

the event that such issue is submitted to arbitration, the arbitrator or arbitrators shall only consider those additional costs borne by the county in providing justice court services for such city.

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CHAPTER 130

[Substitute House Bill No. 459]

INSURANCE COMMISSIONER—RETENTION OF RECORDS—REFUND OF TAXES, FEES—LICENSE RENEWAL—SUBSIDIARY OWNERSHIP—POLICY COUNTERSIGNATURE

AN ACT Relating to insurance; amending section .02.12, chapter 79, Laws of 1947 and RCW 48.02.120; amending section .14.07, chapter 79, Laws of 1947 and RCW 48.14.070; amending section .15.07, chapter 79, Laws of 1947 as last amended by section 2, chapter 182, Laws of 1977 ex. sess. and RCW 48.15.070; and amending section .13.21, chapter 79, Laws of 1947 and RCW 48.13.210; repealing section .05.23, chapter 79, Laws of 1947, section 2, chapter 70, Laws of 1965 ex. sess. and RCW 48.05.230; and repealing section .05.24, chapter 79, Laws of 1947, section 2, chapter 194, Laws of 1961 and RCW 48.05.240.

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

Section 1. Section .02.12, chapter 79, Laws of 1947 and RCW 48.02-.120 are each amended to read as follows:

(1) The commissioner shall preserve in permanent form records of his proceedings, hearings, investigations, and examinations, and shall file such records in his office.

(2) The records of the commissioner and insurance filings in his office shall be open to public inspection, except as otherwise provided by this code.

~~((3) Five years after conclusion of transactions to which they relate, the commissioner may destroy any correspondence, claim files, working papers of examinations of insurers, reports of examination of insurers by insurance supervisory officials of other states, void or obsolete filings relating to rates, license applications, cards, and records, expired bonds, records of hearings, investigations, and any similar records, documents, or memoranda now or hereafter in his possession.~~

~~(4) Ten years after the year to which they relate, the commissioner may destroy any foreign or alien insurer's annual statements, valuation reports, tax reports, or similar records or reports now or hereafter in his possession.~~

~~(5) The commissioner shall concurrently execute and file in a separate, permanent office file a certificate listing and giving a summary description of the records, files, documents, memoranda, as they are destroyed:))~~

Sec. 2. Section .14.07, chapter 79, Laws of 1947 and RCW 48.14.070 are each amended to read as follows:

In event any person has paid to the commissioner any tax, license fee or other charge in error or in excess of that which he is lawfully obligated to pay, the commissioner shall upon written request made to him (~~((within six years of the date of such payment;))~~) make a refund thereof. A person may only request a refund of taxes within six years from the date the taxes were paid. A person may only request a refund of fees or charges other than taxes within thirteen months of the date the fees or charges were paid. Refunds may be made either by crediting the amount toward payment of charges due or to become due from such person, or by making a cash refund. To facilitate such cash refunds the commissioner may establish a revolving fund out of funds appropriated by the legislature for his use.

Sec. 3. Section .15.07, chapter 79, Laws of 1947 as last amended by section 2, chapter 182, Laws of 1977 ex. sess. and RCW 48.15.070 are each amended to read as follows:

Any person deemed by the commissioner to be competent and trustworthy and while maintaining an office at a designated location in this state may be licensed as a surplus line broker, as follows:

(1) Application to the commissioner for the license shall be made on forms furnished by the commissioner.

(2) The license fee shall be one hundred dollars for each license year during any part of which the license is in force. (~~((The license year shall be from the date of issuance of the license))~~) The annual renewal date shall be determined by the commissioner. The commissioner shall adopt a rule providing for the proration, on a quarterly basis, of the license fee. The proration shall be applicable only: (a) To applicants who apply for a license after the expiration of the first quarter of any license year, or (b) to licensees whose licenses would exist for less than nine months as a result of the adoption of the annual renewal date.

(3) Prior to issuance of license the applicant shall file with the commissioner and thereafter for as long as the license remains in effect he shall keep in force a bond in favor of the state of Washington in the penal sum of twenty thousand dollars, with authorized corporate sureties approved by the commissioner, conditioned that he will conduct business under the license in accordance with the provisions of this chapter and that he will promptly remit the taxes provided by RCW 48.15.120. No such bond shall be terminated unless not less than thirty days prior written notice thereof is filed with the commissioner.

Sec. 4. Section .13.21, chapter 79, Laws of 1947 and RCW 48.13.210 are each amended to read as follows:

(1) An insurer other than a life insurer may invest a portion of its surplus funds in an aggregate amount not exceeding fifty percent of its surplus over its capital stock and other liabilities, or thirty-five percent of its capital funds, whichever is greater, in the stocks of other insurers organized and

existing under the laws of states of the United States. Indirect or proportionate interests in insurance stocks held by an insurer through any intermediate subsidiary or subsidiaries shall be included in applying the limitations provided in subsections (1), (2), and (3) of this section.

(2) A life insurer may invest in such insurance stocks in an aggregate amount not exceeding the smaller of the following amounts: Five percent of its assets; or twenty-five percent of its surplus over its capital stock and other liabilities, or of surplus over its required minimum surplus if a mutual life insurer.

(3) An insurer shall not purchase or hold as an investment more than five percent of the voting stock of any one other insurer, and subject further to the investment limits of RCW 48.13.030. This limitation shall not apply if such other insurer is the subsidiary of, and substantially all its shares having voting powers are owned by, ~~((an))~~ the insurer ~~((other than a life insurer))~~.

(4) No such insurance stock shall be eligible as an investment unless it meets the qualifications for stocks of other corporations as set forth in RCW 48.13.220.

(5) The limitations on investment in insurance stocks set forth in this chapter shall not apply to stocks acquired under a plan for merger of the insurers which has been approved by the commissioner or to shares received as stock dividends upon shares already owned.

NEW SECTION. Sec. 5. The following acts or parts of acts are each repealed:

(1) Section .05.23, chapter 79, Laws of 1947, section 2, chapter 70, Laws of 1965 ex. sess. and RCW 48.05.230; and

(2) Section .05.24, chapter 79, Laws of 1947, section 2, chapter 194, Laws of 1961 and RCW 48.05.240.

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CHAPTER 131

[Substitute House Bill No. 504]

STATE PARKS—PASS PRIVILEGES—DISABLED—VETERANS, SERVICE CONNECTED DISABILITY

AN ACT Relating to the parks and recreation commission; and amending section 1, chapter 330, Laws of 1977 ex. sess. and RCW 43.51.055.

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

Section 1. Section 1, chapter 330, Laws of 1977 ex. sess. and RCW 43-51.055 are each amended to read as follows: