

used for the ~~((sole))~~ purpose of funding the examinations authorized in subsection (1) of this section, the costs of promulgating rules, and the costs of enforcing the provisions of this chapter; and shall be accounted for jointly with fees from health care service contractors but separately from insurers. Assessment receipts received from health maintenance organizations shall be used to pay a pro rata share of the costs, including overhead, of regulating health care service contractors and health maintenance organizations. Amounts remaining in the separate account at the end of a biennium shall be applied to reduce the assessments in the succeeding biennium.

Passed the Senate February 25, 1987.

Passed the House April 8, 1987.

Approved by the Governor April 17, 1987.

Filed in Office of Secretary of State April 17, 1987.

CHAPTER 84

[Substitute Senate Bill No. 5830]

ORGAN, TISSUE, AND BONE TRANSPLANTS—EXEMPTING FROM IMPLIED WARRANTY COVERAGE OF THE UNIFORM COMMERCIAL CODE

AN ACT Relating to organ transplants; and amending RCW 70.54.120.

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

Sec. 1. Section 1, chapter 56, Laws of 1971 as amended by section 1, chapter 321, Laws of 1985 and RCW 70.54.120 are each amended to read as follows:

The procurement, processing, storage, distribution, administration, or use of whole blood, plasma, blood products and blood derivatives for the purpose of injecting or transfusing the same, or any of them, or of tissues, organs, or bones for the purpose of transplanting them, or any of them, into the human body is declared to be, for all purposes whatsoever, the rendition of a service by each and every person, firm, or corporation participating therein, and is declared not to be covered by any implied warranty under the Uniform Commercial Code, Title 62A RCW, or otherwise, and no civil liability shall be incurred as a result of any of such acts, except in the case of wilful or negligent conduct: PROVIDED, HOWEVER, That this section shall apply only to liability alleged in the contraction of hepatitis, malaria, and acquired immune deficiency disease and shall not apply to any transaction in which the ~~((blood))~~ donor receives compensation: PROVIDED FURTHER, That this section shall only apply where the person, firm or corporation rendering the above service shall have maintained records of donor suitability and donor identification ~~((similar to those specified in sections 73.301 and 73.302(c) as now written or hereafter amended in Title 42, Public Health Service Regulations adopted pursuant to the Public Health Service Act, 42 U.S.C. 262))~~: PROVIDED FURTHER, That nothing in

this section shall be considered by the courts in determining or applying the law to any blood transfusion occurring before June 10, 1971 and the court shall decide such case as though this section had not been passed.

Passed the Senate March 19, 1987.

Passed the House April 1, 1987.

Approved by the Governor April 17, 1987.

Filed in Office of Secretary of State April 17, 1987.

CHAPTER 85

[Senate Bill No. 6065]

COLLECTION AGENCIES—RECORD RETENTION PERIOD REVISED

AN ACT Relating to the preservation of records of collection agencies; and amending RCW 19.16.230.

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

Sec. 1. Section 14, chapter 253, Laws of 1971 ex. sess. as amended by section 3, chapter 20, Laws of 1973 1st ex. sess. and RCW 19.16.230 are each amended to read as follows:

(1) Every licensee required to keep and maintain records pursuant to this section shall establish and maintain a regular active business office in the state of Washington for the purpose of conducting his or its collection agency business. Said office must be open to the public during reasonable stated business hours, and must be managed by a resident of the state of Washington.

(2) Every licensee shall keep a record of all sums collected by him or it and all disbursements made by him or it. All such records shall be kept at the business office referred to in subsection (1) of this section.

(3) Licensees shall maintain and preserve accounting records of collections and payments to customers for a period of (~~six~~) four years from the date of the last entry thereon.

Passed the Senate March 20, 1987.

Passed the House April 9, 1987.

Approved by the Governor April 17, 1987.

Filed in Office of Secretary of State April 17, 1987.

CHAPTER 86

[Substitute House Bill No. 385]

RADIOACTIVE WASTES—ADDITIONAL PORTS OF ENTRY FOR HIGHWAY TRANSPORTATION

AN ACT Relating to legislative approval of additional ports of entry for land transportation of radioactive waste; adding a new section to chapter 46.48 RCW; and declaring an emergency.