

shall be a fee of two dollars.

(15) Upon conviction or plea of guilty or upon failure to prosecute his appeal from a lower court as provided by law, a defendant in a criminal case shall be liable for a fee of (~~fifteen~~) twenty-five dollars.

(16) With the exception of demands for jury hereafter made and garnishments hereafter issued, civil actions and probate proceedings filed prior to midnight, (~~June 7, 1961~~) July 1, 1970, shall be completed and governed by the fee schedule in effect as of January 1, (~~1959~~) 1970: PROVIDED, That no fee shall be assessed if an order of dismissal on the clerk's record be filed as provided by rule of the supreme court.

Passed the Senate January 30, 1970

Passed the House February 6, 1970

Approved by the Governor February 20, 1970

Filed in Office of Secretary of State February 24, 1970

CHAPTER 33
[Senate Bill No. 101]
POISONS AND DANGEROUS DRUGS

AN ACT Relating to poisons and dangerous drugs; and adding new sections to chapter 50, Laws of 1905, and to chapter 69.40 RCW.
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. There is added to chapter 50, Laws of 1905 and to chapter 69.40 RCW a new section to read as follows:

In any complaint, information, or indictment, and in any action or proceeding brought for the enforcement of any provision of this chapter, it shall not be necessary to negative any exception, excuse, proviso, or exemption, contained in this chapter, and the burden of proof of such exception, excuse, proviso, or exemption, shall be upon the defendant.

NEW SECTION. Sec. 2. There is added to chapter 50, Laws of 1905, and to chapter 69.40 RCW a new section to read as follows:

A person to whom or for whose use any poison or dangerous drug has been prescribed, sold, or dispensed, by a physician, surgeon, dentist, or other person authorized under the provisions of RCW 69-

.40.060, may lawfully possess it only in the container in which it was delivered to him by the person selling or dispensing the same.

Passed the Senate January 29, 1970
Passed the House February 6, 1970
Approved by the Governor February 20, 1970
Filed in Office of Secretary of State February 24, 1970

CHAPTER 34
[Senate Bill No. 129]
STATE OFFICERS AND EMPLOYEES--PER DIEM

AN ACT Relating to state government; providing for per diem allowances for officers and employees; and amending section 43.03.050, chapter 8, Laws of 1965 as amended by section 1, chapter 77, Laws of 1965 ex. sess. and RCW 43.03.050.

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

Section 1. Section 43.03.050, chapter 8, Laws of 1965, as amended by section 1, chapter 77, Laws of 1965 ex. sess., and RCW 43.03.050 are each amended to read as follows:

The ~~((heads-of-all-state-departments-may))~~ director of the office of program planning and fiscal management shall prescribe for all state agencies per diem rates of allowance, not exceeding ~~((#if-teen))~~ twenty-five dollars in lieu of subsistence and lodging to elective and appointive officials and state employees while engaged on official business away from their designated posts of duty, but within the state of Washington, and not exceeding ~~((twenty-five))~~ thirty-five dollars per day while engaged on official business elsewhere. The director of the office of program planning and fiscal management may within the limits established herein prescribe and regulate the per diem rates to be allowed in lieu of subsistence and lodging expenses and may prescribe the conditions under which reimbursement for subsistence and lodging may be allowed.

Passed the Senate January 28, 1970
Passed the House February 6, 1970
Approved by the Governor February 20, 1970
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