

late deposit of contributions. Delinquent contributions, interest and penalties may be recovered by civil action or may, at the request of the governor, be deducted from any other moneys payable to the political subdivision by any department or agency of the state.

Passed the Senate March 30, 1981.

Passed the House April 17, 1981.

Approved by the Governor May 8, 1981.

Filed in Office of Secretary of State May 8, 1981.

CHAPTER 120

[Substitute Senate Bill No. 3857]

FAMILY PLANNING CLINICS—DISPENSING OF ORAL CONTRACEPTIVES

AN ACT Relating to legend drugs; and amending section 3, chapter 186, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 139, Laws of 1979 ex. sess. and RCW 69.41.030.

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

Section 1. Section 3, chapter 186, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 139, Laws of 1979 ex. sess. and RCW 69.41.030 are each amended to read as follows:

It shall be unlawful for any person to sell, deliver, or possess any legend drug except upon the order or prescription of a physician under chapter 18.71 RCW, an osteopathic physician or an osteopathic physician and surgeon under chapter 18.57 RCW, a dentist under chapter 18.32 RCW, a podiatrist under chapter 18.22 RCW, a veterinarian under chapter 18.92 RCW, a commissioned medical or dental officer in the United States armed forces, marine hospital service, or public health service in the discharge of his official duties, a duly licensed physician or dentist employed by the veterans administration in the discharge of his official duties, a registered nurse under chapter 18.88 RCW when authorized by the board of nursing, an osteopathic physician's assistant under chapter 18.57A RCW when authorized by the committee of osteopathic examiners, a physician's assistant under chapter 18.71A RCW when authorized by the board of medical examiners, or a physician licensed to practice medicine and surgery or a physician licensed to practice osteopathy and surgery in any state or province of Canada which shares a common border with the state of Washington: **PROVIDED, HOWEVER,** That the above provisions shall not apply to sale, delivery, or possession by drug wholesalers or drug manufacturers, or their agents or employees, or to any practitioner acting within the scope of his license, or to a common or contract carrier or warehouseman, or any employee thereof, whose possession of any legend drug is in the usual course of business or employment: **PROVIDED FURTHER,** That nothing in this chapter or chapter 18.64 RCW shall prevent a family planning clinic that is

under contract with the department of social and health services from selling, delivering, possessing, and dispensing commercially prepackaged oral contraceptives prescribed by authorized, licensed health care practitioners.

Passed the Senate April 1, 1981.

Passed the House April 16, 1981.

Approved by the Governor May 8, 1981.

Filed in Office of Secretary of State May 8, 1981.

CHAPTER 121

[Senate Bill No. 3886]

HEALTH CARE FACILITIES AUTHORITY—BONDS, INTEREST RATE, SALE PRICE, EXECUTION—EXECUTIVE DIRECTOR

AN ACT Relating to the Washington health care facilities authority; amending section 5, chapter 147, Laws of 1974 ex. sess. and RCW 70.37.050; amending section 10, chapter 147, Laws of 1974 ex. sess. and RCW 70.37.100; and declaring an emergency.

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

Section 1. Section 5, chapter 147, Laws of 1974 ex. sess. and RCW 70.37.050 are each amended to read as follows:

The authority shall establish rules concerning its exercise of the powers authorized by this chapter. The authority shall receive from applicants requests for the providing of bonds for financing of health care facilities and shall investigate and determine the need and the feasibility of providing such bonds. ~~((In cooperation with the participant the authority shall work out and specify a project plan or system and the agreements and contracts to be entered into in order to carry out the purposes and policies of this chapter including contracts with respect to construction, financing, maintenance, operation, or management.))~~ Whenever the authority deems it necessary or advisable for the benefit of the public health to provide financing for a health care facility, it shall adopt a system and plan therefor and shall declare the estimated cost thereof, as near as may be, including as part of such cost funds necessary for the expenses incurred in the financing as well as in the construction or purchase or other acquisition or in connection with the rental or other payment for the use thereof, interest during construction, reserve funds and any funds necessary for initial start-up costs, and shall issue and sell its bonds for the purposes of the proposed plan or system: PROVIDED, That if a certificate of need is required for the proposed project no such plan and system shall be adopted until such certificate has been issued pursuant to chapter 70.38 RCW by the secretary of the department of social and health services. The authority shall have power as a part of such system or plan to create a special fund or funds for the purpose of defraying the cost of such project and for other projects of the same participant subsequently or at the same time approved by it and for their maintenance, improvement, reconstruction, remodeling and rehabilitation, into