

3-19-1981

## Pari-Mutuel And Extended Pari-Mutuel Wagering. Gaming.

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Office of the Secretary of State  
March Fong Eu

1230 J Street  
Sacramento, California 95814

Elections Division  
(916) 445-0820

August 18, 1981

TO: ALL REGISTRARS OF VOTERS/COUNTY CLERKS/PROPONENT

FROM: CASHMERE M. APPERSON, ELECTIONS TECHNICIAN

Pursuant to Elections Code 3520(b) you are hereby notified that the total number of signatures to the hereinafter named proposed Initiative Constitutional Amendment 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: PARI-MUTUEL AND EXTENDED PARI-MUTUEL WAGERING.  
GAMING.

SUMMARY DATE: MARCH 17, 1981

PROPONENT: ROBERT W. WILSON

Please note: The above proponent has an initiative in circulation entitled "Gaming. Off-Track Wagering", with a summary date of July 7, 1981.

Date: MAR 18 1981  
File No.: SA81RF0002

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

PARI-MUTUEL AND EXTENDED PARI-MUTUEL WAGERING. GAMING.

INITIATIVE CONSTITUTIONAL AMENDMENT. Permits extended pari-mutuel wagering on horse races. Establishes state commission which shall issue up to 500 licenses, or more with two-thirds State Senate approval, throughout the state to conduct extended pari-mutuel wagering on horse races. Limits both pari-mutuel and extended pari-mutuel wagering to horse races. Permits the conduct of various games of chance involving cards, dice, lotteries or gambling devices within the geographical boundary of the City of Adelanto upon issuance of permit by state commission and license by city. Commission required to issue as many permits as the city requests. Fiscal impact on state and local governments: There would be indeterminate state costs for the regulation and supervision of pari-mutuel wagering and gaming and indeterminate local costs for the licensing of gaming. State costs would be reimbursed from indeterminate, but potentially substantial, receipts from the state's share of the amounts wagered and from licensing and permit fees. Local costs would be reimbursed from locally established license and tax fees. There would be no net state or local costs.

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 Honorable March Fong Eu, Secretary of State, by placing a true copy thereof in an envelope addressed to each proponent named below at the address set out immediately below each name, 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: March 18, 1981

Date of Attached Letter to Secretary of State: March 18, 1981

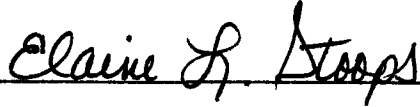
Subject: Initiative Proposing Amendment to: Constitution  
Short Title: Gaming Initiative  
Our File No.: SA81RF0002

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

Robert W. Wilson  
14248 Dickens Street, No. 124  
Sherman Oaks, CA 91403

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

Executed at Sacramento, California on March 18, 1981.

  
Declarant



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

555 CAPITOL MALL, SUITE 350  
SACRAMENTO 95814  
(916) 448-9555

Attorney General  
March 17, 1981

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

**MAR 19 1981**

MARCH FONG EU, Secretary of State

*Estimere M. Apperson*  
Deputy

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

RE: Initiative Proposing Amendment to: Constitution  
Subject: Gaming Initiative  
Our File No.: SA81RF0002

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 by sending a true copy of this letter.

Enclosed is a copy of our transmittal letter to the proponent(s), a declaration of mailing thereof, a copy of our title and summary, 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



Office of the Secretary of State  
March Fong Eu

1230 J Street  
Sacramento, California 95814

Elections Division  
(916) 445-0820

March 17, 1981

TO ALL COUNTY CLERKS/REGISTRARS OF VOTERS/PROPONENT

Pursuant to Section 3513 of the Elections Code, there is transmitted here-  
with a copy of the Title and Summary prepared by the Attorney General on  
a proposed Initiative Measure entitled:

PARI-MUTUEL AND EXTENDED PARI-MUTUEL WAGERING. GAMING.

INITIATIVE CONSTITUTIONAL AMENDMENT

Circulating and Filing Schedule

- 1. Minimum number of signatures required..... 553,790  
Constitution II, 8 (b).
- 2. Official Summary Date..... Tuesday, 3/17/81  
Elections Code Section 3513.
- 3. Petition Sections:
  - a. First day Proponent can circulate  
Sections for signatures..... Tuesday, 3/17/81  
Elections Code Section 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..... Friday, 8/14/81  
Elections Code Sections 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..... Friday, 8/21/81

(If the Proponent files the petition with  
the county on a date prior to 8/14/81, 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 this total to the Secretary  
of State.) Elections Code Section 3520 (b).

- d. Last day for county to determine number of qualified electors who have signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State..... Saturday, 9/05/81

(If the Secretary of State notifies the counties to determine the number of qualified electors who signed the petition on a date prior to 8/21/81, the last day is not later than the fifteenth day after the notification.)  
Elections Code Section 3520 (d), (e).

- e. If the signature count is between 498,411 and 609,169 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..... Monday, 10/05/81

(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 9/05/81, the last day is not later than the thirtieth day after the notification.)  
Elections Code Section 3521 (b), (c).

4. Campaign Statements:

Last day for Proponent to file a Campaign Statement of Receipts and Expenditures for period ending 9/11/81..... Friday, 9/18/81

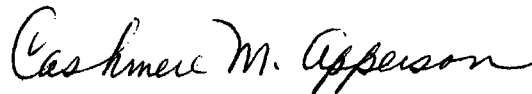
(If the Secretary of State finds that the measure has either qualified or failed to qualify on a date earlier than 8/14/81, the last date to file is the 35th calendar day after the deadline for filing petitions or the date of notification by the Secretary of State that the measure has either qualified or failed to qualify, whichever is earlier. The closing date for the campaign statement is seven days prior to the filing deadline.)  
Government Code Sections 84200 (d), 84202 (j).

5. The Proponent of the above named measure is:

Robert W. Wilson  
14248 Dickens Street, No. 124  
Sherman Oaks, CA 91403  
(213) 981-4792

Sincerely,

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



CASHMERE M. APPERSON  
Elections Technician

WND:ash

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.



AN INITIATIVE PETITION PROPOSING  
AN AMENDMENT TO THE CONSTITUTION  
OF THE STATE OF CALIFORNIA RELAT-  
ING TO EXTENDED PARI-MUTUEL WA-  
GERING ON HORSE RACING 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 as Article IV, Section 19, sub-section (D), which shall immediately follow Article IV, Section 19, sub-section (C), and shall read as follows:

ARTICLE IV, SECTION 19, SUB-SECTION (D)

LOWER PER CAPITA TAX ACT

SECTION I. Existing methods of taxation have proved inadequate to meet the increasing cost of State Government. The property tax cut has seriously impaired the State's economy. 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 are 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, Extend Pari-Mutuel wagering on horse racing and Continens Pari-Mutuel wagering on horse racing. And is to be treated as a Pilot experimental program for the State of California for a limited period of time, Twenty Eight (28) years.

SECTION II. The Legislature shall provide for the regulation of gaming as defined in the Penal Code, Chapter 10, Section 330, Extended Pari-Mutuel wagering on horse races and Continens Pari-Mutuel wagering as follows:

SECTION III. This Article shall be cited and known as the LOWER PER CAPITA TAX ACT, 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 28-year period referred to in Section I of this Article expires, the Legislature shall have the power to extend the pilot program to a time to be determined by it which any subsequent license and permit may be issued according to all rules, regulations, and conditions which the Legislature may have then prescribed or to confirm said Article for all counties of this State.

SECTION V. Jurisdiction and supervision over 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 Lower Per Capita Tax Act Commission.

The Lower Per Capita Tax Act Commission shall consist of three members to be 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 Lower Per Capita Tax Act Commission shall receive a salary of \$22,500 .00 per annum.

The Governor may remove any Lower Per Capita Tax Act 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 Lower Per Capita Tax Act Commission shall appoint one of its members as Chairman.

The Lower Per Capita Tax Act Commission shall appoint such employees as may be necessary to carry out the provisions of this law.

The Lower Per Capita Tax Act 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 Lower Per Capita Tax Act Commission Members, the secretary, 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 Lower Per Capita Tax Act Commission out of the California State General Fund.

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

All meetings of the Lower Per Capita Tax Act Commission shall be open to the public and all persons shall be permitted to attend any meeting of the Lower Per Capita Tax Act Commission.

A majority of the Lower Per Capita Tax Act 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, books, documents, and papers of the board, prepare for service of such notices and other papers as may be required of him by the Lower Per Capita Tax Act Commission and perform such other duties as the Lower Per Capita Tax Act Commission may prescribe.

All records of the Lower Per Capita Tax Act Commission shall be open to inspection by the public during regular office hours.

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

SECTION VI. 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 Lower Per Capita Tax Act Commission.

Section VII. The Lower Per Capita Tax Act Commission shall issue up to five hundred (500) licenses to conduct Extended Pari-Mutuel Wagering on horse racing in this State. The Lower Per Capita Tax Act Commission may issue as many other licenses to conduct Extended Pari-Mutuel Wagering as necessary in this State, with two-thirds (2/3) approval of the State Senate.

SECTION VIII. Ten days following the official declaration of the vote by the Secretary of State, the Lower Per Capita Tax Act Commission shall take applications from Applicants on Application forms furnished by the Lower Per Capita Tax Act Commission. The Applicants shall pay to the Lower Per Capita Tax Act Commission Five Thousand Dollars (\$5,000.00) as filing fee and it will not be refundable in the event an applicant is rejected by the Lower Per Capita Tax Act Commission for a license to conduct Extended Pari-Mutuel Wagering in this State. When the Lower Per Capita Tax Act Commission issues a License to conduct Extended Pari-Mutuel Wagering, the Licensee shall not sell or transfer said License without the approval of the Lower Per Capita Tax Act Commission.

SECTION IX. The License fee for Extended Pari-Mutuel Wagering within the State be paid to the Lower Per Capita Tax Act Commission in the amount of Five Thousand Dollars (\$5,000.00). All application fees and License fees for Extended Pari-Mutuel Wagering on horse racing shall be paid into the State General Fund. The Licensee shall pay said License fee annually thereafter.

SECTION X. Extended Pari-Mutuel Wagering shall take place in all Counties and Cities of this State.

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

The only Pari-Mutuel Wagering in this State shall only be permitted on racing having to do with horse racing. The only Extended Pari-Mutuel Wagering in this State shall only be permitted on horse racing.

SECTION XII. The Licensee shall be responsible for determining the location of the Extended Pari-Mutuel Wagering establishments within each city's commercial zoning. Recognizing the people in favor of this measure, the Legislature shall pass all laws reasonably necessary to insure that there is cooperation between the race track operators, owners or any other legal entity and the Licensee.

SECTION XIII. Extended Pari-Mutuel Wagering Licenses shall be issued to individuals, corporations, partnerships, or any legal entity. The Licenses issued for Extended Pari-Mutuel Wagering establishments operators shall not share in revenues derived through Extended Pari-Mutuel Wagering Funds, further, all revenues derived through Extended Pari-Mutuel Wagering Funds pursuant to the existing sliding scale percentages (of each dollar wagered on horse racing) now and future in effect shall be shared equally with the State of California and the Licensee that is authorized and designated by the State of California Horse Racing Board or Commission to conduct horse racing meetings.

SECTION IVX. The Lower Per Capita Tax Act Commission shall be charged with the administration of this Article, for the protection of this Article and for the protection of the public and in the public interest.

SECTION XV. This section relates to Gaming only as Follows:

A. Gaming is to be treated as a pilot experimental program as set forth in Section One of this Article for a period of twenty eight (28) years.

B. San Bernardino County shall be the only county for this pilot program. Only the City and to the City boundaries shall be involved as stated in the following:

C. The City of Adelanto shall adopt a City Ordinance with a full time three (3) man Commission appointed by the City Council for the purpose of a universal screening Licensing Commission of the City of Adelanto to investigate applicants and make sure no undesirable element receives a License or Permit.

D. The Geographical area Gaming shall be permitted is located in the County of San Bernardino, known as the City of Adelanto.

E. The Legislature shall pass all laws reasonably necessary to implement the conducting of Gaming (as defined in the State Penal Code, Chapter 10, Section 330) 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.

F. Gaming as set forth in this measure relating to City location, the city named shall have the exercise of local option permitting Gaming.

G. The Lower Per Capita Tax Act 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 Low Per Capita Tax Act Commission of this State.

H. The Lower Per Capita Tax Act Commission shall work in conjunction (at the request of the City Council of the City of Adelanto and their Gaming Commission) in regard to a complete uniform investigation of applicants applying for a City Gaming License to make sure no undesirable element receives a license to give a complete control over gaming in this State.

I. The Lower Per Capita Tax Act Commission shall issue as many permits as a City Council requests for Gaming. Thirty days after the issuance of a permit for Gaming permittee shall pay to the Lower Per Capita Tax Act Commission the sum of Twenty-Five Thousand Dollars (\$25,000.00) as a permit fee, and shall be paid into the State General Fund. The permittee shall pay said permit fee annually thereafter. All revenues derived for the State from this Article are for the purpose of lowering taxation to the people of the State of California and all fees shall be paid into the State General Fund.

SECTION XVI. STATE POLICY CONCERNING GAMBLING. It is hereby declared to be the policy of this State that all establishments where gambling games are conducted or operated or where gambling devices are operated in the State of California shall: be licensed by the city; obtain a permit from the Lower Per Capita Tax Act Commission; be controlled so as to protect the public health, safety, morals, good order, and general welfare of the inhabitants of the State of California, and preserve the competitive economy and the policies of the free competition of the State of California.

A. "Gaming License" defined: any license issued by the City of Adelanto, or any political subdivision thereof pursuant to this measure or Sections which authorize the person named therein to engage in Gaming, as defined in Section XV in this measure.

B. "Gaming Permits" defined: any permits issued by the Lower Per Capita Tax Act Commission which authorize the person named therein to engage in Gaming, as defined in Section XV in this Measure.

C. "Person" defined: any association, corporation, firm, partnership, trust or other form of business association as well as a natural person.

D. "Extended Pari-Mutuel Wagering Establishments" defined: restaurants serving lunches and dinners for the convenience of the public and to the public.

SECTION XVII. 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 XVIII. 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 after the date of the official declaration of the vote.

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



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

888 CAPITOL MALL, SUITE 350  
SACRAMENTO 95814  
(916) 445-9888

Attorney General

March 17, 1981

Robert W. Wilson  
14248 Dickens Street, No. 124  
Sherman Oaks, CA 91403

RE: Initiative Proposing Amendment to: Constitution  
Subject: Gaming Initiative  
Our File No.: SA81RF0002

Pursuant to your request, we have prepared a title and summary of the chief purposes and points of the above identified proposed initiative. The title and summary are set forth in a letter sent to the Secretary of State, as required by Elections Code sections 3503 and 3513. A copy of this letter and our declaration of mailing is attached.

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

ORIGINAL SIGNED BY  
ROBERT BURTON

Robert Burton  
Deputy Attorney General

Attachment

Robert W. Wilson  
14248 Dickens St., #124  
Sherman Oaks, CA 91403

(213) 981-4792

.January 30, 1981

Honorable George Deukmejian,  
Attorney General  
Wells Fargo Bank Building, Suite 500  
Fifth Street & Capitol Mall  
Sacramento, CA 95814

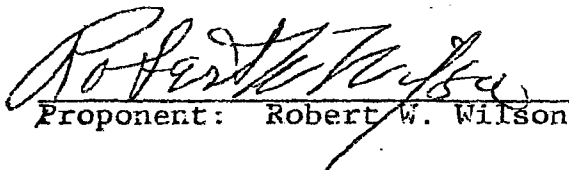
Dear Mr. Deukmejian:

Please be advised Robert W. Wilson is the author and proponent of the enclosed initiative proposed constitutional amendment, Lower Per Capita Tax Act, and all reference to same shall be Lower Per Capita Tax Act.

I request you to prepare a Title and Summary of the chief purpose and points of the proposed measure.

Enclosed is a cashier's check in the amount of Two Hundred Dollars (\$200) covering the filing fee.

Respectfully yours,

  
Proponent: Robert W. Wilson

P.S. Hopefully, this will be the last initiative.