

at the earliest time permitted by law on all property located in the district a general tax for one year, in excess of the limitations provided by law, ((of)) in the amount specified in the petition to create the district, not to exceed one dollar and twenty-five cents per thousand dollars of assessed value, for general preliminary expenses of the district, said proposition to be expressed on the ballots in the following terms:

- One year ((one dollar and twenty-five cents)) dollars and cents per thousand dollars of assessed value tax YES
- One year ((one dollar and twenty-five cents)) dollars and cents per thousand dollars of assessed value tax NO

Such proposition to be effective must be approved by a majority of at least three-fifths of the electors thereof voting on the proposition in the manner set forth in Article VII, section 2(a) of the Constitution of this state, as amended by Amendment 59 and as thereafter amended.

Passed the Senate January 27, 1987.
Passed the House April 2, 1987.
Approved by the Governor April 13, 1987.
Filed in Office of Secretary of State April 13, 1987.

CHAPTER 34
[Engrossed Senate Bill No. 5105]
POISONS REGULATED

AN ACT Relating to poisons; amending RCW 16.52.193; adding a new chapter to Title 69 RCW; and prescribing penalties.

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

NEW SECTION. Sec. 1. As used in this chapter "poison" means:

- (1) Arsenic and its preparations;
- (2) Cyanide and its preparations, including hydrocyanic acid;
- (3) Strychnine; and
- (4) Any other substance designated by the state board of pharmacy which, when introduced into the human body in quantities of sixty grains or less, causes violent sickness or death.

NEW SECTION. Sec. 2. All substances regulated under chapters 15-.58, 17.21, 69.04, 69.41, and 69.50 RCW, and chapter ____ (Engrossed Substitute House Bill No. 931), Laws of 1987 are exempt from the provisions of this chapter.

NEW SECTION. Sec. 3. It is unlawful for any person, either on the person's own behalf or while an employee of another, to sell any poison without first recording in ink in a "poison register" kept solely for this purpose the following information:

- (1) The date and hour of the sale;
- (2) The full name and home address of the purchaser;
- (3) The kind and quantity of poison sold; and
- (4) The purpose for which the poison is being purchased.

The purchaser shall present to the seller identification which contains the purchaser's photograph and signature. No sale may be made unless the seller is satisfied that the purchaser's representations are true and that the poison will be used for a lawful purpose. Both the purchaser and the seller shall sign the poison register entry.

NEW SECTION. Sec. 4. Every poison register shall be open for inspection by law enforcement and health officials at all times and shall be preserved for at least two years after the date of the last entry. Any person failing to maintain the poison register as required in this chapter is guilty of a misdemeanor.

NEW SECTION. Sec. 5. Any person making any false representation to a seller when purchasing a poison is guilty of a gross misdemeanor.

NEW SECTION. Sec. 6. The state board of pharmacy, after consulting with the department of licensing, shall require and provide for the annual licensure of every person now or hereafter engaged in manufacturing or selling poisons within this state. Upon a payment of a fee as set by the board, the board shall issue a license in such form as it may prescribe to such manufacturer or seller. Such license shall be displayed in a conspicuous place in such manufacturer's or seller's place of business for which it is issued.

Any person manufacturing or selling poison within this state without a license is guilty of a misdemeanor.

Sec. 7. Section 2, chapter 105, Laws of 1941 and RCW 16.52.193 are each amended to read as follows:

It shall be unlawful for any person other than a registered pharmacist to sell at retail or furnish to any person any strychnine: PROVIDED, That nothing herein shall prohibit county, state or federal agents, in the course of their duties, from furnishing strychnine to any person. Every such registered pharmacist selling or furnishing such strychnine shall, before delivering the same, ~~((make or cause to be made an entry in a book kept for that purpose, stating the name and address of the purchaser, the quantity of strychnine purchased, the purpose for which it is represented by the purchaser to be required, and the name of the dispenser, such book to be always open for inspection by the proper authorities, and to be preserved for at least five years after the last entry))~~ record the transaction as provided in section 3 of

this 1987 act. If any such registered pharmacist shall suspect that any person desiring to purchase strychnine intends to use the same for the purpose of poisoning unlawfully any domestic animal or domestic bird, he may refuse to sell to such person, but whether or not he makes such sale, he shall if he so suspects an intention to use the strychnine unlawfully, immediately notify the nearest peace officer, giving such officer a complete description of the person purchasing, or attempting to purchase, such strychnine.

NEW SECTION. Sec. 8. Sections 1 through 6 of this act shall constitute a new chapter in Title 69 RCW.

Passed the Senate April 7, 1987.

Passed the House April 1, 1987.

Approved by the Governor April 13, 1987.

Filed in Office of Secretary of State April 13, 1987.

CHAPTER 35

[Engrossed Substitute Senate Bill No. 5170]

NURSERY DEALER LICENSES AND FEES—ROOTSTOCK ANNUAL ASSESSMENT—FUNDS

AN ACT Relating to agricultural fees and assessments; and amending RCW 15.13.280, 15.13.310, and 15.13.470.

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

Sec. 1. Section 4, chapter 33, Laws of 1971 ex. sess. as last amended by section 4, chapter 36, Laws of 1985 and RCW 15.13.280 are each amended to read as follows:

(1) No person shall act as a nursery dealer without a license for each place of business where horticultural plants are sold except as provided in RCW 15.13.270. Any person applying for such a license shall apply through the master license system. The application shall be accompanied by ((the following annual licensing fee:)) a fee established by the director by rule. The director shall establish by rule, in accordance with chapter 34.04 RCW, a schedule of fees for retail nursery dealer licenses and a schedule of fees for wholesale nursery dealer licenses which shall be based upon the amount of a person's retail or wholesale sales of horticultural plants and turf. The schedule for retail licenses shall include, but shall not be limited to, separate fees for at least the following two categories: (a) A fee for a person whose gross business sales of such materials do not exceed two thousand five hundred dollars; and (b) a fee for a person whose gross business sales of such materials exceed two thousand five hundred dollars. ((a) Retail licenses:

(i) A twenty-five dollar license fee if gross business sales for horticultural plants and turf do not exceed two thousand five hundred dollars;