

the account. In the event an assessment against a member insurer is reduced because of this limitation, the amount by which such assessment is reduced shall be assessed against the other member insurers in a manner consistent with the basis for assessments set forth in this section. If the maximum assessments in any [one] 1 calendar year against all insurers, together with the other assets of the [Association] CORPORATION in any account, are insufficient to provide in such account the amount necessary to carry out the responsibilities of the [Association] CORPORATION, the necessary additional funds shall be assessed against the member insurers as soon thereafter as [permitted by] this subtitle PERMITS.

(6) The board may, by an equitable method as established in the plan of operation, refund to member insurers, in proportion to the contribution of each insurer to that account, the amount by which the assets of the account exceed the amount the board finds is necessary to carry out during the coming year the obligations of the [Association] CORPORATION with regard to that amount, including assets accruing from net realized gains and income from investments, provided such refund is approved by the Commissioner. A reasonable amount may be retained in any account to provide funds for the continuing expenses of the [Association] CORPORATION and for future losses if refunds are impractical.

(7) It shall be proper for any member insurer, in determining its premium rates and policyowner dividends as to any kind of insurance within the scope of this subtitle, to consider the amount reasonably necessary to meet its assessment obligations under this subtitle.

(8) The [Association] CORPORATION shall issue to each insurer paying an assessment under this subtitle a certificate of contribution, in a form prescribed by the Commissioner, for the amount so paid. All outstanding certificates shall be of equal dignity and priority without reference to amounts or dates of issue. A certificate of contribution may be shown by the insurer in its financial statement as an asset in such form and for such amount, if any, and period of time as the Commissioner may approve.

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(1) (a) The [Association] CORPORATION shall submit to the Commissioner a plan of operation and any amendments thereto necessary or suitable to assure the fair, reasonable, and equitable administration of the [Association] CORPORATION. The plan of operation and any amendments thereto shall become effective upon approval in writing by the Commissioner.

(b) If the [Association] CORPORATION fails to submit a suitable plan of operation within 180 days following [July 1, 1971] JULY 1, 1989, or if at any time thereafter the