

member of the Senate and House of Representatives before November 15, 1942.

To consult with Secretary of State.

SEC. 2. In the preparation of said revised code of election laws, the Attorney General shall advise and consult with the Secretary of State.

Shall complete revision and make recommendations.

SEC. 3. When the Attorney General shall complete the revision of the election laws, he shall submit separately his recommendations concerning changes, amendments, and repeals of such statutes, and he shall make suggestions of new election laws which will in his opinion simplify election expression and procedure.

Passed the Senate February 3, 1941.

Passed the House March 10, 1941.

Approved by the Governor March 19, 1941.

CHAPTER 101.

[S. B. 100.]

EXPLOSIVES.

AN ACT requiring licenses of persons manufacturing, dealing in or possessing explosives, amending sections 11 and 12 of chapter 111 of the Laws of 1931 (sections 5440-11 and 5440-12, respectively, Remington's Revised Statutes); prescribing penalties; and declaring an emergency.

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

Amendments.

SECTION 1. Section 11 of chapter 111 of the Laws of 1931 (section 5440-11, Remington's Revised Statutes) is amended to read as follows:

Manufacturer of explosives.

Section 11. All persons engaged in the manufacture of explosives, or any process involving explosives, or where explosives are used as a component part in the manufacture of any article or device, on the date when this act takes effect, shall within sixty days thereafter, and all persons engaged

Duties.

ing in the manufacture of explosives, or any process involving explosives, or where explosives are used as a component part in the manufacture of any article or device after this act takes effect shall, before so engaging, make a report in writing, subscribed to by such person or his agent, to the Department of Labor and Industries, the report stating:

Make
report to
Dept. of
L. & I.

- (1) Location of place of manufacture or processing, Contents.
- (2) Kind of explosives manufactured, processed or used,
- (3) The name and address of the applicant,
- (4) The reason for desiring to manufacture explosives,
- (5) The applicant's citizenship, if the applicant is an individual,
- (6) If the applicant is a partnership, the names and addresses of the partners, and their citizenship, and
- (7) If the applicant is an association or corporation, the names and addresses of the officers and directors thereof, and their citizenship.

There shall be kept in the main office on the premises of each explosives plant a plan of said plant showing the location of all factory buildings and the distance they are located from other factory buildings where persons are employed and from magazines, and these plans shall at all times be open to inspection by duly authorized inspectors of the Department of Labor and Industries. The superintendent of each plant shall upon demand of said inspector furnish the following information:

Keep plan
of all
buildings.

Contents.

Duty of
superintend-
ent.

- (a) The maximum amount and kind of explosive material which is or will be present in each building at one time.

Information
to be given
inspector.

(b) The nature and kind of work carried on in each building and whether or not said buildings are surrounded by natural or artificial barricades.

Department to make inspection.

The Department of Labor and Industries shall as soon as may be after receiving such report cause an inspection to be made of the explosives plant, and if found to be in accordance with sections 3 and 5 of this act, such department shall issue a license to the person applying therefor showing compliance with the provisions of this act, unless the department shall find that the applicant or the officers, agents or employees of the applicant are not sufficiently experienced in the manufacture of explosives, have been convicted of a crime involving moral turpitude, or are disloyal to the United States. Such license shall continue in full force and effect until surrendered or canceled, because of failure to comply with any of the conditions necessary for the granting of a license.

License to issue.

Exceptions.

Amendments.

SEC. 2. Section 12 of chapter 111 of the Laws of 1931 (section 5440-12, Remington's Revised Statutes) is amended to read as follows:

Person keeping or storing to make report.

Section 12. All persons engaged in keeping or storing and all persons having in their possession explosives on the date when this act takes effect shall within sixty (60) days thereafter, and all persons engaging in keeping or storing explosives or coming into possession thereof after this act takes effect, shall before engaging in the keeping or storing of explosives or taking possession thereof, make a report in writing subscribed to by such person or his agent, to the Department of Labor and Industries stating:

Contents.

(1) The location of the magazine, if any, if then existing, or in case of a new magazine, the proposed location of such magazine.

(2) The kind of explosives that are kept or stored or possessed or intended to be kept or stored or possessed and the maximum quantity that is intended to be kept or stored or possessed thereat.

(3) The distance that such magazine is located or intended to be located from the nearest buildings, railroads and highways.

Contents of report.

(4) The name and address of the applicant.

(5) The reason for desiring to store or possess explosives.

(6) The citizenship of the applicant if the applicant is an individual.

(7) If the applicant is a partnership, the names and addresses of the partners and their citizenship.

(8) If the applicant is an association or corporation, the names and addresses of the officers and directors thereof and their citizenship.

The Department of Labor and Industries shall, as soon as may be after receiving such report, cause an inspection to be made of the magazine, if then constructed, and, in the case of a new magazine, as soon as may be after same is found to be constructed in accordance with the specification provided in section 9 of this act, such department shall determine the amount of explosives that may be kept and stored in such magazine by reference to the quantity and distance table set forth in section 3 of this act, and shall issue a license to the person applying therefor, unless the department shall find that such applicant is not sufficiently experienced in the handling of explosives, lacks suitable facilities therefor, has been convicted of a crime involving moral turpitude, or is disloyal to the United States. Said license shall set forth the maximum quantity of explosives that may be had, kept or stored by said person. Such certificate of compliance shall be valid until canceled for one or more of the causes hereinafter provided. Whenever by reason of change in the physical conditions surrounding said magazine at the time of the issuance of the license therefor, such as

Department to make inspection.

License to issue.

Exceptions.

Changes.

(a) The erection of buildings nearer said magazine,

Itemized.

Items
changed.

(b) The construction of railroads nearer said magazine, or

Opening of
highways
near
magazine.

(c) The opening for public travel of highways nearer said magazine, then the amounts of explosives which may be lawfully had, kept or stored in said magazine must be reduced to conform to such changed conditions in accordance with the quantity and distance table notwithstanding the license, and the Department of Labor and Industries shall modify or cancel such license in accordance with the changed conditions. Said license may also be canceled if the

Department
may modify,
cancel
license.

Department of Labor and Industries shall find that the applicant is keeping explosives for an unlawful purpose or is disloyal to the United States. Whenever any person to whom a license has been issued, keeps or stores in the magazine or has in his possession, any quantity of explosives in excess of the maximum amount set forth in said license, or whenever any person fails for thirty (30) days to pay the annual license fee hereinafter provided after the same becomes due, the department is authorized to cancel such license. Whenever a license is canceled by the department for any cause herein specified, the

Grounds
for
cancelling.

department shall notify the person to whom such license is issued of the fact of such cancelation and shall in said notice direct the removal of all explosives stored in said magazine within ten days from the giving of said notice, or, if the cause of cancelation be the failure to pay the annual license fee, or the fact that explosives are kept for an unlawful purpose, or the applicant is disloyal to the United States, the Department of Labor and Industries shall order such person to dispossess himself of said explosives within ten days from the giving of said notice. Failure to remove the explosives stored in said magazine or to dispossess oneself of the explosives as herein provided within the time specified in said notice shall constitute a violation of this act.

Procedure.

Failure to
comply a
violation.

SEC. 3. There is hereby inserted into chapter 111 of the Laws of 1931 a new section to be known as section 12 (a), to read as follows:

New section added.

Section 12 (a). Every person desiring to engage in the business of dealing in explosives shall apply to the Department of Labor and Industries for a license therefor. Said application shall state, among other things:

Every person wishing to engage must apply for license.

Application.

(1) The name and address of applicant;

Contents.

(2) The reason for desiring to engage in the business of dealing in explosives;

(3) Citizenship, if an individual applicant;

(4) If a partnership, the names and addresses of the partners and their citizenship; and

(5) If an association or corporation, the names and addresses of the officers and directors thereof and their citizenship.

The Department of Labor and Industries shall issue the license applied for unless the department finds that either the applicant or any of the officers, agents or employees of the applicant are not sufficiently experienced in the business of dealing in explosives, lack suitable facilities therefor, have been convicted of a crime involving moral turpitude, or are disloyal to the United States. Said license may be canceled for any cause that would prevent the initial issuance thereof.

Department may issue or deny license.

May be cancelled.

SEC. 4. If any manufacturer of explosives or dealer therein shall have shipped any explosives into another state, and the laws of such other state shall designate an officer or agency to regulate the possession, receipt or storage of explosives, and such officer or agency shall so require, such manufacturer shall, at least once each calendar month, file with such officer or agency of such other state a report giving the names of all purchasers and the amount and description of all explosives sold or delivered in such other

Manufacturer to comply with other laws for interstate trade.

Give report.

Dealers to
keep record.

Contents.

Records
open to
inspection.

state. Dealers in explosives shall keep a record of all explosives purchased or sold by them, which record shall include the name and address of each vendor and vendee, the date of each sale or purchase, and the amount and kind of explosives sold or purchased. Such records shall be open for inspection by the duly authorized agents of the Department of Labor and Industries and by all federal, state and local law enforcement officers at all times, and a copy of such record shall be furnished once each calendar month to the Department of Labor and Industries in such form as said department shall prescribe.

Dealer not
to sell to
unauthorized
person.

Penalty for
violation.

SEC. 5. No dealer shall sell, barter, give or dispose of explosives to any person who does not hold a license to possess explosives issued under the provisions of chapter 111 of the Laws of 1931, as amended. Any violation of this or the preceding section shall constitute a misdemeanor.

Effective
immediately.

SEC. 6. This act is necessary for the immediate preservation of the public peace, safety and welfare, and shall take effect immediately.

Passed the Senate February 18, 1941.

Passed the House March 10, 1941.

Approved by the Governor March 19, 1941.