

3-19-1980

## Alcohol Fuel

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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 19, 1980

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: ALCOHOL FUEL  
SUMMARY DATE: MARCH 14, 1980  
PROPONENT: BILL L. WITHROW



Office of the Secretary of State  
March Fong Eu

1230 J Street  
Sacramento, California 95814

Elections Division  
(916) 445-0820

March 14, 1980

TO ALL COUNTY CLERKS/REGISTRARS OF VOTERS

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:

ALCOHOL FUEL  
INITIATIVE CONSTITUTIONAL AMENDMENT

Circulating and Filing Schedule

1. Minimum number of signatures required.....553,790  
Constitution II, 8(b).
2. Official Summary Date.....Friday, 3/14/80  
Elections Code Section 3513.
3. Petition Sections:
  - a. First day Proponent can circulate Sections for  
signatures.....Friday, 3/14/80  
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.....Monday, 8/11/80\*  
Elections Code Section 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 8/18/80

(If the Proponent files the petition with the county on a date prior to 8/11/80, the county has 5 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).

\* PLEASE NOTE: To Proponents(s) who wish to qualify for the 1980 General Election. The law allows up to 55 days to county election officials for checking and reporting petition signatures. The law also requires that this process be completed 131 days before the election in which the people will vote on any initiative. It is possible that the county may not need the whole 55 days. But if you want to be sure that this initiative qualifies for the 1980 General Election, you should file this petition with the county by May 1, 1980.

- 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.....Tuesday, 9/02/80

(If the Secretary of State notifies the counties to determine the number of qualified electors who signed the petition on a date prior to 8/18/80, 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 counties using the random sampling technique to determine 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, 10/02/80

(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 9/02/80, 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 9/08/80.....Monday, 9/15/80

(If the Secretary of State finds that the measure has either qualified or failed to qualify on a date earlier than 8/11/80, the last date to file is the 35th calendar day after the date of notification by the Secretary of State that the measure has either qualified or failed to qualify. The closing date for the campaign statement is 7 days prior to the filing deadline). Government Code Section 84204.

5. The Proponent(s) of the above-named measure is (are):

BILL L. WITHROW  
8154 Sentinel Street  
Fair Oaks, CA 95628

Sincerely,

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



CASHMERE M. APPERSON  
Elections Technician

CMA: km

NOTE TO PROPONENT(S): 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 Sections 81000 et seq.



State of California  
 Department of Justice  
 George Deukmejian  
 (PRONOUNCED DUKE-MAY-GIN)  
 Attorney General  
 March 14, 1980

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

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

Attention: Mr. William N. Durley

Dear Mrs. Eu:

Initiative Proposing Amendment to: Constitution  
 Subject: Alcohol Fuel  
 Our File No.: SA80RF0008

Pursuant to the provisions of sections 3503 and 513 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 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

Enc.

RECEIVED  
 SACRAMENTO, CALIF

MAR 19 11 30 AM 1980

SECRETARY OF STATE



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

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

Attorney General  
March 14, 1980

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

MAR 19 1980

MARCH FONG EU, Secretary of State

By *Cashman Apperson*  
Deputy

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

Attention: Mr. William N. Durley

Dear Mrs. Eu:

RE: Initiative Proposing Amendment to: Constitution

Subject: Alcohol Fuel

Our File No.: SA80RF0008

Pursuant to the provisions of sections 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 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

*819 SB RB*

ROBERT BURTON  
Deputy Attorney General

Enc.

Date: March 14, 1980  
File No.: SA8ORF0008

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

**ALCOHOL FUEL. INITIATIVE CONSTITUTIONAL AMENDMENT.**

Provides use, manufacture, and distribution of alcohol fuel for combustion engines is legal.

Provides gasoline retailed for use in motor vehicles operating on California public roads shall contain the following percent alcohol by January 1 of year designated: 5% by 1983, 10% by 1985, 20% by 1987.

Requires new cars retailed after January 1, 1987 to burn fuel containing at least 85% alcohol or be powered by fossil fuel alternatives. Allows specified tax credits for establishing alcohol fuel manufacturing plants and specified tax exemptions to grower-producers of bio-renewable raw materials for manufacture of alcohol fuel. Fiscal impact on state and local governments: Substantial reduction of State Personal Income and Bank and Corporation Tax revenues.

Magnitude of revenue loss dependent upon number of manufacturing plants established and quantity of sales of bio-renewable raw materials.



## ALCOHOL FUEL INITIATIVE

### SECTION I.

To promote the expedient use of alcohol fuel, and notwithstanding any other provision of law or regulation, alcohol fuel shall be a legal fuel in California. It shall be legal to use, manufacture, and distribute alcohol fuel for use in combustion engines.

### SECTION II.

All gasoline retailed in the state of California for use in motor vehicles which operate on public roads shall contain a minimum of 5% alcohol by volume as of January 1, 1983.

All gasoline retailed in the state of California for use in motor vehicles which operate on public roads shall contain a minimum of 10% alcohol by volume as of January 1, 1985.

All gasoline retailed in the state of California for use in motor vehicles which operate on public roads shall contain a minimum of 20% alcohol by volume as of January 1, 1987.

### SECTION III.

All new automobiles retailed within the state of California after January 1, 1987 shall be required to burn a fuel containing no less than 85% alcohol by volume. This section shall not be so construed as to eliminate the sale and use of vehicles which are powered by fossil fuel alternatives such as electricity, or hydrogen.

### SECTION IV.

There shall be a 100% non-refundable investment tax credit to a maximum of \$100,000.00 per plant for the expenditures incurred in establishing manufacturing plants in California to produce alcohol fuel and its by-products, such as high protein food. The opportunity to claim this tax credit shall terminate five years after the year in which construction was initiated on said plants, but any unused portion of this tax credit may be applied to future tax years.

### SECTION V.

Any grower-producer of bio-renewable raw materials for the manufacture of alcohol fuel shall be exempt from State income taxes on 15% of the gross income derived from the sale of those materials.

### SECTION VI.

Section IV and Section V of this amendment shall be removed from the Constitution on January 1, 1999, and shall have no legal force thereafter.

SECTION VI.

Section IV and Section V of this amendment shall be removed from the Constitution on January 1, 1999, and shall have no legal force thereafter.

SECTION VII.

If any section, part, clause, or phrase hereof is for any reason held to be invalid or unconstitutional, the remaining sections shall not be affected, but remain in full force and effect.

*Bill F. Withrow*

*Perponent*

*8154 Sentinel ST*

*FAIR OAKS CA.*

*95628*

*966-4400 -*

DECLARATION OF SERVICE BY MAIL

I, Wendy R. Louis, declare as follows:

I am over the age of 18 years and not a party to the within action; my place of employment and business address is 555 Capitol Mall, Suite 350, Sacramento, California 95814.


On March 14, 1980, I served the attached letter to Honorable March Fong Eu, dated March 14, 1980, regarding Alcohol Fuel

by placing a true copy thereof in an envelope addressed to each of the persons named below at the address set out immediately below each respective name, and by sealing and depositing said envelope in the United States Mail at Sacramento, California, with postage thereon fully 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:

Bill L. Withrow  
8154 Sentinel Street  
Fair Oaks, CA 95628

Executed on March 14, 1980, at Sacramento, California.

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

  
Declarant

DECLARATION OF SERVICE BY MAIL

I, Wendy R. Louis, declare as follows:

I am over the age of 18 years and not a party to the within action; my place of employment and business address is 555 Capitol Mall, Suite 350, Sacramento, California 95814.

On March 14, 1980, I served the attached letter to Honorable March Fong Eu, dated March 14, 1980, regarding Alcohol Fuel

by placing a true copy thereof in an envelope addressed to each of the persons named below at the address set out immediately below each respective name, and by sealing and depositing said envelope in the United States Mail at Sacramento, California, with postage thereon fully 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:

Bill L. Withrow  
8154 Sentinel Street  
Fair Oaks, CA 95628

Executed on March 14, 1980, at Sacramento, California.

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

Wendy R. Louis  
Declarant

# NEWS RELEASE

from: Secretary of State March Fong Eu  
1230 J Street, Sacramento, CA 95814  
(916) 445-6371

For Immediate Release  
March 20, 1980

Contact: Caren Daniels

TWO INITIATIVE DRIVES REVIVED, ONE DECLARED DEAD SAYS EU

SACRAMENTO -- Secretary of State March Fong Eu today (March 20) announced the failure of the Elections Initiative and the beginning of two more initiative drives, one dealing with alcohol fuel and the second to permit extended pari-mutuel horse race wagering.

The unsuccessful initiative on elections had sought to abolish the partisan primary election in California and to require Republican presidential delegate apportionment by congressional district. It had a March 13 petition submission date, and was sponsored by Roman Buhler, Brian Kraft and Steven Pingel of Los Angeles. No signatures were submitted.

The Alcohol Fuel Initiative, a constitutional amendment needing 553,790 registered voter signatures by Aug. 11, is the second such attempt by Bill Withrow of Fair Oaks, telephone (916) 966-4400. In February he abandoned his first measure and filed a new text with the attorney general, resulting in this measure. To qualify for the November ballot, however, Withrow must turn in his signatures by the first part of May, thereby enabling Ms. Eu to certify the measure for the ballot by the June 26 deadline.

If voted into law, the Alcohol Fuel measure would provide that the "use, manufacture and distribution of alcohol fuel for combustion engines is legal." It would also provide that "gasoline retailed for use in motor vehicles operating on California public roads shall contain the following percent alcohol by Jan. 1 of the year designated: 5% by 1983, 10% by 1985, and 20% by 1987." Also, it would require "new cars retailed after Jan. 1, 1987 to burn fuel containing at least 85% alcohol or be powered by fossil fuel alternatives, and allows specified tax credits for establishing alcohol fuel manufacturing plants and specified tax exemptions to grower-producers of bio-renewable raw materials for manufacture of alcohol fuel."

(over)



EU -- p.2

The Extended Pari-Mutuel Horse Race Wagering Initiative, also a constitutional amendment needing 553,790 voter signatures by Aug. 11, is sponsored by Robert Wilson of Sherman Oaks, telephone (213) 990-5453. He has unsuccessfully attempted to qualify variations of this measure at least 13 times previously. Wilson has been given the same May 1 suggested deadline as all proponents attempting to qualify measures for the Nov. 4 ballot.

If enacted by the voters, the gaming initiative would "establish the Lower Per Capita Tax Act Commission which shall issue up to 500 licenses, or more with two-thirds State Senate approval, to conduct extended pari-mutuel wagering throughout the State." It would "preclude pari-mutuel wagering or extended pari-mutuel wagering on any racing not having to do with horse racing." Additionally, "on the request of the cities of Adelanto and Palm Springs the Commission shall issue permits for the conduct within those cities of games of chance." This would be a "pilot program for 28 years, extendable by the Legislature."

Copies of the titles and summaries, texts and circulation calendars are attached for the two new measures.

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