

movement does not exceed five hundred feet and the vehicle is equipped with wheels or pads which will not damage the roadway surface.

Exclusions:

"Special highway construction equipment" does not include any of the following:

Dump trucks originally designed to comply with the legal size and weight provisions of this code notwithstanding any subsequent modification which would require a permit, as specified in RCW 46.44.090, to operate such vehicles on a public highway, including trailers, truck-mounted transit mixers, cranes and shovels, or other vehicles designed for the transportation of persons or property to which machinery has been attached.

Passed the House March 9, 1973.

Passed the Senate April 3, 1973.

Approved by the Governor April 10, 1973.

Filed in Office of Secretary of State April 10, 1973.

CHAPTER 18

[Substitute House Bill No. 351]

PHARMACY BOARD--COMPOSITION--POWERS

AN ACT Relating to businesses and professions; increasing and reconstituting the membership of the state board of pharmacy; amending section 1, chapter 98, Laws of 1935 as amended by section 16, chapter 38, Laws of 1963 and RCW 18.64.001; and amending section 3, chapter 98, Laws of 1935 as amended by section 18, chapter 38, Laws of 1963 and RCW 18.64.005.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 1, chapter 98, Laws of 1935 as amended by section 16, chapter 38, Laws of 1963 and RCW 18.64.001 are each amended to read as follows:

There shall be a state board of pharmacy consisting of ~~((three))~~ five members, to be appointed by the governor by and with the advice and consent of the senate. Four of the members shall be designated as pharmacist members and one of the members shall be designated a public member.

Each pharmacist member shall be a citizen of the United States and a resident of this state, and at the time of his appointment shall have been a duly registered pharmacist under the laws of this state for a period of at least five consecutive years immediately preceding his appointment and shall at all times during his incumbency continue to be a duly licensed pharmacist: PROVIDED, That

subject to the availability of qualified candidates the governor shall appoint pharmacist members representative of the areas of practice and geographically representative of the state of Washington.

The public member shall be a citizen of the United States and a resident of this state. The public member shall be appointed from the public at large, but shall not be affiliated with any aspect of pharmacy.

Members of the board shall hold office for a term of four years, and the terms shall be staggered so that the terms of office of not more than two members will expire simultaneously on the third Monday in January of each year.

No person who has been appointed to and served for two four year terms shall be eligible for appointment to the board.

Each member shall qualify by taking the usual oath of a state officer, which shall be filed with the secretary of state, and each member shall hold office for the term of his appointment and until his successor is appointed and qualified.

Each member shall be subject to removal at the pleasure of the governor, but no such removal shall be made by the governor unless he furnishes the member with a letter setting forth his reasons for the removal, and files a copy thereof with the secretary of state where it shall remain subject to public inspection.

In case of the resignation or disqualification of a member, or a vacancy occurring from any cause, the governor shall appoint a successor for the unexpired term.

Sec. 2. Section 3, chapter 98, Laws of 1935 as amended by section 18, chapter 38, Laws of 1963 and RCW 18.64.005 are each amended to read as follows:

The board shall:

- (1) Regulate the practice of pharmacy, and administer all laws placed under its jurisdiction;
- (2) Prepare, grade and administer or determine the nature of and supervise the grading and administration of examinations for applicants for pharmacists' licenses; PROVIDED, That this power and duty shall be limited to the four pharmacist members of the board;
- (3) Examine, inspect and investigate all applicants for registration as pharmacists or pharmacy interns and to grant certificates of registration to all applicants whom it shall judge to be properly qualified; PROVIDED, That this power and duty shall be limited to the four pharmacist members of the board;
- (4) Employ an executive officer, inspectors, chemists and other agents to assist it for any purpose which it may deem necessary;
- (5) Investigate violations of the provisions of law or

regulations under its jurisdiction, and to cause prosecutions to be instituted in the courts upon advice from the attorney general;

(6) Make inspections of all pharmacies and other places including dispensing machines in which drugs or devices are stored, held, compounded, dispensed or sold to the ultimate consumer, to take and analyze any drugs or devices and to seize and condemn any drugs or devices which are adulterated, misbranded or stored, held, dispensed, distributed or compounded in violation or contrary to law;

(7) Have the power to conduct hearings for the revocation or suspension of licenses, permits or registrations and/or to appoint a hearing officer to conduct such hearings;

(8) Assist the regularly constituted enforcement agencies of this state in enforcing all laws pertaining to drugs, narcotics, and practice of pharmacy;

(9) Regulate the distribution of drugs, nostrums, and the practice of pharmacy for the protection and promotion of the public health, safety and welfare by promulgating rules and regulations. Violation of any such rules shall constitute grounds for refusal, suspension or revocation of licenses to practice pharmacy.

Passed the House April 2, 1973.

Passed the Senate March 30, 1973.

Approved by the Governor April 10, 1973.

Filed in Office of Secretary of State April 10, 1973.

CHAPTER 19

[House Bill No. 460]

MUNICIPAL FIREMEN'S PENSION BOARDS--MAYOR'S REPRESENTATIVE

AN ACT Relating to municipal firemen's pension boards; and amending section 2, chapter 91, Laws of 1947 as amended by section 10, chapter 255, Laws of 1961 and RCW 41.16.020.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 2, chapter 91, Laws of 1947 as amended by section 10, chapter 255, Laws of 1961 and RCW 41.16.020 are each amended to read as follows:

There is hereby created in each city and town a municipal firemen's pension board to consist of the following five members, ex officio, the mayor, or in a city of the first class, the mayor or his designated representative who shall be an elected official of the city, who shall be chairman of the board, the city comptroller or clerk, the chairman of finance of the city council, or if there is no chairman of finance, the city treasurer, and in addition, two regularly employed firemen elected by secret ballot of the firemen.