

**NEW SECTION.** Sec. 14. The following acts or parts of acts are each repealed:

(1) Section 4, chapter 142, Laws of 1965 ex. sess., section 5, chapter 152, Laws of 1969 ex. sess., section 2, chapter 122, Laws of 1975-'76 2nd ex. sess. and RCW 41.60.040;

(2) Section 6, chapter 142, Laws of 1965 ex. sess., section 7, chapter 152, Laws of 1969 ex. sess. and RCW 41.60.060; and

(3) Section 8, chapter 152, Laws of 1969 ex. sess., section 4, chapter 122, Laws of 1975-'76 2nd ex. sess. and RCW 41.60.070.

**NEW SECTION.** Sec. 15. There is added to chapter 43.131 RCW a new section to read as follows:

Chapter 41.60 RCW as now existing or hereafter amended shall terminate on June 30, 1987.

**NEW SECTION.** Sec. 16. RCW 41.60.900 and 41.60.905 are each decodified.

**NEW SECTION.** Sec. 17. There is appropriated from the department of personnel service fund to the department of personnel for the fiscal year ending June 30, 1983, the sum of fifty thousand dollars, or so much thereof as may be necessary, for the operations of the productivity board. Funds expended under this section shall not exceed the revenue to the department of personnel service fund under sections 4 and 9 of this act.

**NEW SECTION.** Sec. 18. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION.** Sec. 19. Sections 1 through 5 of this act are each added to chapter 41.60 RCW.

Passed the House March 9, 1982.

Passed the Senate March 3, 1982.

Approved by the Governor April 1, 1982.

Filed in Office of Secretary of State April 1, 1982.

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## CHAPTER 168

[Substitute House Bill No. 824]

### HEALTH CARE INSURANCE BENEFITS—PAYMENT

AN ACT Relating to payment of health care insurance benefits; and adding a new section to chapter 48.44 RCW.

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

**NEW SECTION.** Section. 1. There is added to chapter 48.44 RCW a new section to read as follows:

Checks in payment for claims pursuant to any health care service contract for health care services provided by persons licensed or regulated under chapters 18.22, 18.25, 18.29, 18.32 or 18.53 RCW, where the provider is not a participant under a contract with the health care service contractor, shall be made out to both the provider and the insured, jointly, to require endorsement by each: PROVIDED, That payment shall be made in the single name of the insured if the insured as part of his or her claim furnishes evidence of prepayment to the health care service provider: AND PROVIDED FURTHER, That nothing in this act shall preclude a health care service contractor from voluntarily issuing payment in the single name of the provider.

Passed the House March 7, 1982.

Passed the Senate March 4, 1982.

Approved by the Governor April 1, 1982.

Filed in Office of Secretary of State April 1, 1982.

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## CHAPTER 169

[House Bill No. 752]

### MOTOR FREIGHT CARRIERS—MULTIPLE TAXATION

AN ACT Relating to municipal business and occupation taxes upon motor carriers of freight for hire; adding new sections to chapter 35.21 RCW; and creating a new section.

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

NEW SECTION. Section 1. There is added to chapter 35.21 RCW a new section to read as follows:

The following principles shall allocate gross receipts of a motor carrier of freight for hire (called the "motor carrier" in this section) to prevent multiple taxation by two or more municipalities. They shall apply when two or more municipalities in this state impose a license fee or tax for the act or privilege of engaging in business activities; each municipality has a basis in local activity for imposing its tax; and the gross receipts measured by all taxing municipalities, added together, exceed the motor carrier's gross receipts.

(1) No municipality shall be entitled to an allocation of the gross receipts of a motor carrier on account of the use of its streets or highways when no pick-up or delivery occurs therein.

(2) Gross receipts of a motor carrier derived within a municipality, where it solicits orders and engages in business activities that are a significant factor in holding the market but where it maintains no office or terminal, shall be allocated equally between the municipality providing the local market and the municipality where the motor carrier's office or terminal is located. Where no such local solicitation and business activity occurs, all the