

7-7-1981

Gaming. Off-Track Wagering.

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Office of the Secretary of State
March Fong Eu

1230 J Street
Sacramento, California 95814

Elections Division
(916) 445-0820

December 9, 1981

TO: ALL REGISTRARS OF VOTERS/COUNTY CLERKS/PROPONENT

FROM: Barbara J. Lee
BARBARA J. LEE - 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: GAMING. OFF-TRACK WAGERING.
CONSTITUTIONAL AMENDMENT INITIATIVE

SUMMARY DATE: JULY 7, 1981

PROPONENT: ROBERT W. WILSON

BL/rb



Office of the Secretary of State
March Fong Eu

1230 J Street
Sacramento, California 95814

Elections Division
(916) 445-0820

July 7, 1981

TO ALL COUNTY CLERKS/REGISTRARS OF VOTERS/PROPONENT

Pursuant to Section 3513 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:

GAMING. OFF-TRACK WAGERING.

INITIATIVE CONSTITUTIONAL AMENDMENT

Circulating and Filing Schedule

- 1. Minimum number of signatures required..... 553,790
Constitution II, 8(b).
- 2. Official Summary Date..... Tuesday, 7/07/81
Elections Code Section 3513.
- 3. Petition Sections:
 - a. First day Proponent can circulate
Sections for signatures..... Tuesday, 7/07/81
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, 12/04/81
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, 12/11/81

(If the Proponent files the petition with the county on a date prior to 12/04/81, 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, 12/26/81

(If the Secretary of State notifies the counties to determine the number of qualified electors who signed the petition on a date prior to 12/11/81, 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, 1/25/82

(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 12/26/81, 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 1/01/82..... Friday, 1/08/82

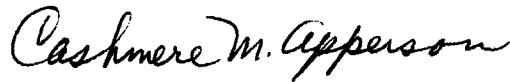
(If the Secretary of State finds that the measure has either qualified or failed to qualify on a date earlier than 12/04/81, the last date to file is the 35th calendar day after the deadline for filing petitions or the date of notification by the Secretary of State that the measure has either qualified 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/CA/slh

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

July 7, 1981

555 CAPITOL MALL, SUITE 550
SACRAMENTO 95814
(916) 445-9855

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

JUL - 7 1981

MARCH FONG EU, Secretary of State

By *Christine M. Peterson*
Deputy

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

RE: Initiative Proposing Amendment to: Constitution
Subject: Gaming/Off-Track Wagering
Our File No.: SA81RF0010

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

RB:ad
Enclosure

Date: July 7, 1981
File No.: SA81RF0010

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

GAMING. OFF-TRACK WAGERING. INITIATIVE CONSTITUTIONAL AMENDMENT.

Provides for off-track wagering in all counties on results of horse races. Provides local option to conduct various games of chance involving cards, dice, lotteries, and other gambling devices within two cities, Adelanto (San Bernardino County) and Clearlake (Lake County). Establishes Public Gaming Control Commission to regulate and issue permits pursuant to laws enacted by Legislature. Provides revenues derived from off-track wagering are shared with 25% to licensee, 25% for increased purses and betterment of breed, and 50% to State for education. Provides for payment of specified gaming permit fees into State General Fund. Fiscal impact on State and local governments: There would be indeterminate state and local costs for the regulation and supervision of the wagering and gaming systems. 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.

AN INITIATIVE PETITION PROPOSING AN
AMENDMENT TO THE CONSTITUTION OF THE
STATE OF CALIFORNIA ESTABLISHING A
PUBLIC GAMING CONTROL COMMISSION TO
AID PUBLIC EDUCATION AND REDUCE BUR-
DEN OF TAXATION.

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)
PUBLIC EDUCATION ACT

SECTION 1. The purpose of this article is to create a Public Education Fund to aid Public Education and to reduce the burden of Taxation, directly and indirectly, upon the property owners and upon the individual Taxpayers of the State of California. This measure will provide funds to build new schools, provide more teachers, curtail half-day school sessions, and stop proposed year-round double-day school sessions, educating our children today for the survival of tomorrow. Existing methods of taxation have proved inadequate to meet the increasing cost of State, County, and City Governments. The property tax cut (prop.13) has seriously impaired the State Public Education Fund and the economy of the State. This article will provide a serious partnership between the Horse Racing industry and Public Education, thereby providing a new enterprise for the State and furnish thousands of new jobs in the building and construction trades and related businesses. It will keep Californian's money in California and stop being a year-round Santa Claus to the State of Nevada. Additionally the purpose of this article is to provide for Gaming as set forth in the Penal Code, Chapter 10, Section 330, as well as provide for the regulation of Off-track Wagering on the results of horse races in the State of California. The proposed program is a pilot, experimental program for the State of California for a limited period of time -- Twenty-Eight (28) years.

SECTION 2. This article shall be cited as the Public Education Act, and all references to same shall be Public Education Act.

SECTION 3. The Legislature shall provide for the regulation of Gaming as defined in the Penal Code, Chapter 10, Section 330 and for regulation of Off-track Wagering on the results of horse races in the State of California. After the Twenty-Eight (28) year period referred to in Section (1) of this article expires the Legislature shall have the power to extend the pilot experimental program to a time to be determined by it which any subsequent licenses and permits 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 4. There will be a Public Gaming Control Commission of Five

An appointment to fill a vacancy shall be made by the Governor for the unexpired portion of the term. The Legislature shall prescribe the compensation for members of the P.G.C. Commission. The Legislature shall delegate to the P.G.C. Commission such powers relating to Gaming and Off-track Wagering on the results of horse races as the Legislature sees fit.

SECTION 5. The Legislature shall give the P.G.C. Commission all power necessary and proper to enable it to carry out fully and effectively the purpose of this law.

SECTION 6. Off-track Wagering on the results of horse races shall take place in all counties of the State. Off-track Wagering on the results of horse races shall only apply to horse races in the State of California. All revenues derived from Off-track Wagering funds (at each respective race track) shall be pursuant to the existing sliding scale percentage of each dollar wagered on horse racing, now and future in effect. It shall be shared twenty-five percent (25%) to the licensee authorized and designated by the State Horse Racing Board or Commission to conduct horse race meetings in the State of California, twenty-five percent (25%) for increased purse money for the betterment of the breed of race horses, and fifty percent (50%) to the State of California for the support of Public Education and for Tax Reduction to the people of the State of California.

SECTION 7. All funds received from this article for the State of California shall be paid into the State General Fund to the credit of the Public Education Fund and shall be appropriated annually to the needs of Public Education based on an average daily school attendance basis in amounts and for the purpose best calculated in the judgment of the State Superintendent of Public Instruction to reduce public taxation for said educational purposes.

SECTION 8. This section relates to Gaming only as follows:

A. 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.

B. San Bernardino County and Lake County shall be the only counties for this pilot program. Only the cities and to the cities' boundaries shall be involved as stated in the following:

C. The geographical areas permitting Gaming are located in the County of San Bernardino known as the City of Adelanto, California, and the County of Lake known as the City of Clearlake, California.

D. Each city named shall adopt a City Ordinance with a full-time three (3) man commission appointed by its City Council for the purposes of licensing and investigating applicants for gaming licenses, supervision over Gaming, and establishing its licensing and tax fees.

E. The cities named in SECTION 8, Subsection C, shall have the exercise of local option to permit Gaming as set forth in this measure relating to City locations.

F. The Public Gaming Control Commission of the State shall issue permits for Gaming at the request of the respective City Councils. It shall be unlawful for any person, persons, corporations, associations, or other legal entities to conduct Gaming in California without a city license and permit from the Public Gaming Control Commission of California.

G. The Public Gaming Control Commission shall issue as many

the sum of twenty-five thousand dollars (\$25,000) as a permit fee. Said fee shall be paid into the State General Fund. The permittee shall pay said permit fee annually thereafter.

SECTION 9. Definitions

1. "GAMING LICENSE" defined: any license issued by the City of Adelanto or the City of Clearlake, 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 8 in this measure.

2. "GAMING PERMITS" defined: any permits issued by the Public Gaming Control Commission which authorizes the person named therein to engage in Gaming as defined in SECTION 8 in this measure.

SECTION 10. 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 11. The Legislature shall pass all laws necessary to effect operation of this measure. It shall take effect five (5) 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. The provisions of this article are self-executing.

Cashie [Signature]

For Immediate Release
July 8, 1981

Contact: Caren Daniels

ONE INITIATIVE QUALIFIES, ONE FAILS, ONE BEGINS REPORTS EU

SACRAMENTO -- In a flurry of initiative activity today (July 8) Secretary of State March Fong Eu announced the qualification of the Howard Jarvis Income Tax Indexing Initiative for the June 1982 ballot, the failure of the State Budget Delays Initiative, and the launching of an initiative effort to legalize gaming and off-track wagering in California.

The Income Tax Indexing measure, a proposed statutory amendment needing 346,119 registered voter signatures, received 386,796 projected valid signatures based on random sample verification procedures. Some 494,341 raw signatures were submitted. Had the signatures collected on petitions by two Orange County men also been included in the verifications, the projected number of valid signatures would have been 410,908. Either way, the measure has qualified. The Orange County district attorney has decided not to prosecute the two men due to the omission on the petitions of the place of execution on the declaration of circulator, signed under penalty of perjury. For a successful prosecution, an affidavit must include the place of execution. Ms. Eu had asked the district attorney to look into possible circulation irregularities.

The measure, if voted into law in June of 1982, would provide that the full percentage change in the California Consumer Price Index be used in adjusting state income tax brackets for 1982 and taxable years thereafter. Current state law provides for full percentage indexing in 1980 and 1981, but then would reduce the percentage changes by 3% starting in 1982.

The State Budget Delays Initiative, a constitutional amendment needing 553,790 valid signatures by July 6, was sponsored by James Conant of Santa Ana. He had sought to place into the constitution a provision which

(over)



would have cut off salaries and reimbursements for legislators for every day past June 15 that the budget bill was not passed. No signatures were submitted.

The 16th attempt by Robert Wilson to qualify an off-track wagering and gaming initiative has been given approval for circulation efforts to collect 553,790 registered voter signatures by Dec. 4. Wilson, of Sherman Oaks, telephone (213) 981-4792, proposes to allow "off-track wagering in all counties on results of horse races" and "provides local option to conduct various games of chance involving cards, dice, lotteries, and other gambling devices within Adelanto (San Bernardino County) and Clearlake (Lake County)." The initiative is titled "Gaming. Off-Track Wagering Initiative Constitutional Amendment."

A copy of this measure, its title and summary and circulation calendar is attached.

Wilson still legally has his fifteenth drive in circulation, covering only the city of Adelanto with respect to gambling. Deadline for that initiative, "Pari-Mutuel and Extended Pari-Mutuel Wagering. Gaming. Initiative Constitutional Amendment," is Aug. 14.

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8139CD

267

EL DORADO COUNTY

C A L I F O R N I A

COUNTY CLERK

COURTHOUSE
495 MAIN STREET
PLACERVILLE, CA 95867
TELEPHONE (916) 828-2371



SOUTH LAKE TAHOE BRANCH
1354 JOHNSON BLVD.
P.O. BOX 1257
SOUTH LAKE TAHOE, CA 96702
TELEPHONE (916) 541-3408

Please reply to _____

DATE December 4, 1981

Barbara Lee
Elections Division
Secretary of State's Office
1230 J St.
Sacramento, Ca. 95814

Dear Barbara:

El Dorado County has not received any petitions for the Initiative Measure entitled Gaming. Off Track Wagering Initiative Constitutional Amendment

If you have any further questions, please call this office (626-2256) at your earliest convenience.

Thank you.

Michelle Trace Intero
Chief Elections Clerk



SAN JOAQUIN COUNTY
OFFICE OF THE COUNTY CLERK

RALPH W. EPPERSON
COUNTY CLERK

REGISTRATION-ELECTION DIVISION

119 EAST WEBER AVENUE
STOCKTON, CALIFORNIA 95201
TELEPHONE (209) 944-2871

ALBERT FLOR
ASST. COUNTY CLERK

ETHEL TUNSEN
CHIEF ELECTION CLERK

MAILING ADDRESS P.O. BOX 810

December 7, 1981

The Honorable March Fong Eu
Secretary of State
1230 J Street
Sacramento, Calif. 95814

Attn: Cashmere M. Apperson

Re: Gaming. Off-Track Wagering

This is to inform you that under Elections Code Section 3513 and 3520
San Joaquin County has received -0- signatures for the Gaming- Off Track
Wagering Initiative Constitutional Amendment.

Very truly yours,
RALPH W. EPPERSON, County Clerk

By

J. A. PODESTA, Deputy Clerk

RECEIVED

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

DEC 8 1981

MARCH FONG EU, Secretary of State



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

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

July 7, 1981

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

RE: Initiative Proposing Amendment to: Constitution
Subject: Gaming/Off-Track Wagering
Our File No.: SA81RF0010

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

Robert Burton
Deputy Attorney General

RB:ad
Attachment

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: July 7, 1981

Date of Attached Letter to Secretary of State: July 7, 1981


Subject: Initiative Proposing Amendment to: Constitution
Short Title: Gaming/Off-Track Wagering
Our File No.: SA81R^F0010

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

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

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

Executed at Sacramento, California on July 7, 1981.



Declarant

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

213-981-4792

May 20th, 1981

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

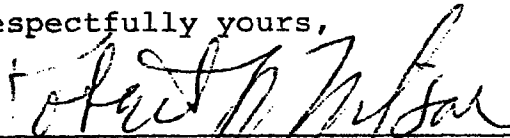
Dear Mr. Deukmejian:

Please be advised that Robert W. Wilson is the author and proponent of the enclosed, Initiative proposed Constitutional Amendment - Public Education Act, and all reference to same shall be Public Education Act.

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

Enclosed \$200,00 dollars covering the filing fee.

Respectfully yours,



Robert W. Wilson : Proponent
14248 Dickens St. #124
Sherman Oaks, Calif 91403