

SSB 5947 - S AMD 197

By Senator Kohl-Welles

1       Strike everything after the enacting clause and insert the  
2 following:

3       "NEW SECTION.   **Sec. 1.** (1) A task force to review the  
4 implementation of chapter 2, Laws of 1999 is created.

5       (2) The task force shall consist of one representative from each of  
6 the following groups: The office of the lieutenant governor; county  
7 prosecuting attorneys; physicians licensed under chapter 18.71 RCW; the  
8 department of health; the superior court judges; the attorney general;  
9 the association of sheriffs and police chiefs; the Washington state bar  
10 association (which will appoint an attorney having extensive experience  
11 in the area of criminal defense and representation of clients whose  
12 legal history includes interaction with law enforcement agencies on the  
13 matter of medicinal marijuana use); a nonprofit organization with an  
14 expertise in the laws and policies regarding the use of medicinal  
15 marijuana; patients who lawfully use marijuana for medicinal purposes;  
16 and an organization representing police officers and deputy sheriffs.  
17 The person using marijuana for medical purposes and the representative  
18 of a nonprofit organization shall each be appointed by the secretary of  
19 the department of health. The first meeting of the task force shall be  
20 convened by the secretary of the department of health.

21       (3) The task force shall review the history of the implementation  
22 of chapter 2, Laws of 1999, to determine if further statutory or  
23 administrative clarification is needed. In its review, the task force  
24 shall examine issues of patient and physician utilization rates and  
25 concerns, prosecution and law enforcement difficulties and needs,  
26 relevant case law changes, statutory and administrative barriers to  
27 full implementation of the act, and any concerns raised by the  
28 applicable federal statutes. The task force shall make appropriate

1 findings and recommendations, but is not required to produce a formal  
2 report.

3 (4) The first meeting of the task force shall be convened by the  
4 department of health not later than July 15, 2003. The task force  
5 shall present its findings and recommendations to the governor, the  
6 legislature, and its membership not later than December 1, 2003.

7 (5) The members of the task force shall serve without compensation.

8 NEW SECTION. **Sec. 2.** The attorney general is requested to file,  
9 in the federal district court for the district of western Washington,  
10 a motion for declaratory judgment for the purpose of determining what  
11 advice physicians may provide patients regarding the use of medicinal  
12 marijuana under Washington state laws, consistent with the federal  
13 uniform controlled substances act as determined by the case of *Conant*  
14 *v. Walters*, 309 F.3rd 629 (9th Cir. 2002)."

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15 On page 1, line 1 of the title, after "marijuana;" strike the  
16 remainder of the title and insert "and creating new sections."

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