

the last calendar year in which the vessel was legally eligible for licenses if the vessel's licenses were suspended or revoked during the calendar year or years previous to the year for which the licenses are being sought(~~(-PROVIDED, HOWEVER, That)~~).

(2) The director may waive the landing requirement of subsection (1)(c) of this section if (a) the vessel to which an otherwise valid license is transferred has not had the opportunity to have caught and landed salmon and (b) the intent of the commercial salmon vessel limitation program established under this section is not violated.

Nothing ((herein)) in this section shall be construed to be contrary to the provisions of Title 75 RCW or any regulation promulgated thereunder.

All such licenses or vessel delivery permits shall be transferable.

NEW SECTION. Sec. 2. Section 12, chapter 184, Laws of 1974 ex. sess. and section 8, chapter 106, Laws of 1977 ex. sess. (uncodified) are each repealed.

Passed the House February 19, 1979.

Passed the Senate March 2, 1979.

Approved by the Governor March 27, 1979.

Filed in Office of Secretary of State March 27, 1979.

CHAPTER 136

[Substitute House Bill No. 259]

CONTROLLED SUBSTANCES THERAPEUTIC RESEARCH ACT

AN ACT Relating to health; providing for the limited use of controlled substances for therapeutic research purposes; creating a new chapter in Title 69 RCW; and declaring an emergency.

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

NEW SECTION. Section 1. Sections 1 through 8 of this act may be cited as the Controlled Substances Therapeutic Research Act.

NEW SECTION. Sec. 2. The legislature finds that recent research has shown that the use of marijuana may alleviate the nausea and ill effects of cancer chemotherapy and radiology, and, additionally, may alleviate the ill effects of glaucoma. The legislature further finds that there is a need for further research and experimentation regarding the use of marijuana under strictly controlled circumstances. It is for this purpose that the Controlled Substances Therapeutic Research Act is hereby enacted.

NEW SECTION. Sec. 3. As used in this chapter:

(1) "Board" means the state board of pharmacy;

(2) "Marijuana" means all parts of the plant of the genus *Cannabis* L., whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin; and

(3) "Practitioner" means a physician licensed pursuant to chapter 18.71 or 18.57 RCW.

NEW SECTION. Sec. 4. (1) There is established in the board the controlled substances therapeutic research program. The program shall be administered by the board. The board shall promulgate rules necessary for the proper administration of the Controlled Substances Therapeutic Research Act. In such promulgation, the board shall take into consideration those pertinent rules promulgated by the United States drug enforcement agency, the food and drug administration, and the national institute on drug abuse.

(2) Except as provided in section 5(4) of this 1979 act, the controlled substances therapeutic research program shall be limited to cancer chemotherapy and radiology patients and glaucoma patients, who are certified to the patient qualification review committee by a practitioner as being involved in a life-threatening or sense-threatening situation: PROVIDED, That no patient may be admitted to the controlled substances therapeutic research program without full disclosure by the practitioner of the experimental nature of this program and of the possible risks and side effects of the proposed treatment in accordance with the informed consent provisions of chapter 7.70 RCW.

(3) The board shall provide by rule for a program of registration of bona fide controlled substance therapeutic research projects.

NEW SECTION. Sec. 5. (1) The board shall appoint a patient qualification review committee to serve at its pleasure. The patient qualification review committee shall be comprised of:

(a) A physician licensed to practice medicine in Washington state and specializing in the practice of ophthalmology;

(b) A physician licensed to practice medicine in Washington state and specializing in the subspecialty of medical oncology;

(c) A physician licensed to practice medicine in Washington state and specializing in the practice of psychiatry; and

(d) A physician licensed to practice medicine in Washington state and specializing in the practice of radiology.

Members of the committee shall be compensated at the rate of fifty dollars per day for each day spent in the performance of their official duties, and shall receive reimbursement for their travel expenses as provided in RCW 43.03.050 and 43.03.060.

(2) The patient qualification review committee shall review all applicants for the controlled substance therapeutic research program and their licensed practitioners and certify their participation in the program.

(3) The patient qualification review committee and the board shall insure that the privacy of individuals who participate in the controlled substance therapeutic research program is protected by withholding from all persons not connected with the conduct of the research the names and other identifying characteristics of such individuals. Persons authorized to engage

in research under the controlled substance therapeutic research program may not be compelled in any civil, criminal, administrative, legislative, or other proceeding to identify the individuals who are the subjects of research for which the authorization was granted, except to the extent necessary to permit the board to determine whether the research is being conducted in accordance with the authorization.

(4) The patient qualification review committee may include other disease groups for participation in the controlled substances therapeutic research program after pertinent medical data have been presented by a practitioner to both the committee and the board, and after approval for such participation has been granted pursuant to pertinent rules promulgated by the United States drug enforcement agency, the food and drug administration, and the national institute on drug abuse.

NEW SECTION. Sec. 6. (1) The board shall obtain marijuana through whatever means it deems most appropriate and consistent with regulations promulgated by the United States food and drug administration, the drug enforcement agency, and the national institute on drug abuse, and pursuant to the provisions of this chapter.

(2) The board may use marijuana which has been confiscated by local or state law enforcement agencies and has been determined to be free from contamination.

(3) The board shall distribute the analyzed marijuana to approved practitioners and/or institutions in accordance with rules promulgated by the board.

NEW SECTION. Sec. 7. The board, in conjunction with the patient qualification review committee, shall report its findings and recommendations to the governor and the forty-seventh legislature regarding the effectiveness of the controlled substances therapeutic research program.

NEW SECTION. Sec. 8. (1) The enumeration of tetrahydrocannabinols, or a chemical derivative of tetrahydrocannabinols in RCW 69.50.204 as a Schedule I controlled substance does not apply to the use of cannabis, tetrahydrocannabinols, or a chemical derivative of tetrahydrocannabinols by certified patients pursuant to the provisions of this chapter.

(2) Cannabis, tetrahydrocannabinols, or a chemical derivative of tetrahydrocannabinols shall be considered Schedule II substances as enumerated in RCW 69.50.206 only for the purposes enumerated in this chapter.

NEW SECTION. Sec. 9. Sections 1 through 8 of this act constitute a new chapter in Title 69 RCW.

NEW SECTION. Sec. 10. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state

government and its existing public institutions, and shall take effect immediately.

Passed the House March 7, 1979.

Passed the Senate March 2, 1979.

Approved by the Governor March 27, 1979.

Filed in Office of Secretary of State March 27, 1979.

CHAPTER 137

[House Bill No. 365]

SATELLITE BANKING FACILITIES—CREDIT UNIONS

AN ACT Relating to satellite facilities of certain financial institutions; amending section 1, chapter 166, Laws of 1974 ex. sess and RCW 30.43.010; amending section 3, chapter 166, Laws of 1974 ex. sess. and RCW 30.43.030; amending section 4, chapter 166, Laws of 1974 ex. sess. and RCW 30.43.040; amending section 5, chapter 166, Laws of 1974 ex. sess. and RCW 30.43.050; and creating a new section.

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

Section 1. Section 1, chapter 166, Laws of 1974 ex. sess and RCW 30.43.010 are each amended to read as follows:

As used in this chapter the term "financial institution" means any bank or trust company established in this state pursuant to Title 12, United States Code, chapter 2, or Title 30 RCW, any mutual savings bank established in this state pursuant to Title 32 RCW, ~~((and))~~ any savings and loan association established in this state pursuant to Title 12, United States Code, chapter 12, or Title 33 RCW, and any credit union established in this state pursuant to Title 12, United States Code, chapter 14 or chapters 31.12 and 31.13 RCW.

As used in this chapter, the term "supervisor" means, if applicable to banks, trust companies, or mutual savings banks, the supervisor of banking and, if applicable to savings and loan associations and credit unions, the supervisor of savings and loan associations, or the National Credit Union Administration in the case of federally chartered credit unions. As used in this chapter, the term "satellite facility" means an unmanned facility at which transactions, including, but not being limited to account transfers, payments, and instructions for deposits and withdrawals may be conducted and which is not a part of a branch or main office of the financial institution: PROVIDED, That such a facility shall not be construed to be the establishment of a branch: PROVIDED FURTHER, That in considering any application for authority to open a new branch or to establish a new financial institution, the supervisor shall disregard the existence of facilities established pursuant to this chapter in determining whether there is reasonable promise of adequate support for the new branch or proposed new financial institution.