

the tax commission and the materialmen and laborers filing claims.

Passed the House January 31, 1957.

Passed the Senate March 6, 1957.

Approved by the Governor March 13, 1957.

CHAPTER 92.

[H. B. 3.]

NUCLEAR ENERGY.

AN ACT relating to nuclear energy.

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

Declaration
of policy.

SECTION 1. (1) The state of Washington endorses the action of the Congress of the United States in enacting the Atomic Energy Act of 1954 to institute a program to encourage the widespread participation in the development and utilization of atomic energy for peaceful purposes to the maximum extent consistent with the common defense and security and with the health and safety of the public; and therefore declares the policy of the state to be:

(a) To cooperate actively in the program thus instituted; and

(b) To the extent that the regulation of special nuclear, byproduct, and radioactive materials, of production facilities and utilization facilities, and of other forms of radiation, and of persons operating such facilities may be within the jurisdiction of the state, to provide for the exercise of the state's regulatory authority so as to conform, as nearly as may be, to the Atomic Energy Act of 1954 and regulations issued thereunder, to the end that there may, in effect, be a single harmonious system of regulation within the state.

(2) The state of Washington recognizes that the production or utilization of atomic energy and other forms of radiation may result in new conditions calling for changes in the laws of the state and in regulations issued thereunder with respect to health and safety, working conditions, workmen's compensation, transportation, public utilities, life, health, accident, fire, and casualty insurance, the conservation of natural resources, including wildlife, and the protection of streams, rivers, and airspace from pollution, and therefore declares the policy of the state to be—

Declaration
of policy.

(1) To adapt its laws and regulations to meet the new conditions in ways that will encourage the healthy development of industries producing or utilizing atomic energy while at the same time protecting the public interest; and

(2) To initiate continuing studies of the need for changes in the relevant laws and regulations of the state by the respective departments and agencies of the state which are responsible for their administration; and

(3) To assure the coordination of the studies thus undertaken, particularly with other atomic industrial development activities of the state and with the development and regulatory activities of other states and of the government of the United States.

SEC. 2. As used in this act:

(1) "Atomic energy" means all forms of energy released in the course of nuclear fission or nuclear transformation.

Definitions.
"Atomic
energy."

(2) "Byproduct material" means any radioactive materials (except special nuclear materials) yielded in or made radioactive by exposure to the radiation incident to the process of producing or utilizing special nuclear materials.

"Byproduct
material."

"Production facility."

(3) "Production facility" means (a) any equipment or device capable of the production of special nuclear material in such quantity as to be of significance to the common defense and security, or in such manner as to affect the health and safety of the public; or (b) any important component part especially designed for such equipment or device.

"Special nuclear material."

(4) "Special nuclear material" means (a) plutonium and uranium enriched in the isotope 233 or in the isotope 235, and any other material which the governor declares by order to be special nuclear material after the United States Atomic Energy Commission has determined the material to be such; or (b) any material artificially enriched by any of the foregoing.

"Utilization facility."

(5) "Utilization facility" means (a) any equipment or device, except an atomic weapon, capable of making use of special nuclear materials in such quantity as to be of significance to the common defense and security, or in such manner as to affect the health and safety of the public, or peculiarly adapted for making use of atomic energy in such quantity as to be of significance to the common defense and security, or in such manner as to affect the health and safety of the public; or (b) any important component part especially designed for such equipment or device.

"Radiation."

(6) "Radiation" means gamma rays and x-rays, alpha and beta particles, highspeed electrons, neutrons, protons, and other nuclear particles; but not sound or radio waves, or visible, infrared, or ultraviolet light.

United States licenses or permits required.

SEC. 3. No person shall manufacture, construct, produce, transfer, acquire or possess any special nuclear material, byproduct material, production facility, or utilization facility, or act as an operator of a production or utilization facility wholly within this state unless he shall have first obtained a license

or permit for the activity in which he proposes to engage from the United States Atomic Energy Commission if, pursuant to the Atomic Energy Act of 1954, the commission requires a license or permit to be obtained by persons proposing to engage in such activities.

SEC. 4. Each of the following departments and agencies of the state is directed to initiate and to pursue continuing studies as to the need, if any, for changes in the laws and regulations administered by it that would arise from the presence within the state of special nuclear, byproduct, and radioactive materials, from the operation herein of production or utilization facilities, and from the generation of radiation, and, on the basis of such studies, to make such recommendations for the enactment of laws or amendments to law administered by it, and such proposals for amendments to the regulations issued by it, as may appear necessary and appropriate.

Studies by
state agencies
to revise laws
and rules.

(1) The department of health, particularly as to hazards, if any, to the public health and safety.

(2) The department of labor and industries, particularly as to hazardous working conditions, if any, and particularly as to the time and character of proof of claims of injuries and the extent of the compensation allowable therefor.

(3) The department of highways, particularly as to the transportation of special nuclear, byproduct, and radioactive materials on highways of the state.

(4) The public service commission, particularly as to the transportation of special nuclear, byproduct, and radioactive materials by common carriers not in interstate commerce and as to the participation by public utilities subject to its jurisdiction in projects looking to the development of production or utilization facilities for industrial or commercial use.

Studies by
state agencies
to revise laws
and rules.

(5) The insurance commission, particularly as to the insurance of persons and property from hazards to life and property resulting from atomic development.

(6) The department of conservation and development, the department of game, the department of fisheries, and the pollution control commission, particularly as to the hazards, if any, to the natural resources of the state, including wildlife, and as to the protection, if necessary, of rivers, streams, and airspace from pollution.

(7) Such other departments and agencies, as the governor may direct and for the purposes specified by him, and such other departments and agencies as may be provided by law.

Coordinator
of atomic
development
activities.

SEC. 5. The governor may appoint a person to serve as advisor to the governor with respect to atomic industrial development within the state; as coordinator of the development and regulatory activities of the state relating to atomic energy and other forms of radiation, including cooperation with other states and with the government of the United States. The person so appointed shall have the title of coordinator of atomic development activities.

Advisory
council on
atomic energy.

SEC. 6. The governor may also appoint an advisory council on atomic energy, consisting of five persons, who shall serve without compensation but who shall be reimbursed for their expenses incurred while attending sessions of the council or while engaged in other council business authorized by the council to the extent of fifteen dollars per day plus travel expense. The coordinator of atomic development activities shall serve as executive secretary to the advisory council.

Duties of
coordinator.

SEC. 7. The coordinator of atomic development activities shall have the duty of coordinating the studies, recommendations, and proposals of the sev-

eral departments and agencies of the state required by section 4 of this act with each other and also with the programs and activities of the department of industrial development. So far as may be practicable, he shall coordinate the studies conducted, and the recommendations and proposals made, in this state with like activities in other states and with the policies and regulations of the United States Atomic Energy Commission. In carrying out his duties, he shall proceed in close cooperation with the department of industrial development.

Duties of coordinator.

SEC. 8. The several departments and agencies of the state which are directed by section 4 of this act to initiate and pursue continuing studies are further directed to keep the coordinator of atomic development activities fully and currently informed as to their activities relating to atomic energy and other forms of radiation.

State agencies concerned to inform coordinator of their activities.

SEC. 9. The coordinator of atomic development activities shall keep the governor and the several interested departments and agencies informed as to private and public activities affecting atomic industrial development and shall enlist their cooperation in taking action to further such development as is consistent with the health, safety and general welfare of this state.

Coordinator to keep governor and agencies informed—Enlisting cooperation.

SEC. 10. The coordinator of atomic development activities shall be paid such salary as the governor may direct, not to exceed twenty thousand dollars.

Coordinator's salary.

SEC. 11. Whenever, in the opinion of the attorney general, any person is violating or is about to violate section 3 of this act, the attorney general may apply to the appropriate court for an order enjoining the person from engaging or continuing to engage in the activity violative of this act and upon a showing that such person has engaged, or is about to engage in any such activity, a permanent or

Violation of section 3 of act may be enjoined.

temporary injunction, restraining order, or other order may be granted.

Cooperation with federal government.

SEC. 12. The heads of the appropriate agencies may cooperate with the federal government in the administration of this act or any matter pertaining thereto.

Passed the House March 7, 1957.

Passed the Senate March 6, 1957.

Approved by the Governor March 13, 1957.

CHAPTER 93.

[H. B. 4.]

DANGEROUS WEAPONS.

AN ACT relating to crimes and punishments and amending section 265, chapter 249, Laws of 1909 and RCW 9.41.250.

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

RCW 9.41.250 amended.

SECTION 1. Section 265, chapter 249, Laws of 1909 and RCW 9.41.250 are each amended to read as follows:

Dangerous weapons—Evidence.

Every person who shall manufacture, sell or dispose of or have in his possession any instrument or weapon of the kind usually known as slung shot, sand club, or metal knuckles, or spring blade knife, or any knife the blade of which is automatically released by a spring mechanism or other mechanical device; who shall furtively carry with intent to conceal any dagger, dirk, pistol, or other dangerous weapon; or who shall use any contrivance or device for suppressing the noise of any firearm, shall be guilty of a gross misdemeanor.

Passed the House February 8, 1957.

Passed the Senate March 6, 1957.

Approved by the Governor March 13, 1957.