

CHAPTER 69.

[Senate Bill No. 294.]

EMPLOYEE WELFARE TRUST FUNDS.

AN ACT relating to employee welfare trust funds; amending section 2, chapter 8, Laws of 1955 extraordinary session as last amended by section 1, chapter 174, Laws of 1961 and RCW 48.52.020, section 3, chapter 8, Laws of 1955 extraordinary session as last amended by section 2, chapter 174, Laws of 1961 and RCW 48.52.030, section 7, chapter 8, Laws of 1955 extraordinary session and RCW 48.52.070; and adding one new section to chapter 8, Laws of 1955 extraordinary session and to chapter 48.52 RCW.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. Section 2, chapter 8, Laws of 1955 extraordinary session as last amended by section 1, chapter 174, Laws of 1961 and RCW 48.52.020 are each amended to read as follows:

RCW 48.52.020
amended.

The commissioner may examine each employee welfare trust fund as often as he deems necessary, and the commissioner shall examine each employee welfare trust fund consisting of more than twenty-five participants at least once every five years. The commissioner, for the purpose of this section, shall have the same powers and duties of examination as provided in chapter 48.03: *Provided*, That the costs and expenses of the commissioner and examiners shall be paid by the state, except as provided in RCW 48.52.030.

Insurance—
Employee
welfare trust
funds.
Examination of
—Costs.

SEC. 2. Section 3, chapter 8, Laws of 1955 extraordinary session as last amended by section 2, chapter 174, Laws of 1961 and RCW 48.52.030 are each amended to read as follows:

RCW 48.52.030
amended.

(1) The trustees of every employee welfare trust fund existing within this state shall be responsible for the maintenance of full and accurate records and accounts of the transactions and affairs of such employee welfare trust fund in conformance

Records,
accounts,
reports—
Annual
statement—
Cost of
examination if
out of state.

Insurance—
Employee
welfare trust
funds.
Records,
accounts,
reports—
Annual
statement—
Cost of
examination if
out of state—
Trustees'
duties.

with generally accepted accounting practices and principles. If such records and accounts are not maintained within this state, then the costs and expenses of the commissioner and examiners provided for in RCW 48.52.020 shall be paid by the employee welfare trust fund being examined in the same manner and to the same extent as is provided in RCW 48.03.060 for examination of insurers.

(2) Such trustees shall promptly file with the commissioner a copy of the trust instrument or other instrument by which the employee welfare trust fund is established, together with all amendments thereto. The trustees of every employee welfare trust fund consisting of more than twenty-five participants shall file in the office of the commissioner, annually within five months after the close of the fiscal year used in maintaining the records of such fund, a statement, to be known as the annual statement of such fund, verified by the oath of the trustee, or if there is more than one trustee, then by the oath of at least two of such trustees, showing its condition and affairs during such fiscal year. Such statement shall be in such form and contain such information as the commissioner from time to time prescribes. Upon request of the commissioner the trustees shall file with the commissioner such other reports concerning the transactions and affairs of such employee welfare trust fund as the commissioner may from time to time deem to be necessary or advisable for carrying out the purposes of this chapter. All such reports shall be open to inspection by the public in the commissioner's office, and when obsolete shall be subject to destruction by the commissioner as provided in RCW 48.02.120.

RCW 48.52.070
amended.

SEC. 3. Section 7, chapter 8, Laws of 1955 extraordinary session and RCW 48.52.070 are each amended to read as follows:

Section 4 of this 1965 amendatory act and RCW 48.52.020 and 48.52.030 shall not apply to such an employee welfare trust fund where the trustee, or all of the trustees are subject to examination by the supervisor of banking of the state of Washington or the comptroller of the currency of the United States or the board of governors of the federal reserve system. Exemptions.

SEC. 4. There is added to chapter 8, Laws of 1955 extraordinary session and to chapter 48.52 RCW a new section to read as follows: New section.

The trustees of every employee welfare trust fund hereafter formed or presently existing within this state shall register such fund with the commissioner. The registration shall be in such form and shall contain such information relating to the organization, operations and affairs of such fund as is prescribed by the commissioner. Fund registered—Contents.

Passed the Senate March 19, 1965.

Passed the House March 25, 1965.

Approved by the Governor April 2, 1965.