

# Chapter 731

## Administration and General Provisions

### Chapter 731

CASE CITATIONS: Earle v. Holman, (1936) 154 Or 578, 55 P2d 1097, 61 P2d 1242; Barmeier v. Ore. Physicians' Serv., (1952) 194 Or 659, 243 P2d 1053.

ATTY. GEN. OPINIONS: Applicability to foreign insurance company desiring only to transact mortgage loan investment business in this state, 1950-52, p 192; application of chapter to reciprocal or interinsurance exchanges, 1960-62, p 80.

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ATTY. GEN. OPINIONS: Discretion commissioner may exercise in granting or denying a license, 1964-66, p 366; construing "felony" and "good moral character," 1964-66, p 370; experience required to serve as commissioner, 1966-68, p 106.

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CASE CITATIONS: Transnational Ins. Co. v. Rosenlund, (1966) 261 F Supp 12.

#### 731.016

ATTY. GEN. OPINIONS: Use of preamble in determining commissioner's powers, 1964-66, p 366; use of preamble in construing insurance law, 1964-66, p 370.

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#### 731.032

CASE CITATIONS: Rosebraugh v. Tigard, (1927) 120 Or 411, 252 P 75; Geddes v. Ore. Grange Fire Relief Assn., (1934) 147 Or 275, 32 P2d 774.

ATTY. GEN. OPINIONS: Whether benefit association is required to have license, 1928-30, p 65; application to certain society, 1932-34, p 696; patrons of husbandry engaged in activities other than fire and life insurance, 1956-58, p 41; charter of benevolent society as determinative of form of aid to members, 1956-58, p 156; ski breakage warranty as insurance, 1958-60, p 94; "members of charitable, fraternal or religious societies" defined, 1958-60, p 274; application of retaliatory tax to reciprocal or interinsurance exchanges, 1960-62, p 80; application of General Insurance Law to a foreign corporation doing a hospital association business, 1960-62, p 215; authority to license Grange Insurance Association to write automobile insurance, 1960-62, p 258.

#### 731.036

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#### 731.042

ATTY. GEN. OPINIONS: Application of Unclaimed Property Act to fraternal benefit societies, 1966-68, p 302.

#### 731.052 to 731.146

### NOTES OF DECISIONS

#### 1. Under former similar statute

A principal contractor's indemnity bond in favor of subcontractors, etc., was an insurance contract within the meaning of the statute. Fred Christensen, Inc. v. Hansen Constr. Co., (1933) 142 Or 549, 21 P2d 195.

The statutory definition did not include a contract of annuity. Hall v. Metropolitan Life Ins. Co., (1934) 146 Or 32, 28 P2d 875.

A contract which provided for return of the consideration paid was not a life insurance or annuity contract. Ballou v. Fisher, (1936) 154 Or 548, 61 P2d 423.

An oral agreement of insurance by a general agent was valid. Mock v. Glens Falls Indemn. Co., (1957) 210 Or 71, 309 P2d 180.

Defendant's insurance contract met the statutory definition of insurance. Baker v. Federal Crop Ins. Corp., (1965) 241 Or 609, 407 P2d 841, cert. dis., 385 US 801, 86 S Ct 1459, 18 L Ed 2d 538.

ATTY. GEN. OPINIONS: "Insurance" charges by laundries, 1922-24, pp 162, 193; savings and loan contracts, 1926-28, p 188; tire servicing contracts, 1926-28, p 194; check writing

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## 731.062

CASE CITATIONS: *Ramstead v. North-West Ins. Co.*, (1969) 252 Or 423, 450 P2d 538.

## 731.102

CASE CITATIONS: *Richardson v. Ry. Express Agency*, (1971) 258 Or 170, 482 P2d 176.

## 731.106

## NOTES OF DECISIONS

Under former similar statute a mutual benefit association was an insurance company within the statutory definition. *Mutual Benefit Health & Acc. Assn. v. Lee*, (1929) 128 Or 536, 275 P 43.

Under former similar statute a surety company on a contractor's bond was an insurance company and was liable for reasonable attorney fees in an action on the bond. *Fred Christensen, Inc. v. Hansen Constr. Co.*, (1933) 142 Or 549, 21 P2d 195.

FURTHER CITATIONS: *United States ex rel. Western Steel Co. v. Travelers Indem. Co.*, (1965) 37 FRD 322; *Travelers Indem. Co. v. United States ex rel. Western Steel Co.*, (1966) 362 F2d 896; *Richardson v. Ry. Express Agency*, (1971) 258 Or 170, 482 P2d 176.

ATTY. GEN. OPINIONS: Television service company as an insurance company, 1952-54, p 237; unemployment insurance by automobile dealer, 1954-56, p 130; automobile inspection service with warranty as an insurance company, 1954-56, p 219; authority to license Grange Insurance Association to write automobile insurance, 1960-62, p 258; regulation of debt cancellation contracts executed by national banks, 1964-66, p 59.

## 731.150 to 731.194

CASE CITATIONS: *Hall v. Metropolitan Life Ins. Co.*, (1934) 146 Or 32, 28 P2d 875; *Medford v. Pac. Nat. Fire Ins. Co.*,

(1950) 189 Or 617, 219 P2d 142, 222 P2d 407; *Am. Sur. Co. v. Fischer Whse. Co.*, (1937) 88 F2d 536; *United States ex rel. Western Steel Co. v. Travelers Indem. Co.*, (1965) 37 FRD 322.

ATTY. GEN. OPINIONS: Marine insurance on mixed sea and land risks, 1924-26, p 29; guaranteeing payment of notes and mortgages as within surety insurance, 1924-26, p 444; risks within automobile insurance, 1924-26, p 572; tire servicing agreement as insurance, 1926-28, p 194; bonds or policies given with check writing machine purchases as surety insurance, 1926-28, p 307; income savings bond as life insurance; companies issuing income saving bonds, 1926-28, p 316; land value insurance, 1926-28, p 576; confiscation bond as surety insurance, 1928-30, p 36; fire and marine policies distinguished, 1928-30, p 556; warehouse receipt as insurance policy, 1934-36, p 130; types of insurance that may be written by fire and by marine companies, 1936-38, p 54; undertakings in criminal cases, 1936-38, p 693; issuing certificates with sales contracts with provisions for relief of payment on certain contingencies, 1940-42, p 58; domestic mutual companies transacting casualty insurance, 1942-44, p 335; life insurance and medical expense benefits under one class, 1958-60, p 3; organization of reciprocal insurance exchange to insure liability and material damage risks for aircraft, 1960-62, p 93; interpretation of statutes regulating annuity agreements made by educational institutions, 1960-62, p 180; regulation of provisions allowing participation in divisible surplus, 1964-66, p 61.

## 731.174

ATTY. GEN. OPINIONS: Organization of reciprocal insurance exchange to insure liability and material damage risks for aircraft, 1960-62, p 93.

## 731.190

ATTY. GEN. OPINIONS: Procedure for incorporation of title insurance companies, 1924-26, p 597; conditions for reinsurance of title insurance obligations, 1926-28, p 607; Corporation Commissioner's authority over title insurance companies, 1966-68, p 259.

## 731.194

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## 731.208

ATTY. GEN. OPINIONS: Civil service status of positions in Department of Commerce, 1964-66, p 51; vested renewals and agents' retirement policy as interest in an insurance company, 1964-66, p 270; use of blanket position bond in lieu of individual surety bond, 1966-68, p 83; construing "experienced in insurance matters," 1966-68, p 106.

## 731.212

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## 731.224

ATTY. GEN. OPINIONS: Providing dental services as a hospital corporation, 1956-58, p 301; discretion of commissioner to issue license, 1960-62, p 54.

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ATTY. GEN. OPINIONS: Power of commissioner to subpoena witnesses at hearing upon revocation or renewal, 1928-30, p 598; nature of the proceeding before the commissioner, 1930-32, p 71; right of agent to carry on business pending entry of order upon renewal application, 1936-38, p 228; construing authority to suspend a license without a hearing, 1964-66, p 109; informal hearing on incorrect statements, 1964-66, p 284.

**731.240**

CASE CITATIONS: Peterson v. State Farm Mut. Auto. Ins. Co., (1964) 238 Or 106, 393 P2d 651.

ATTY. GEN. OPINIONS: Insured's right to appeal to commissioner question of application of fire insurance rating schedule, 1964-66, p 168; construing "felony" and "good moral character," 1964-66, p 370; review of division rule for nonresident agent license, (1970) Vol 35, p 165.

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ATTY. GEN. OPINIONS: Sufficiency of publication of synopsis of annual statement, 1924-26, p 183; authority of commissioner with reference to annual statements, 1924-26, p 539; liability of surety for principal's failure to file annual statements, 1926-28, p 197; title insurance companies' statements, 1928-30, p 272; whether hospital associations must publish annual statements, 1938-40, p 289; publishing and selling insurance commission literature, 1950-52, p 352.

**731.292**

ATTY. GEN. OPINIONS: Retaliatory taxes collected prior to 1958, 1960-62, p 263.

**731.300**

ATTY. GEN. OPINIONS: Examination to determine right of mutual fire association to use assets to organize stock casualty company, 1926-28, p 523; examination of hospital care associations, 1960-62, p 310.

**731.312**

ATTY. GEN. OPINIONS: Examination of hospital care associations, 1960-62, p 310.

**731.316**

ATTY. GEN. OPINIONS: Examination of hospital care associations, 1960-62, p 310.

**731.358**

ATTY. GEN. OPINIONS: Construing authority to terminate certificate for failure to file financial statement, 1966-68, p 524.

**731.362****NOTES OF DECISIONS**

Under a former similar statute, a foreign mutual company could do business in this state only by complying with the requirements of the statute. Johnson v. Sch. Dist. 1, (1929) 128 Or 9, 270 P 764, 273 P 386.

FURTHER CITATIONS: Mutual Benefit Health & Acc. Assn. v. Lee, (1929) 128 Or 536, 275 P 43; State v. Tazwell,

(1928) 125 Or 528, 266 P 238, 59 ALR 1436; Gilbert v. New Zealand Ins. Co., (1892) 49 Fed 884, 15 LRA 125.

ATTY. GEN. OPINIONS: Requirements for mutual insurance companies to do business, 1922-24, pp 236, 601, 678; foreign companies making cash deposit for benefit of policyholders, 1924-26, p 291; foreign insurance companies, not authorized to do business in Oregon, soliciting by mail, 1924-26, p 514; proof of capital and surplus of foreign company, 1926-28, p 155; discussion of "paid-up capital," 1926-28, pp 203, 239; surplus and capital requirements of foreign or alien company, 1926-28, p 367; whether foreign life company having non-par stock may be excluded, 1928-30, p 518; authority of fire company to change name and transact casualty business, 1936-38, p 519; patrons of husbandry engaged in activities other than fire and life insurance, 1956-58, p 41; authority to license Grange Insurance Association to write automobile insurance, 1960-62, p 258; authority to act against a company for misappropriations of an agent, 1964-66, p 20; Corporation Commissioner's authority over title insurance companies, 1966-68, p 259.

**731.366**

ATTY. GEN. OPINIONS: Applications for insurance covering property outside the state, 1922-24, p 260; certificate of authority for reciprocal or interinsurance exchange, 1958-60, p 152; organization of reciprocal insurance exchange to insure liability and material damage risks for aircraft, 1960-62, p 93.

**731.370****NOTES OF DECISIONS**

A former similar statute, applied to venue rather than jurisdiction, so that transitory action against insurance company was within court's jurisdiction although the parties were nonresidents, the contract was executed outside the state and the accident occurred outside the state. Canadian Indem. Co. v. State Auto. Ins. Assn., (1959) 174 F Supp 71.

**731.378**

ATTY. GEN. OPINIONS: Insurance Commissioner as proper authority for foreign insurance companies to deal with to transact insurance business in Oregon, 1922-24, p 678, 1932-34, p 538; necessity of foreign insurance company complying with the state insurance laws when the corporation is limiting its business to mortgage loan transactions, 1950-52, p 192.

**731.382**

CASE CITATIONS: Rosebraugh v. Tigard, (1927) 120 Or 411, 252 P 75; Johnson v. Sch. Dist. 1, (1929) 128 Or 9, 270 P 764, 273 P 386; Meader v. Farmers' Mut. Fire Relief Assn., (1931) 137 Or 111, 1 P2d 138.

ATTY. GEN. OPINIONS: Whether benevolent society is a mutual fire insurance company, 1932-34, p 551.

**731.390**

ATTY. GEN. OPINIONS: Effect of statute generally, 1922-24, p 601.

**731.394**

ATTY. GEN. OPINIONS: Licensing foreign company to transact title insurance business, 1926-28, p 103; licensing foreign company to transact land value insurance, 1926-28,

p 576; depreciation insurance, 1936-38, p 336; domestic mutual insurance company transacting casualty business, 1942-44, p 335; eligibility of mutual assessment life insurance company to do accident and health insurance business, 1958-60, p 108; application to medical credit corporation, 1960-62, p 304.

## 731.410

ATTY. GEN. OPINIONS: Necessity for fire insurance companies to furnish new bonds when new licenses are issued, 1922-24, p 587; authority to refuse renewal of license, 1936-38, p 181; disability insurance company applying for new certificate of authority after May 12, 1955, 1956-58, p 317.

## 731.414

CASE CITATIONS: Johnson v. Sch. Dist. 1, (1929) 128 Or 9, 270 P 764, 273 P 386.

ATTY. GEN. OPINIONS: Misrepresenting policy, 1962-64, p 427; authority to act against a company for misappropriations of an agent, 1964-66, p 20.

## 731.434

## NOTES OF DECISIONS

## 1. Under former similar statute

Requirements of the statute were not unreasonable. State v. Tazwell, (1928) 125 Or 528, 266 P 238, 59 ALR 1436.

A foreign corporation that complied with the statute assumed all the duties and liabilities that it imposed. Id.

The attorney appointed under the statute had as much authority to accept service as an officer of the corporation. Id.

Service upon the agent designated under the statute conferred jurisdiction upon the court, though the contract sued on was executed abroad and the plaintiff was a nonresident. Id.

A policy stipulation which provided that only the courts of a particular foreign jurisdiction were competent "for the fulfillment of this contract" was contrary to public policy and, therefore, void. Id.

Service of summons upon the resident agent for service was sufficient to give complete jurisdiction to any court of the state in which the venue of an action was properly laid; and any private corporation, domestic or foreign, could be sued on a transitory action either in the county of its principal place of business or in the county where the cause of action arose. State v. Updegraff, (1943) 172 Or 246, 141 P2d 251.

Where a transitory action against a foreign corporation was commenced either in the county of its principal place of business or in that wherein the cause of action arose, personal service could be made upon the statutory agent for service at any place where he might be found within the state. Id.

ATTY. GEN. OPINIONS: Method of making proof of service by the commissioner, 1928-30, p 625; patrons of husbandry engaged in activities other than fire and life insurance, 1956-58, p 41; constructive service on insurance company not doing business in the state, 1956-58, p 298.

## 731.438

ATTY. GEN. OPINIONS: Title plant as related to each county in which company conducts business, not each branch office, (1970) Vol 35, p 133.

## 731.442

ATTY. GEN. OPINIONS: Validity of proposed plans of insurance, 1928-30, p 469, 1932-34, p 401; eligibility of mutual assessment life insurance company to do accident and health insurance business, 1958-60, p 108; reserve requirements for mutual assessment life insurance company, 1958-60, p 108; reserve requirement, 1964-66, p 14; application to a business engaged in but not selling credit life insurance, 1966-68, p 524.

## 731.458

CASE CITATIONS: Truck Ins. Exch. v. Truck Ins. Exch., (1940) 165 Or 332, 107 P2d 511.

ATTY. GEN. OPINIONS: Requisites for organization and operation of interinsurance under former similar statute, 1922-24, p 260; validity of reinsuring a policy issued by interinsurance exchange under a former similar statute, 1928-30, p 94; authority of interinsurance exchange to write insurance and bonds required of motor carriers, 1932-34, p 430; authority to issue financial responsibility bond, 1934-36, p 422; authority to issue "assessment guaranty bonds," 1934-36, p 584; whether state-owned vehicles may be insured through interinsurance exchanges, 1942-44, p 236; state, county or municipal corporation making contract of insurance with reciprocal insurance exchange, 1954-56, p 151.

## 731.508

ATTY. GEN. OPINIONS: Reserve requirements for mutual assessment life insurance company, 1958-60, p 108.

## 731.512

ATTY. GEN. OPINIONS: Whether section applied to hospital association, 1926-28, p 238, 1930-32, p 578; conditions under which reinsurance could be effected, 1926-28, p 607.

## 731.554

ATTY. GEN. OPINIONS: Disability insurance company surrendering certificate and applying for new one, 1956-58, p 317; eligibility of mutual assessment life insurance company to do accident and health insurance business, 1958-60, p 108.

## 731.562

ATTY. GEN. OPINIONS: Duty of commissioner to determine eligibility of securities offered for deposit, 1934-36, p 650; commissioner's authority over title insurance companies, 1966-68, p 259.

## 731.574

ATTY. GEN. OPINIONS: Commissioner's authority over title insurance companies, 1966-68, p 259; imposition of retaliatory tax when insurer pays assessments, 1966-68, p 392; construing authority to terminate certificate for failure to file financial statement, 1966-68, p 524.

## 731.604

ATTY. GEN. OPINIONS: Charging companies for costs of servicing securities deposited, 1966-68, p 594.

## 731.612

## NOTES OF DECISIONS

Under former similar statute securities deposited by in-

insurance company as a condition precedent to doing surety and fidelity business were for the benefit of holders of policies of that class and were not available to policyholders and others having claims arising out of other classes of insurance. *Earle v. Holman*, (1936) 154 Or 578, 55 P2d 1097, 61 P2d 1242; *Averill v. Holman*, (1936) 155 Or 125, 60 P2d 968, 62 P2d 939.

ATTY. GEN. OPINIONS: Surety bond deposited in lieu of securities by insolvent foreign fire company, 1926-28, p 227; whether surety bond may be deposited in lieu of securities, 1928-30, p 207; authority to collect interest on bonds deposited by foreign insurance companies upon insolvency, 1932-34, p 514, 1934-36, p 674; whether section applied to deposits by foreign investment companies, 1938-40, p 332, 1940-42, p 130; charging companies for costs of servicing securities deposited, 1966-68, p 594.

## 731.624

CASE CITATIONS: *Herbring v. Lee*, (1928) 126 Or 588, 269 P 236, 60 ALR 1165; *Jones & Son, Inc. v. Columbia Cas. Co.*, (1934) 73 F2d 449; *Earle v. Holman*, (1936) 154 Or 578, 55 P2d 1097, 61 P2d 1242.

ATTY. GEN. OPINIONS: Necessity for furnishing new bonds annually when license is renewed, 1922-24, p 587; authority of company to write fire insurance under additional title without filing additional bond or securities, 1922-24, p 799; liability of surety for taxes and penalties imposed on fire company, 1926-28, p 197; scope of protection afforded by bond filed in lieu of deposit, 1926-28, p 227; termination of liability on bonds, 1926-28, p 525; use of voluntary deposit as guaranty fund, 1926-28, p 152; conditions for reinsurance of title insurance obligations, 1926-28, p 607; report and synopsis required of title insurance company, 1928-30, p 272; authority to substitute bonds in lieu of security deposited, 1928-30, p 207; procedure for retiring company to obtain release of bond, 1930-32, p 106; authority of commissioner as ancillary receiver to demand and receive securities deposited with him, 1930-32, p 780; duties of commissioner and disposition of funds deposited by insolvent foreign fire and casualty company, 1930-32, p 797; validity of section, 1934-36, p 240; release of surety bond and deposit of securities, 1938-40, p 346; municipalities obtaining insurance with interinsurance exchange if deposit made or bond filed, 1940-42, p 644; charging companies for costs of servicing securities deposited, 1966-68, p 594.

## 731.628

ATTY. GEN. OPINIONS: Charging companies for costs of servicing securities deposited, 1966-68, p 594.

## 731.632

ATTY. GEN. OPINIONS: Charging companies for costs of servicing securities deposited, 1966-68, p 594.

## 731.636

ATTY. GEN. OPINIONS: Charging companies for costs of servicing securities deposited, 1966-68, p 594.

## 731.640

ATTY. GEN. OPINIONS: Acceptance of mortgage certificate for deposit, 1924-26, p 551; deed of trust for deposit, 1926-28, p 322; whether "corporate stock" of a municipality is eligible for deposit, 1934-36, p 284; duty of commissioner to determine eligibility of securities offered for deposit,

1934-36, p 650; charging companies for costs of servicing securities deposited, 1966-68, p 594.

## 731.648

## NOTES OF DECISIONS

## 1. Under former similar statute

A holder of a casualty policy issued by another company was not entitled to any part of the fund deposited merely because the company that made the deposit reinsured the policy. *Earle v. Holman*, (1936) 154 Or 578, 55 P2d 1097, 61 P2d 1242.

The fact that liability on a surety bond arose from a default occurring in another state did not prevent the beneficiary from claiming his proper share of the deposit if the bond itself was written in Oregon. *Id.*

The deposit made by a foreign surety company was not available to persons having claims arising out of policies of a different character. *Id.*

ATTY. GEN. OPINIONS: Authority of commissioner to divert deposit to payment of claims not contemplated by statute, 1920-22, p 346; procedure for withdrawal of deposit by foreign company, 1928-30, p 32; procedure to collect claims payable from deposit, 1930-32, p 533; authority of ancillary receiver of insolvent foreign surety company to receive deposit, 1932-34, p 468; whether notice of sale of securities need be given insolvent surety company, 1934-36; p 154; authority of State Treasurer to exchange bonds deposited, 1934-36, p 206; charging companies for costs of servicing securities deposited, 1966-68, p 594.

## 731.652

ATTY. GEN. OPINIONS: Procedure to withdraw deposit, 1926-28, p 238, 1928-30, p 32, 1930-32, p 106; conditions under which a title insurance company may reinsure its obligations and secure a release of deposit, 1926-28, p 607; charging companies for costs of servicing securities deposited, 1966-68, p 594.

## 731.704 to 731.724

ATTY. GEN. OPINIONS: Interpretation of statutes regulating annuity agreements made by educational institutions, 1960-62, p 180; authority of mass transit district to tax, (1970) Vol 34, p 1066.

## 731.804

CASE CITATIONS: *City of Beaverton v. Harris*, (1970) 3 Or App 541, 474 P2d 771.

## 731.816

## NOTES OF DECISIONS

Under former similar statute, the loading factor of the premium charged to the insured for making payments by instalments was a part of gross premium and subject to tax. *State Ins. Commr. v. Allstate Ins. Co.*, (1960) 221 Or 371, 351 P2d 433.

ATTY. GEN. OPINIONS: Liability for tax on premiums received by one company and ceded in part to another for reinsurance, 1924-26, pp 539, 559; liability of surety on bond for delinquent taxes of foreign insurance company, 1926-1928, p 197; whether tax on alien company violated treaty rights, 1930-32, p 171; tax on consideration paid for annuity contracts, 1930-32, p 700; tax liability of foreign company in hands of receiver, 1930-32, p 814; tax liability of insurance company purchasing assets of dissolved insurance company, 1936-38, p 388; whether cash surrender values are

return premiums, 1938-40, p 694; fee for privilege of paying premium in instalments, 1956-58, p 40; validity of gross premium tax on premiums of foreign corporations not authorized to do business in Oregon, 1960-62, p 131; application of General Insurance Law to a foreign corporation doing a hospital association business, 1960-62, p 215; test used in applying section, 1960-62, p 346; crediting rating bureau fees in applying retaliatory tax, 1960-62, p 449; limitation on collection of gross premium tax, 1964-66, p 28; authority of mass transit district to tax, (1970) Vol 34, p 1066.

**731.820**

ATTY. GEN. OPINIONS: Duty of commissioner to collect gross premium tax due on unreported instalment premium income, 1964-66, p 28.

**731.832**

ATTY. GEN. OPINIONS: Imposition of retaliatory tax when insurer pays assessments, 1966-68, p 392.

LAW REVIEW CITATIONS: 45 OLR 52.

**731.840****NOTES OF DECISIONS****1. Under former similar statute**

City ordinances which charged fees for the licensing of insurance agents were nullified by the former statute. *Lovejoy v. Portland*, (1920) 95 Or 459, 188 P 207.

The nature of the annual license fee exacted from insurance companies was the same as the annual corporation license fee. *Title & Trust Co. v. Wharton*, (1941) 166 Or 612, 114 P2d 140.

FURTHER CITATIONS: *Lyons v. Portland* (1925) 115 Or 533, 235 P 691; *Horner's Market v. Tri-County Metropolitan Trans. Dist.*, (1970) 2 Or App 288, 467 P2d 671, Sup Ct review denied (with opinion), 256 Or 124, 471 P2d 798.

ATTY. GEN. OPINIONS: Liability of insurance companies for motor vehicle license fees, 1922-24, p 357; fee for filing powers of attorney, 1924-26, p 627; liability of foreign companies for general taxes upon real estate, furnishings, etc., 1926-28, p 555; city licenses for insurance agents, 1958-60, p 77; Green River Ordinance restrictions on licensed insurance agents, 1958-60, p 77; authority of mass transit district to tax, (1970) Vol 34, p 1066.

**731.854**

ATTY. GEN. OPINIONS: Construing retaliatory tax when Oregon insurance company is not present in foreign insurer's home state, 1958-60, p 363; use of scheduled premium tax formula of foreign state in retaliatory tax calculation, 1960-62, p 80; retaliatory taxes collected prior to 1958, 1960-62, p 263; crediting rating bureau fees in applying retaliatory tax, 1960-62, p 449; imposition of tax when insurer pays employer's assessments under Workmen's Compensation Act, 1966-68, p 392.

**731.988**

ATTY. GEN. OPINIONS: Insured's right to appeal to commissioner question of application of fire insurance rating schedule, 1964-66, p 169.

**731.992**

CASE CITATIONS: *Ocean Acc. & Guar. Corp. v. Albina Marine Iron Works*, (1927) 122 Or 615, 260 P 229; *Hall v. Metropolitan Life Ins. Co.*, (1934) 146 Or 32, 28 P2d 875; *Baker v. Federal Crop Ins. Corp.*, (1965) 241 Or 609, 407 P2d 841.

ATTY. GEN. OPINIONS: Whether advertising in newspaper by insurance organization not authorized to do business in this state was prohibited, 1928-30, p 31; misstatement by a mortgagor in claim against insurance company as perjury within the statute, 1930-32, p 96; misrepresenting policy, 1962-64, p 427.