

~~(4) As to insurance other than that designated in subsection (3) of this section, any such deviation shall be only by a uniform percentage decrease or increase to be applied to the premiums produced by the rating system so filed for a kind of insurance, or for a class of insurance which is found by the commissioner to be a proper rating unit for the application of such uniform percentage decrease or increase, or for a subdivision of a kind of insurance (a) comprised of a group of manual classifications which is treated as a separate unit for rate making purposes, or (b) for which separate expense provisions are included in the filings of the rating organization.~~

~~(5) If upon such hearing the commissioner finds the proposed deviation to be justified, and that premiums and rates resulting therefrom would not be inadequate, excessive, or unfairly discriminatory, he shall issue his order permitting the deviation to be filed and such deviation shall thereupon become effective. If he finds otherwise, he shall issue his order denying the application.~~

~~(6) Each deviation permitted to be filed shall be effective for a period of not less than one year from the date of such permission unless terminated sooner with the approval of the commissioner.) Every such deviation shall terminate upon a material change of the basic rate from which the deviation is made. The commissioner shall determine whether a change of the basic rate is so material as to require such termination of deviations.~~

~~((7) This section does not apply to casualty insurance.)~~

NEW SECTION. Sec. 9. Section .34.02, chapter 79, Laws of 1947 and RCW 48.19.440 are each repealed.

NEW SECTION. Sec. 10. This act shall take effect on September 1, 1989.

Passed the Senate March 8, 1989.

Passed the House April 4, 1989.

Approved by the Governor April 18, 1989.

Filed in Office of Secretary of State April 18, 1989.

CHAPTER 26

[Substitute Senate Bill No. 5014]
POLICE DOGS

AN ACT Relating to police dogs; and amending RCW 4.24.410, 9A.76.200, and 16.08.080.

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

Sec. 1. Section 1, chapter 22, Laws of 1982 and RCW 4.24.410 are each amended to read as follows:

(1) As used in this section:

(a) "Police dog" means a dog used by a law enforcement agency specially trained for law enforcement work and under the control of a dog handler.

(b) "Dog handler" means a law enforcement officer who has successfully completed training as prescribed by the Washington state criminal justice training commission in police dog handling.

(2) Any dog handler who uses a police dog in the line of duty (~~(in accordance with standards established by the law enforcement agency for which he works)~~) in good faith is immune from civil action for damages arising out of such ~~((activities))~~ use of the police dog.

Sec. 2. Section 2, chapter 22, Laws of 1982 and RCW 9A.76.200 are each amended to read as follows:

(1) A person is guilty of harming a police dog if he ~~((wilfully))~~ maliciously injures, disables, shoots, or kills by any means any dog ~~((used by a peace officer in discharging or attempting to discharge any legal duty or power of his office))~~ that the person knows or has reason to know to be a police dog, as defined in RCW 4.24.410, whether or not the dog is actually engaged in police work at the time of the injury.

(2) Harming a police dog is a class C felony.

Sec. 3. Section 2, chapter 94, Laws of 1987 and RCW 16.08.080 are each amended to read as follows:

(1) It is unlawful for an owner to have a dangerous dog in the state without a certificate of registration issued under this section. This section and RCW 16.08.090 and 16.08.100 shall not apply to police dogs ~~((used by law enforcement officials for police work))~~ as defined in RCW 4.24.410.

(2) The animal control authority of the city or county in which an owner has a dangerous dog shall issue a certificate of registration to the owner of such animal if the owner presents to the animal control unit sufficient evidence of:

(a) A proper enclosure to confine a dangerous dog and the posting of the premises with a clearly visible warning sign that there is a dangerous dog on the property. In addition, the owner shall conspicuously display a sign with a warning symbol that informs children of the presence of a dangerous dog;

(b) A surety bond issued by a surety insurer qualified under chapter 48.28 RCW in a form acceptable to the animal control authority in the sum of at least fifty thousand dollars, payable to any person injured by the vicious dog; or

(c) A policy of liability insurance, such as homeowner's insurance, issued by an insurer qualified under Title 48 RCW in the amount of at least fifty thousand dollars, insuring the owner for any personal injuries inflicted by the dangerous dog.

(3)(a) If an owner has the dangerous dog in an incorporated area that is serviced by both a city and a county animal control authority, the owner shall obtain a certificate of registration from the city authority;

(b) If an owner has the dangerous dog in an incorporated or unincorporated area served only by a county animal control authority, the owner shall obtain a certificate of registration from the county authority;

(c) If an owner has the dangerous dog in an incorporated or unincorporated area that is not served by an animal control authority, the owner shall obtain a certificate of registration from the office of the local sheriff.

(4) Cities and counties may charge an annual fee, in addition to regular dog licensing fees, to register dangerous dogs.

Passed the Senate February 20, 1989.

Passed the House March 31, 1989.

Approved by the Governor April 18, 1989.

Filed in Office of Secretary of State April 18, 1989.

CHAPTER 27

[Senate Bill No. 5277]

FIRE PROTECTION DISTRICTS—SERVICE CHARGES—SIX YEAR LIMIT

AN ACT Relating to fire protection district service charges; and amending RCW 52.18.050.

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

Sec. 1. Section 5, chapter 126, Laws of 1974 ex. sess. as amended by section 5, chapter 325, Laws of 1987 and RCW 52.18.050 are each amended to read as follows:

(1) Any service charge authorized by this chapter shall not be effective unless a proposition to impose the service charge is approved by a sixty percent majority of the voters of the district voting at a general election or at a special election called by the district for that purpose, held within the fire protection district. An election held pursuant to this section shall be held not more than twelve months prior to the date on which the first such charge is to be assessed: PROVIDED, That a service charge approved at an election shall not remain in effect for a period of more than ~~((three))~~ six years unless subsequently reapproved by the voters.

(2) The ballot shall be submitted so as to enable the voters favoring the authorization of a fire protection district service charge to vote "Yes" and those opposed thereto to vote "No," and the ballot shall be:

"Shall county fire protection district No. be authorized to impose service charges each year for up to a ~~((three-year))~~ six-year period, not to exceed an amount equal to