Horse race wagering licensees shall pay \$500.00 and gaming permittees \$25,000.00 annually to the Commission, to be deposited in the State General Fund. Gaming permittees must also obtain city licenses at an unspecified price.

7-11-74
4-18-74
4-18-74
4-18-74

Hon. Edmund G. Brown, Jr.

Page 2

Enclosed herewith is a declaration of mailing thereof,
and a copy of the proposed measure.

Very truly yours,

EVELLE J. YOUNGER
Attorney General

Richard D. Martland
RICHARD D. MARTLAND
Deputy Attorney General

RDM:j sf

Encl.

AN INITIATIVE PETITION PROPOSING AN
AMENDMENT TO THE CONSTITUTION OF
THE STATE OF CALIFORNIA RELATING TO
EXTENDED PARI-MUTUEL WAGERING ON
HORSE RACES AND GAMING.

Initiative Measure

TO BE SUBMITTED DIRECTLY TO THE ELECTORS.

The full text of the proposed Amendment is as follows:

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

The Constitution of the State of California is hereby amended by adding thereto a new article and sub-section designated Article IV Section 19, sub-section (c), which shall immediately follow Article IV Section 19, sub-section (b), and shall read as follows:

ARTICLE IV SECTION 19 (c)

CALIFORNIA FUNDING LAW

SECTION I. Existing methods of taxation have proved inadequate to meet the increasing costs of State government. The property tax has risen to the point that property owners cannot be taxed further without the State's economy being seriously impaired. The sales tax has been raised a percentage at a time to the point that the State has become a serious partner to most commercial transactions incurred within its boundaries. Other existing sources of revenue to the State is urgently needed. There exists at this time, within the confines of this State, a multi-million dollar activity related to Gaming and Book Making as set forth in the Penal Code, Chapter 10 of this State which operates without State taxation or supervision. It is further evident that vast sums of State revenues are expended in what has proved to be a futile effort to curb or eliminate this activity. The purpose of this Article is to provide for Gaming as set forth in the Penal Code, Chapter 10 of this State, and for extending pari-mutuel wagering for a limited period of time, and is to be treated as a pilot experimental program for a period of twenty years.

SECTION II. The Legislature shall provide for the regulation of Gaming and of Extended Pari-Mutuel wagering on horse races as follows:

SECTION III. This Article shall be cited as the California Funding Law, and all reference to same shall be the same.

SECTION IV. Recognizing the mandate of the people, the Legislature shall pass all laws reasonably necessary to implement the conducting of Gaming and Extended Pari-Mutuel Wagering operations on horse racing within this State, after the 20 year period referred to in Section I of this Article expires the Legislature shall have the power to extend the pilot to a time to be determined by it which any subsequent license may be issued according to all rules, regulations, and conditions which the Legislature may have then prescribed.

SECTION V. Jurisdiction and supervision over the Gaming and Extended Pari-Mutuel Wagering in this State and over all persons or things having to do with the operation of Gaming and Extended Pari-Mutuel Wagering is vested in the California Funding Law Commission.

The Commission shall consist of three members; appointed by the Governor. Each member shall have been a resident of this State for four years next preceding his appointment. Each member shall hold office for a term of four years. Any vacancy shall be filled by the Governor for the expired term.

The members of the Commission shall receive a salary of \$22,500.00 per annum.

The Governor may remove any commission member for cause upon first giving him a copy of the charges against him and an opportunity to be heard.

The members of the Commission shall appoint one of its members a chairman.

SECTION VI. The Commission shall appoint such employees as may be necessary to carry out the provision of this law.

The Commission shall appoint a secretary who shall receive the annual salary provided for by Chapter 6 (commencing at Section 11550) of Part 1 of Division 3 of Title 2 of the Government Code.

The salaries of the Commission members, the secretary and other employees and all other necessary expenses to carry out the Gaming and Extended Pari-Mutuel Wagering measure shall be paid monthly by the State Treasurer on the warrant of the State Controller and the certification of the Chairman of the Commission out of the California State General Fund.

The Commission shall establish and maintain a general office for the transaction of its business at a place to be determined by the Commission. The Commission may establish any branch office for the transaction of its business at a place to be determined by it. The Commission may hold meetings at any other place when the convenience of the members of the Commission requires.

All meetings of the Commission shall be open to the public, and all persons shall be permitted to attend any meeting of the Commission.

A majority of the Commission constitutes a quorum for the transaction of its business or the exercise of any of its powers.

The secretary shall keep a full and true record of all proceedings of the Commission, preserve at the Commission's general office all books, documents, and papers of the board, prepare for service such notices and other papers as may be required of him by the Commission, and perform such other duties as the Commission may prescribe.

All records of the Commission shall be open to inspection by the public during regular office hours.

The Legislature shall give the Commission all powers necessary and proper to enable it to carry out fully and effectually the purposes of this law.

SECTION VII. The Commission shall issue a permit for Gaming at the request of the City Council. It shall be unlawful for any person, persons, corporation, association or other legal entity to conduct Gaming in this state without a city license and a permit from the Commission.

It shall be unlawful for any person, persons, corporation, association or other legal entity to conduct Extended Pari-Mutuel Wagering in this state without a license from the Commission.

The Commission shall issue only one thousand licenses to conducted Extended Pari-Mutuel Wagering in this State.

The Commission shall issue as many permits as a City Council requests for Gaming.

Thirty days after the issuance of the license for Extended Pari-Mutuel Wagering, the licensee shall pay to the Commission the sum of Five Hundred Dollars (\$500.00), as a license fee.

Thirty days after the issuance of a permit for Gaming, the permittee shall pay to the Commission the sum of Twenty-Five Thousand Dollars (\$25,000.00), as a permit fee.

The license and permit fee shall be paid into the State General Fund. The license and permit fees shall be payable annually thereafter by the licensee and/or permittee.

SECTION VIII. All Extended Pari-Mutuel Wagering shall take place in dinner houses throughout the State which shall be equipped with closed-circuit television for viewing of the race and with pari-mutuel wager machines utilized in a manner which would insure that any wager made within the system would reflect itself in the total mutuel pool for a particular race and with facilities comparable to those common at race tracks in this State.

The Legislature shall pass all laws reasonably necessary to guarantee that the licensee operator will at least share equally with the State in all revenues derived through Extended Pari-Mutuel Wagering Funds pursuant to the existing sliding scale percentages now and future in effect.

The Commission shall be responsible in determining the locations of the Extended Pari-Mutuel stores as described in Section Seven, Third paragraph of this measure.

Recognizing the people in favor of Extended Pari-Mutual Wagering the Legislature shall pass all laws reasonably necessary to insure that there is cooperation between the race track operators and the licensee herein, so as to accomplish the purposes provided for herein.

When the Commission issues a license to conduct Extended Pari-Mutuel Wagering the licensee may not sell or transfer said license without the approval of the Commission. All applicants for a license for Extended Pari-Mutuel Wagering must file with the Commission and shall be made in writing to the Commission, upon receipt of application forms to be supplied by said Commission.

SECTION IX. This section relates to Gaming only as follows:

1. Gaming is to be treated as a pilot experimental program as set forth in Section One of this Article for a period of twenty years.

2. Riverside County shall be the only county for this pilot program. Only the City and to these City boundaries shall be involved as stated in the following:

A. The Geographical Area Gaming shall be permitted are located in the County of Riverside, known as the City of Palm Springs, Indio, Palm Desert and Desert Hot Springs.

SECTION X. Gaming defined as follows:

1. The Legislature shall pass all laws reasonably necessary to implement the conducting of Las Vegas, Nevada type Gaming including, Slot Machines, Card Dice, Dice, Punchboard, Lottery, Pool-Selling, Faro, Monte, Roulette, Lansquenet rouge et noire, Rondo, Tan, Fan-Tan, Stud Horses Poker, Seven-and-Half, Twenty-One Black Jack, Hokey-Pokey, or any banking or percentage game played with cards, dice, or any device for money, checks, credit, or other representative of value.

SECTION XI. Gaming as set forth in this measure relating to City locations, the cities named shall have the exercise of voters local option permitting Gaming.

SECTION XII. All revenues derived for the State from this Article is for the purpose of lowering taxation to the people of the State of California.

SECTION XIII. All provisions of the Constitution of the State of California and the laws of the State of California, in conflict with or inconsistent with the provisions hereof are hereby repealed. If any portion, section or clause of this Article shall be declared unconstitutional or invalid, such declaration or adjudication shall not affect the remainder of this Article.

SECTION XIV. The Legislature shall pass all laws necessary to effect operation of this measure. It shall take effect five days after the date of the official declaration of the vote by the Secretary of State and become operative upon the first day of the first month following the fourth day after the date of the official declaration of the vote.

SECTION XV. The provisions of this Article are self-executing.


Robert W. Wilson, Proponent

DECLARATION OF MAILING

RE: INITIATIVE - CONSTITUTIONAL AMENDMENT
OFF-TRACK BETTING AND NEVADA TYPE GAMING

I, Judy S. Fukuman, declare as follows:

I am a citizen of the United States, over the age of 18 years, and not a party to the within action; I reside in the County of Sacramento, State of California; my business address and place of employment is 555 Capitol Mall, Sacramento, California 95814.

The proponent(s) of the above-named measure are:

Robert W. Wilson
5633 Colfax, #314
North Hollywood, California 91601

On the 17th day of April, 1974, I mailed a letter, a true copy of which is attached hereto, to the person(s) above named, in an envelope addressed to each of them at the addresses set out immediately below their names, sealed said envelopes, and deposited the same in the United States mail at the City of Sacramento, County of Sacramento, State of California, with postage thereon fully prepaid, and there is regular communication between the said place of mailing and the place(s) so addressed.

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

Executed on April 17, 1974, at Sacramento, California.

Judy S. Fukuman
DECLARANT

April 17, 1974

TO THE REGISTRARS OF VOTERS AND COUNTY CLERKS:

Pursuant to Section 3507 of the Elections Code, there is transmitted herewith a copy of the Title and Summary prepared by the Attorney General on a proposed Initiative Measure entitled:

Initiative - Constitutional Amendment
Off-Track Betting and Nevada Type Gaming

Circulating and Filing Schedule:

1. Minimum number of signatures required.520,806
Constitution IV, 22(b).
2. Official Summary Date.4/17/74
Elections Code Section 3507.
3. Petition Sections:
 - a. First day Proponent can circulate sections for
signatures4/17/74
Elections Code Section 3507.
 - b. Proponent may file petition sections with the Registrar
of Voters at any time, and at as many times as he wishes
during the 150 day period. The Registrar of Voters must
determine within 30 days of any filing the number of
qualified electors who have signed the petition.
Elections Code Section 3520(a) and (b).
 - c. Each Registrar of Voters where Proponents have filed any
section of the petition shall transmit his Certificate
to the Secretary of State. The Certificate is to show
the number of valid signatures determined as of that
date. The following are the dates on which the Certi-
ficates must be sent to the Secretary of State.
Elections Code Section 3520(c).

60 Day.6/16/74
90 Day.7/16/74
120 Day.8/15/74
140 Day.9/4/74

3. Petition Sections (continued)

- d. Last day Proponent can circulate and file with the County.9/13/74
Elections Code Sections 3507, 3520(a).
- e. Last day for County to transmit Certificate as to number of valid signatures on Initiative Petition.10/14/74
Elections Code Section 3520(c).

4. Campaign Statements

- a. If the measure qualifies for the ballot:
Last day for Proponent to file a Statement of Receipts and Expenditures for period ending 11/11/7411/18/74
Elections Code Section 11552(a).
(If the Secretary of State qualified the measure for the ballot on a date other than 10/14/74, the last day is not later then the 35th calendar day after the date the measure qualified.)
- b. If the measure does not qualify for the ballot:
Last day for Proponent to file a Statement of Receipts and Expenditures for period ending 10/11/7410/18/74
Elections Code Section 11552(b).

5. The Proponent of the above measure is:

Robert W. Wilson
5633 Colfax, #314
North Hollywood, California 91601



EDWARD ARNOLD JR.
Elections Assistant

EA:msl

NOTE: This initiative measure will not qualify in time for the November 1974 election, if the above dates are followed. In order to qualify for the November 1974 election, the above time frame must be shortened so that the Secretary of State certifies the measure for the ballot by June 27, 1974.

NOTE TO PROPONENT: Your attention is directed to Elections Code Sections 3500.1, 3502, and 3502.5 for appropriate format and type considerations in printing, typing or otherwise preparing your initiative petition for circulation and signing.

County	60 DAY			90 DAY			120 DAY			140 DAY			180 DAY			TOTAL SIG.
	Number	Date	Filed	Number	Date	Filed	Number	Date	Filed	Number	Date	Filed	Number	Date	Filed	
San Joaquin																
San Luis Ob.																
San Mateo																
Santa Barbara																
Santa Clara																
Santa Cruz																
Shasta																
Sierra																
Siskiyou																
Solano																
Sonoma																
Stanislaus																
Sutter																
Tehama																
Trinity																
Tulare																
Tuolumne																
Ventura																
Yolo																
Yuba																
SIGNATURES SUB-TOTAL																