

2-5-1988

Motor Vehicle Accident Claim Reimbursement Fund.

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Office of the Secretary of State
March Fong Eu

1230 J Street
Sacramento, California 95814

ELECTIONS DIVISION
(916) 445-0820

For Hearing and Speech Impaired
Only:
(800) 833-8683

February 5, 1988

TO ALL REGISTRARS OF VOTERS, OR COUNTY CLERKS, AND PROPONENT (8842)

Pursuant to Section 3513 of the Elections Code, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed Initiative Measure entitled:

MOTOR VEHICLE ACCIDENT CLAIM
REIMBURSEMENT FUND.
INITIATIVE STATUTE.

Circulating and Filing Schedule

1. Minimum number of signatures required..... 372,178
Cal. Const., Art. II, Sec. 8(b).
2. Official Summary Date.....Friday, February 05, 1988
Elec. C., Sec. 3513.
3. Petition Sections:
 - a. First day Proponent can circulate Sections for
signatures.....Friday, February 05, 1988
Elec. C., Sec. 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.....Tuesday, July 05, 1988*
Elec. C., Secs. 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.....Tuesday, July 12, 1988

(If the Proponent files the petition with the county on a date prior to 07/05/88, 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 the total to the Secretary of State.) Elec. C., Sec. 3520(b).

*Date adjusted for official deadline which falls on a holiday.
Elec. C., Sec. 60.

+PLEASE NOTE: To the Proponent who may wish to qualify for the November 8, 1988 General Election. The law allows approximately 85 days for county election officials to check and report petition signatures and transmit results. The law also requires that this process be completed 131 days before the election in which the people will vote on the initiative. It is possible that the county may not need precisely 85 days. But if you want to be sure that this initiative qualifies for the November 8, 1988 General Election, you should file this petition with the county before April 6, 1988.

d. Secretary of State determines whether the total number of signatures filed with all county clerks meets the minimum number of required signatures, and notifies the counties.....Thursday, July 21, 1988**

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.....Friday, August 05, 1988

(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 07/12/88 the last day is not later than the fifteenth day after the county's receipt of notification.)
Elec. C., Sec. 3520(d), (e).

f. If the signature count is more than 409,395 or less than 353,569, then the Secretary of State certifies the petition has qualified or failed, and notifies the counties. If the signature count is between 353,569 and 409,395 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of all signatures.....Monday, August 15, 1988**

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.....Wednesday, September 28, 1988

(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 08/05/88, the last day is not later than the thirtieth working day after county's receipt of notification.)
Elec. C., Sec. 3521(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.....Sunday, October 02, 1988

**Date varies based on receipt of county certification.

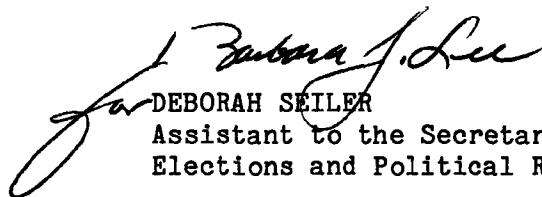
4. The Proponent of the above named measure is:

James Wheaton
319 Lenox Avenue
Oakland, California 94610
(415) 431-7430

5. Important Points:

- (a) Please refer to Elections Code sections 44, 3501, 3507, 3508, 3517, and 3519 for appropriate format and type considerations in printing, typing, and otherwise preparing your initiative petition for circulation and signatures. 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.
- (b) Your attention is directed to the campaign disclosure requirements of the Political Reform Act of 1974, Government Code section 81000 et seq.
- (c) 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.
- (d) 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.
- (e) When filing the petition with the county elections official, please provide a blank petition for elections official use.

Sincerely,



DEBORAH SEILER
Assistant to the Secretary of State
Elections and Political Reform

Attachment: POLITICAL REFORM ACT OF 1974 REQUIREMENTS

JOHN K. VAN DE KAMP
Attorney General

State of California
DEPARTMENT OF JUSTICE



1515 K STREET, SUITE 511
P.O. BOX 944255
SACRAMENTO 94244-2550
(916) 445-9555
(916) 324-5475

February 5, 1988

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

FEB - 5 1988

MARCH FONG EU, Secretary of State
By *[Signature]*
Deputy

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

Dear Mrs. Eu:

Initiative Title and Summary.
Subject: MOTOR VEHICLE ACCIDENT CLAIM REIMBURSEMENT FUND.
REGULATION INITIATIVE STATUTE.
Our File No.: SA 87 RF 0050

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 proponents(s) of the above identified proposed initiative our title and summary.

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

JOHN K. VAN DE KAMP
Attorney General

[Signature]
LINDA A. CABATIC
Deputy Attorney General

LAC:kmp

Enclosures

JOHN K. VAN DE KAMP
Attorney General

State of California
DEPARTMENT OF JUSTICE



1515 K STREET, SUITE 511
P.O. BOX 944255
SACRAMENTO 94244-2550
(916) 445-9555
(916) 324-5475

February 5, 1988

JAMES WHEATON
319 Lenox Avenue
Oakland, California 94610

Initiative Title and Summary.
Subject: MOTOR VEHICLE ACCIDENT CLAIM REIMBURSEMENT FUND.
REGULATION INITIATIVE STATUTE.
Our File No.: SA 87 RF 0050

Pursuant to your request, we have prepared the attached title and summary of the chief purposes and points of the above identified proposed initiative. A copy of our letter to the Secretary of State, as required by Elections Code sections 3503 and 3513, our declaration of mailing, and the text of your proposal that was considered is attached.

The Secretary of State will be sending you shortly a copy of the circulating and filing schedule for your proposal that will be issued by that office.

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,

JOHN K. VAN DE KAMP
Attorney General

A handwritten signature in cursive script, reading "Linda A. Cabatic", is written over the typed name of the Deputy Attorney General.

LINDA A. CABATIC
Deputy Attorney General

LAC:kmp

Enclosures



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Date: February 5, 1988
File No.: SA 87 RF 0050

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

MOTOR VEHICLE ACCIDENT CLAIM REIMBURSEMENT FUND. INSURANCE REGULATION INITIATIVE STATUTE. Creates fund to pay certain motor vehicle accident claims on a no fault basis for claims after January 1, 1990. Funding is from premium fee collected annually from vehicle registrants and fees assessed against traffic violators. Creates Bureau to set premium fee and administer program providing maximum reimbursement of \$15,000 per person and \$30,000 per accident for bodily injury and \$5,000 for property damage. Limits tort liability for claims outside limits. Provides for property-casualty insurance rate regulation and public participation therein. Subjects insurers to antitrust and unfair practice laws. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: Adoption of this measure would result in an initial \$200 million appropriation from the General Fund for the establishment of the California Bureau of Automobile Accident Reimbursement. This measure also requires repayment of the appropriation with interest, no later than December 31, 1993. The revenue impact of this measure is unknown since the required tax rate adjustment applies to all insurance premiums. Calculations of the rate adjustment involve numerous variables which will likely result in an unknown loss or gain in state General Fund revenues during the initial years. Adoption of this measure will also increase the annual administrative costs of the Department of Insurance to approximately \$6 million and the Department of Motor Vehicles by approximately \$100,000. This measure would also result in an unknown net effect on state and local court costs.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

(TYPE FACE: 12-point BOLDFACE)

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure: (Here set forth the title and summary prepared by the Attorney General. The title and summary prepared by the Attorney General must also be printed across the top of each page of the petition whereupon signatures are to appear.)

TO THE HONORABLE SECRETARY OF STATE OF CALIFORNIA:

(TYPE FACE: Roman Boldface not smaller than 12 point)

We, the undersigned, qualified voters of California, residents of _____ County (or City and County), hereby add, repeal and amend certain provisions of the Vehicle Code and of the Insurance Code, submit the same to voters of California for their adoption or rejection at the next succeeding general election or at any special state wide election held prior to the general election or otherwise as provided by law. The proposed statutory amendments (full title and text of the measure) read as follows:

THE UNIVERSAL LOW COST AUTOMOBILE INSURANCE INITIATIVE

1. SECTION 1. DIVISION 19 IS ADDED TO THE VEHICLE CODE TO READ:

Chapter 1. Section 50000

The People of the State of California find and declare:

Insurance is unaffordable and unavailable to many Californians due to enormous cost increases. The problem is particularly serious for vehicle owners since the state requires insurance. High automobile premiums are the result of: (1) inefficient and wasteful methods of insuring automobiles and settling claims; (2) existing laws that allow insurance companies to charge excessive, unjustified and arbitrary rates; (3) lack of public information and real competition; and (4) difficulties in enforcing the auto insurance requirement.

Therefore, the People of the State of California declare that insurance reform is necessary. Specifically, we require: (1) universal low-cost auto accident reimbursement shall be available for not more than \$300 per year; (2) insurance rates shall be maintained at fair levels by requiring justification for rate increases; and (3) to assure a competitive insurance marketplace, the insurance industry shall be subject to California's antitrust laws, and consumers will have access to information.

Chapter 2. Section 50100

(a) There is a California Bureau of Automobile Accident Reimbursement (the Bureau).

(b) The Director of the Bureau shall be appointed by the Governor with the consent of the Senate. The Director shall manage the Bureau and have power to adopt rules and regulations necessary to administer the provisions of this Division.

Section 50200

The Bureau shall collect premium fees from persons registering motor vehicles pursuant to Section 4000 of the Vehicle Code and the provisions of this Division. Such fees are separate and distinct from registration and other fees collected by the Department of Motor Vehicles. Premium fees shall be deposited into the California Automobile Accident Reimbursement Fund (the Fund). The Bureau shall provide reimbursement from the Fund for property damage and bodily injury resulting from accidents covered by this Division and shall cover the costs of administering this Division. The Fund shall be continuously appropriated for these purposes.

Section 50201

The Bureau shall invest the Fund pursuant to Article 4 and Article 4.5 of Division 4 of the Government Code to assure sufficient funds are maintained to accomplish the purposes of this division.

Section 50202

The Bureau shall administer a program of reimbursement to all persons, except those referred to in Section 50502 (c), suffering damage to persons or property resulting from accidents involving all vehicles referred to in Section 50300 (a) and 50300(b)(1). The Bureau may contract with private vendors to provide services necessary to administer the provisions of this Division.

Chapter 3. Section 50300

(a) All owners of motor vehicles used for personal transportation shall pay premium fees as specified in Section 50200 and Chapter 4 of this Division.

(b) Governmental entities and owners of commercial vehicles must at the time of registration either (1) pay the premium fee and appropriate surcharges as specified under Section 50200 and Chapter 4 of this Division or (2) show proof of self insurance as defined by the Bureau, or (3) show proof of equivalent insurance coverage as provided by this Division, issued by an insurer licensed to do business in California.

(c) Nothing in this section shall be construed to limit the authority of the Public Utilities Commission.

Chapter 4. Section 50400

- (a) The initial annual maximum average premium fee per vehicle for reimbursement of property damage claims and bodily injury claims is \$300.
- (b) The Bureau shall set aside \$0.05 from each premium fee received for a fraud investigation unit.
- (c) Beginning January 1, 1991, the Bureau shall establish premium fees annually.
- (d) The Bureau shall separately establish fees payable under Section 50300(b) (1).
- (e) The Bureau may provide for policies and separate premium fees to provide for a lower deductible set forth in Section 50501.

Section 50401

- (a) The Bureau shall annually establish a schedule of fees which shall be assessed against any operator of a motor vehicle who is convicted for any violation of the Vehicle Code, except a violation specified in Chapter 9 (commencing with Section 22500 of Division 11 of the Vehicle Code), or any local ordinances adopted pursuant thereto. These fees shall be in addition to any penalties provided for by existing law. The counties shall deposit all such fees into the Fund, less a reasonable fee for administration.
- (b) The Bureau shall annually establish fees to be assessed at the time of license renewal upon any driver who has been convicted of two or more violations as specified in subdivision (a), since the last license renewal. Such surcharges shall be collected by the Department of Motor Vehicles and deposited into the Fund.

Section 50402

- (a) The Bureau shall establish actuarially justified and equal base fees taking into account loss costs, projected future loss costs, and operating expenses.
- (b) In addition, the Bureau may adjust the basic fees in subdivision (a),
 - (1) for the property damage fee: for the value of the vehicle, the miles driven, and no other factor;
 - (2) for the bodily injury fee: for the miles driven and no other factor.

Section 50403

- (a) Upon payment of the premium fee, the vehicle owner shall be provided with proof of payment, to be displayed on the vehicle or its license plate.
- (b) The Bureau may permit payment of premium fees in installments, without assessment of interest, but with a reasonable processing fee.

Chapter 5. Section 50500

(a) Maximum reimbursement from the Fund for bodily injury for any one claimant from any one vehicle involved in any single accident shall be \$15,000. The maximum compensation that may be paid from the Fund for bodily injury resulting from any single accident and causing injury to any two or more claimants is \$30,000 per motor vehicle.

(b) Compensation for bodily injury shall be paid by the Fund for economic and non-economic losses, except that no claimant may recover from the Fund a sum for non-economic losses unless such injury is permanent and either serious or causes disfigurement.

(1) An injury is serious if it substantially prohibits the person from engaging in any significant normal human activity.

(2) An injury is permanent if its effects cannot be eliminated within five years.

(c) Economic loss is verifiable past and future monetary loss, including but not limited to medical expenses, rehabilitation therapy and occupational retraining, loss of earnings, earning capacity or business, burial and funeral expenses, and costs of obtaining necessary substitute domestic services.

Section 50501

Total reimbursement for all property damage payable by the Fund from any single accident shall not exceed \$5000 per involved vehicle. The Fund shall not pay the first \$500 of any property damage claim except pursuant to Section 50400(e).

Section 50502

(a) For the purposes of this Division, for each person who dies due to an automobile accident, there shall be a single claim for all persons referred to in Probate Code Section 573 and Code of Civil Procedure Section 377.

(b) Any person may claim reimbursement pursuant to sections 50500 and 50501, if the person suffers injury to this person or property as a result of an accident involving any vehicle on which fees are either required under section 50300(a) or elected and paid pursuant to Section 50300(b)(1).

(c) Notwithstanding subsection (b) no claim shall be paid to any vehicle owner, if the owner is not in compliance with Section 50300 at the time of the accident, and the accident involves that owner's vehicle.

Section 50503

Reimbursement from the Fund shall be primary to any other compensation or insurance except for insurance provided by Sections 50300(b)(2) or 50300(b)(3) of this Division, which shall equally contribute for all damages claimed.

--5-- Universal Low Cost Automobile Insurance Initiative

Chapter 6. Section 50600

Property damage and bodily injury resulting from motor vehicle accidents shall be reimbursed from the Fund without regard to fault. Reimbursement shall not be paid to a claimant whose property damage or bodily injury is the result of intentional or criminal acts of that claimant.

Section 50601

Tort liability arising from the ownership, operation and maintenance of a motor vehicle covered by this act is abolished except as to the liability of any person or entity:

- (a) who had not, at the time of an accident satisfied the requirements of sections 50200, or 50300, or Chapter 4 of this Division.
- (b) who is in the business of designing, manufacturing, repairing, servicing or otherwise maintaining or caring for a motor vehicle, for any acts or omissions arising out of that business; or
- (c) for their intentional or criminal conduct causing harm to persons or property; or
- (d) for any damages outside the amounts specified in Sections 50500 & 50501.

Section 50602

Any claimant who collects from the Fund and from a tort claim, made pursuant to section 50601(a), (b), or (c), arising out of the same accident and for the same damage, shall reimburse the Fund for amounts paid by the Fund. Such reimbursement shall not exceed the amount recovered from the tort claim.

Section 50603

All statutes of limitation applicable to causes of action for damages resulting from motor vehicle accidents shall be tolled while any claim to the Fund is pending.

Chapter 7. Section 50700

- (a) Any individual who suffers injury resulting from an automobile accident compensable under this Division may submit a claim for reimbursement, within the time limits prescribed by section 340(3) of the Code of Civil Procedure.
- (b) The Bureau shall assure a prompt and efficient claims procedure. Evaluation and payment of a claim shall occur within 30 days of receipt of the completed claim.

Section 50701

The Bureau shall establish a conflict resolution program independent of the Bureau for adjudicating disputes between a claimant and the Bureau or its agent.

Section 50702

The owner of any motor vehicle on which the proof of payment of premium fee does not appear may be subject to any of the following penalties:

- (1) a fine up to \$100;
- (2) the motor vehicle may be impounded until the premium fee is paid;
- (3) the vehicle owner's driving license may be suspended up to six months, and shall not be reinstated until the premium fees are paid.

Chapter 8. Section 50800

(a) The Bureau shall implement this Division by accepting claims for all accidents occurring on or after January 1, 1990. Prior to that date, the Bureau shall establish an initial system to collect the premium fees irrespective of the date of motor vehicle registration or renewal in order to begin implementation of this division.

(b) After January 1, 1990 any motor vehicle owner may cancel all or any portion of any automobile insurance policy. Notwithstanding any provision of any insurance policy, the insurer issuing such policy shall refund that portion of the premium that corresponds to the unexpired time covered by the policy. No fees shall be assessed by the insurer.

Section 50801

Two hundred million dollars is appropriated from the General Fund to establish the Bureau and begin administration of this Division. The Fund shall repay this appropriation not later than December 31, 1993, with interest at the rate earned by the Pooled Money Investment Fund.

Section 50802

The Bureau shall not be deemed to be engaged in the business of insurance for any purpose.

Section 50803

An obligation of the Fund shall not be deemed to be an obligation of the State. No state funds, except for those mentioned in section 50801, shall be used for the Bureau or its operations.

Section 50804

Administrative costs of the Bureau and any contractors shall not exceed twelve percent of all premium fees collected.

Section 50805

Fee determinations and regulations adopted by the Director or the Bureau, shall be adopted pursuant to the Administrative Procedures Act, except that the Office of Administrative Law is not empowered to review such matters.

Chapter 9. Section 50900

Upon the implementation of this Division, the following statutes shall be repealed: Sections 11620-11627 of the Insurance Code, and in Division 7 of the Vehicle Code: Article 2, 3, and 4 of Chapter 1, Chapter 3, and Section 16500 of Chapter 4.

SECTION 2. ARTICLE 10 OF CHAPTER 9 OF PART 2 OF DIVISION 1 OF THE INSURANCE CODE IS ADDED TO READ:

Section 1861.01

(a) No rate shall be approved or remain in effect which is excessive, inadequate, unfairly discriminatory or otherwise in violation of this Chapter. In considering whether a rate is excessive, inadequate, or unfairly discriminatory, for purposes of this Article, the Commissioner shall consider the insurance company's investment income and the standards applicable under Section 1852, except that no consideration shall be given to the degree of competition.

(b) Every insurer that desires to change any rate in a line or a class within a line shall file a complete rate application with the Commissioner. A complete rate application shall include all data referred to in Sections 1857.7, 1857.9, 1857.15 and 1864 and such other information as the Commissioner may require. The applicant shall prove by clear and convincing evidence that the requested rate change is justified and meets the requirements of this Article.

(c) The Commissioner shall by regulation establish criteria for both considering and granting a petition for exemption from the provisions of this Article for a class and line of commercial insurance.

(d) The Commissioner shall notify the public of all rate applications. The rate application shall be deemed approved sixty days after public notice unless (1) a consumer or a representative of consumer interests requests a hearing within forty five days of public notice and the Commissioner grants the hearing, or determines not to grant the hearing and issues written findings in support of the decision on the rate application, or (2) the Commissioner on his or her own motion determines to hold a hearing, or (3) any portion of the proposed rate adjustment exceeds 7% annually for the applicable rate for any personal classification or line, or 15% annually for any commercial classification or line, in which case the Commissioner must hold a hearing upon request on the entire rate application. Rate changes may not be aggregated across lines, policy types, rating classifications or other characteristics for calculation of the percentages set forth in this subsection.

Section 1861.02

- (a) Public notice required by this Article shall be made:
- (1) through distribution to the news media; and
 - (2) to any member of the public who requests placement on a mailing list for that purpose.
- (b) All information provided to the Commissioner pursuant to this Chapter shall be available for public inspection, and the provisions of 6254(d) of the Government Code shall not apply thereto.

Section 1861.03

- (a) The business of insurance shall be subject to the laws of California applicable to any other business, including but not limited to the antitrust and unfair business practices law (Part 2, commencing with Section 16600 of Division 7 of the Business and Professions Code).
- (b) Nothing in this Section shall be construed to prohibit: (1) any agreement to collect and disseminate historical data on paid claims or reserves for reported claims, or (2) participation in any joint arrangement established by statute or by the Commissioner to assure availability of insurance.

Section 1861.04

Hearings pursuant to this Article shall be conducted pursuant to Sections 11500 through 11528 of the Government Code, except that:

- (1) hearings shall be conducted by administrative law judges for purposes of Sections 11512 and 11517, chosen under section 11502 or appointed by the Commissioner;
- (2) hearings are commenced by a filing of a Notice in lieu of Sections 11503 and 11504;
- (3) the Commissioner shall adopt, amend or reject a decision only pursuant to Section 11517(c) and (e) solely on the basis of the record;
- (4) Section 11513.5 shall apply to the Commissioner;
- (5) discovery shall be liberally construed and disputes determined by the administrative law judge.

Section 1861.05

Judicial review shall be in accordance with Section 1858.6. For purposes of judicial review, a decision to hold a hearing is not a final order or decision; a decision not to hold a hearing is final.

Section 1861.06

- (a) Any person may initiate or intervene in any proceeding permitted or established under this Act, challenge any action of the Commissioner under this Article and enforce any provision of this Article.
- (b) The Commissioner or a court shall award reasonable attorneys' fees, advocate fees, witness fees, and expenses to any representative of consumers' interests who makes a contribution to the adoption of any order, regulation or decision by the Commissioner or a court. No insurance company, licensee, or

association of either may receive such fees. Where such advocacy occurs in response to a rate application, the award shall be paid by the applicant. Any other award shall be paid out of appropriations available to the Department.

SECTION 3.

Section 12901.5 is added to the Insurance Code to read: It is unlawful for any person who serves as Insurance Commissioner or appointed Deputy to accept any employment in any capacity with any insurance company licensed by the California Department of Insurance or to hold any financial interest in such licensee for a period of three years after leaving office.

SECTION 4.

Sections 1850.1, 1850.2, 1850.3, 1853, 1853.6, 1853.7, 1854 through 1854.4, 1857.5, 1860.1, and 1860.2 of the Insurance Code are repealed.

SECTION 5.

Section 12979 is added to the Insurance Code to read: Notwithstanding Section 12978, the Commissioner shall establish a schedule of filing fees to be paid by insurers to cover all administrative and operational costs arising from the provisions of this Article.

SECTION 6.

Section 12202.1 is added to the Revenue and Taxation Code: Notwithstanding the rates specified by section 12202, the gross premium tax rate paid by insurers for any premiums collected after the implementation of this Act shall be adjusted by the Board of Equalization, so that the gross premium tax revenues collected for each calendar year are sufficient to compensate for revenue changes, if any, including changes in anticipated revenues, arising from this Act.

SECTION 7.

This Act shall not be amended except to further its purposes by a statute passed by the legislature, or by a statute that becomes effective when approved by the electorate.

SECTION 8.

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



University of San Diego

Center for Public Interest Law
Northern California Office

Robert C. Fellmeth, Director
James Wheaton, Supervising Attorney

December 14, 1987

Mr. Eugene Hill
Attorney General's Office
1515 K Street, Suite 511
Sacramento, California 95814

Hand Delivered

Re: Initiative to be submitted to the voters

Dear Mr. Hill:

Enclosed is a proposed initiative to be submitted to the voters. Please accept this as a written request for the preparation of a title and summary pursuant to Elections Code Section 3502.

I am the proponent of this initiative. I am a registered voter at 319 Lenox Avenue, Oakland, California, 94610.

A check for the statutory fee of \$200 is also enclosed.

Cordially,

A handwritten signature in black ink, appearing to read 'J. R. W.', followed by a long horizontal line.

James Wheaton

JW:dls
Encs.

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 1515 K Street, Suite 511, Sacramento, California 95814.

On the date shown below, I mailed a copy or copies of the attached letter to the proponents, by placing a true copy thereof in an envelope addressed to the proponents named below at the addresses indicated, 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: February 5, 1988

Subject: MOTOR VEHICLE ACCIDENT CLAIM REIMBURSEMENT FUND.
REGULATION INITIATIVE STATUTE.

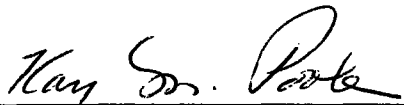
Our File No.: SA 87 RF 0050

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

JAMES WHEATON
319 Lenox Avenue
Oakland, California 94610

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

Executed at Sacramento, California, on:
February 5, 1988.



Kay M. Poole
Declarant

INITIATIVE CHECK LIST

Phone Notification from AG - Date/Time: 2/5/88 - 10:05
 Title of Initiative: MOTOR VEHICLE ACCIDENT CLAIM
REIMBURSEMENT FUND
 Type of Initiative: CA S CA and S
 Number of Pages 9 Number of Proponents 1
 Date and Time Initiative will be ready for pick-up 2/5/88 - 10:30

Initial/Date/Time

1. da 12/5/10:15 OSSI informs Deborah/David/Barbara/Caren and Don day and time initiative will be ready for pick-up.
2. da 12/5/10:48 OSSI gives check list to Word Processing Technician to prepare calendar.
3. GW 12/5/11:15 Word Processing Technician prepares and proofs fraud calendar and log and returns both to OSSI.
4. da 12/5/11:19 OSSI proofs calendar and log.
5. ML 12/5/12:05 OSSI gives final calendar and log to Elections Analyst.
6. BL 12/5/12:05 Elections Analyst reviews and has Elections Chief sign. Elections Analyst returns signed calendar to OSSI.
7. da 12/5/12:10 OSSI makes copies of initiative calendar for each proponent.
8. da 12/5/12:05 OSSI attaches copy of Political Reform Act of 1974 Requirements to proponent's copy of initiative calendar.
9. da 12/5/12:15 OSSI prepares Mail/Freight Request Form. OSSI hand carries Mail/Freight Request form and initiative calendar for each proponent (ready for mailing) to Service and Supply. Initiative calendar sent on 2/5/88 to each proponent.
Date

(This must be sent to each proponent same day AG prepares Title and Summary).

10. da 12/5/12:00 OSSI advises Assistant Chief when initiative calendar is sent to proponent(s).

INITIATIVE CALENDAR CHECK LIST
Page two

11. do 12/5/81 3:00

OSSI distributes copies of initiative calendar same day AG prepares Title and Summary to:

☒ Tony
☒ Caren
☒ Jerry
☒ Deborah
☒ Barbara

12. do 12/8/81 5:00

OSSI distributes copies of initiative calendar to:

☒ All CC/ROV
☒ Political Reform (3 copies)
☒ Elections Staff
☒ LA Office via LA Pouch -
☒ J.R. Schultz (12 copies)
☒ Initiative mailing list
☒ Extra copies for public
distribution
☒ Master copy

13. do 12/9/81 10:00

OSSI advises Assistant Chief of completion of above distribution.

14. do 12/9/81 10:00

OSSI makes copies of log and distributes as follows:

1. Initiative canvass binder
2. Vi Daniels - FTB
3. Archives
4. Oliver Cox
5. Initiative Clipboard

15. ap 12/8/81 10:00

OSSI prepares folder for public distribution.

16. ap 12/8/81 10:00

OSSI prepares index cards for each initiative.

17. do 12/5/81 3:00

OSSI staples Mail/Freight Request form to back of INITIATIVE CHECK LIST.

18. do 12/8/81 11:00

OSSI returns completed INITIATIVE CHECK LIST to Assistant Chief.

19. / /

Assistant Chief returns check list to Election Analyst.

ELECTIONS DIVISION
MAIL/FREIGHT REQUEST

Mail Submitted to Mail Room 2/5/88 1
Date Time

Request mail to be sent no later than 2/5/88
Date

MAIL:

- ☒ 1st Class
☐ Bulk
☐ Book Rate
☐ Presort
☐ Third Class

CHARGES:

Amount: 56.

Pieces: 1.

FREIGHT:

- ☐ UPS
☐ Purolator
☐ Greyhound (Next bus out: Yes ____ No ____)
☐ Air-Freight
☐ Truck Lines

ACTIVITY:

- ☐ Outreach (Specify: _____)
☐ County Mailings (#'s: _____)
☐ Ballot Pamphlet
☐ Other (Specify: _____)
☒ Initiative Calendar to Proponent(s).

Mail room sent requested mail on 2-5-88.

BW
Initial (Service and Supply)