

Chapter 453

1969 REPLACEMENT PART

Poisons, Caustics and Corrosives; Radiation Sources

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**REGULATIONS CONCERNING
PREPARATION AND SALE
OF POISONS AND OTHER
DANGEROUS SUBSTANCES**

453.010 Definitions for ORS 453.010 to 453.160. (1) As used in ORS 453.010 to 453.160, unless the context requires otherwise:

(a) "Board" means the State Board of Pharmacy.

(b) "Poison" includes all articles enumerated and defined in ORS 453.060, 453.090 and 453.110.

(c) "Deadly poison" means any drug, chemical or preparation which, according to standard works on medicine, toxicology or materia medica is liable to be destructive to adult human life, or as prescribed by rule by the State Board of Pharmacy.

(2) The definitions of ORS 689.010 apply to ORS 453.010 to 453.160.

[Amended by 1969 c.631 §1]

453.020 [Amended by 1953 c.64 §2; 1969 c.514 §50; renumbered 689.865]

453.030 Necessity for poison label; required data; change of requirements. (1) Except as otherwise specifically provided by law, no person shall sell or dispense at retail any poison without affixing to the box, bottle, vessel or package containing the poison, a clear and legible label, either printed or written, bearing the name of the poison in English with the name and the place of business of the pharmacist, owner or manager by whom it is sold.

(2) Labeling specifications regarding any poison controlled by ORS 453.010 to 453.160 may be changed or exemption granted by the board in form of special permit as the board may judge to be in the best interests of public safety.

[Amended by 1969 c.631 §2]

453.040 Record of poison sales; sales only by pharmacist. (1) No person shall sell or deliver, or cause to be sold or delivered, any poisons or any caustic or corrosive substances specified in ORS 453.010 to 453.160 or 453.210 or in the rules of the State Board of Pharmacy without making or causing to be made an entry in a book to be identified as the poison register of the seller, kept solely for that purpose, stating the date and hour of the sale, the name and address and the signature of the purchaser, the kind and quantity of the poison sold, a statement by

the purchaser of the purpose for which it is required, and the name of the dispenser, who must be a pharmacist.

(2) The poison register shall be in the form of columns with the following headings:

- (a) Date and hour.
- (b) Name of purchaser.
- (c) Residence address.
- (d) Kind and quantity.
- (e) Purpose of use.
- (f) Means of identification.
- (g) Signature of purchaser.
- (h) Signature of pharmacist.

(3) The poison register shall always be open for inspection by the proper authorities and shall be preserved for at least five years after the date of the last entry therein.

(4) Official poison register books shall be furnished by the board only to pharmacists.

[Amended by 1969 c.631 §3]

453.050 Sale of poisons to minors. (1) No person shall sell or deliver any poison to a minor under 18 years of age without the written order of an adult.

(2) The written order shall be retained in the records of the seller and the poison register of the seller shall show by the name of the purchaser the fact that the sale or delivery was to a minor on order of an adult and show the adult's name and address.

[Amended by 1969 c.631 §4]

453.060 Distributing certain poisons without labeling prohibited. It is unlawful for any person to vend, sell, give away or furnish, or cause to be vended, sold, given away or furnished, either directly or indirectly, any arsenic and its preparations, white precipitate, red precipitate, biniodide of mercury, cyanide of potassium, hydrocyanic acid, strychnine, essential oil of bitter almonds, aconite, belladonna, nux vomica, oil of savin, oil of tansy, ergot, cotton root, cantharides, carbolic acid (phenol), corrosive sublimate, corrosive sublimate tablets, antiseptic tablets containing corrosive sublimate, and other deadly poisons in original packages or otherwise without labeling the box, vessel or bottle in which the poison is contained with:

- (1) The name of the poison in English.
- (2) The word "poison."
- (3) The name and place of business of the seller.

[Amended by 1969 c.631 §5]

453.070 False representation by purchaser prohibited. It is unlawful for any person to give a fictitious name or make any false representations to the seller or dealer when buying any of the poisons or any caustic or corrosive substances specified in ORS 453.010 to 453.160 or 453.210 or in the rules of the State Board of Pharmacy.

[Amended by 1969 c.631 §6]

453.080 [Repealed by 1969 c.631 §17]

453.090 Sales of certain substances only by pharmacist; labeling. (1) Except as otherwise specifically provided by law, no person except a pharmacist is authorized to sell or deliver to any person any cocculus, conium, cotton root bark, digitalis, henbane, nux vomica, veratrum (hellebore), chloroform, ether, barbituric acid or its derivatives, salts of barium, lead salts, oxalic acid, mineral acids, iodine, tincture of iodine, compound solution of cresol, creosote, acetic acid, salicylic acid, croton oils, oils of pennyroyal, rue, savin and tansy, or any other drug, chemical substance or preparation which, according to standard works on medicine, materia medica or toxicology, while not considered toxic in doses of five grains or less, is nevertheless liable to be destructive to human life in doses of 60 grains or less.

(2) The container for any article mentioned in subsection (1) of this section must be plainly labeled with:

(a) The name of the article in English.

(b) The word "poison."

(c) The name and place of business of the dispenser.

[Amended by 1953 c.351 §2; 1969 c.631 §7]

453.100 Sale of certain poisons prohibited unless for a lawful purpose and purchaser is aware of its poisonous character. It shall be unlawful for any person to sell or deliver to any person any of the poisons listed in ORS 453.060 or 453.090 without having learned by due inquiry that such person is aware of the poisonous character thereof and that it is desired for a lawful purpose.

[Amended by 1969 c.631 §8]

453.110 Regulations concerning sale of certain poisons. (1) No person shall sell strychnine, arsenic, completely denatured alcohol, methyl alcohol (methanol), or any other deadly poison that the board may designate from time to time by promulgation under ORS 689.620, without absolute identification on the part of the purchaser thereof

by automobile driver's license or other positive identification bearing purchaser's signature, or personal identification, and then only when the poison has been properly packaged, labeled and fully registered according to law.

(2) **Completely denatured alcohol, methyl alcohol (methanol), heating fuel mixtures or other forms of denatured alcohol** must be labeled in accordance with federal regulations and must state on the label the federal formula number and the percentage of methanol, if any, contained therein. Methyl alcohol (methanol) in any concentration greater than five percent must be labeled methanol with the percentage of methanol stated on the label and must carry the antidote for methanol. The label shall be in conformity with federal regulations.

(3) Stores and shops other than pharmacies may sell completely denatured alcohol or methyl alcohol (methanol) in quantities of not less than one gallon only in original containers and only when properly labeled by distiller or wholesale distributor and bearing also seller's label. The name and address of seller must be applied by label on the container. The record of such wholesale quantities must be kept by the seller and information including date, means of identification and purported use must also be kept.

(4) (a) Subject to the exemption under paragraph (b) of this subsection, retail sales of completely denatured alcohol, methyl alcohol (methanol), heating fuel mixtures and other forms of denatured alcohol, except heating fuel mixtures and other forms of denatured alcohol containing less than five percent methanol by weight and containing additives that render them unpalatable for human consumption, in quantities of less than one gallon, shall be confined to pharmacists and registration of the sales must be made in their poison register.

(b) Hotel, restaurant or food catering wholesalers or suppliers of heating fuel mixtures and other forms of denatured alcohol are exempt from paragraph (a) of this subsection when the supplying of these products is restricted for use solely in the preparation of commercially prepared foods in businesses supplying food needs directly to the public for immediate consumption. Products so classified when purchased shall be used only for this specified purpose and shall not be resold, given away or in any way made available to the public.

(5) Sellers of denatured alcohol, methyl alcohol (methanol) only are not required to obtain a shopkeepers' license.

(6) Distributors and transporters, stores and shops, other than pharmacies may deliver, or sell carbolic acid (phenol) for commercial use only in quantities of not less than 15 gallons but only when the container is properly labeled by the manufacturer or wholesaler and also bears a label containing the name and address of the seller or deliverer. Record of sales or deliveries of quantities of 15 gallons or more of carbolic acid (phenol) shall be kept by the seller and deliverer. The record shall contain information, including the date, name of purchaser or person receiving the delivery and purported use.

(7) A distributor, transporter, store or shop shall not by reason of the delivery or sale of carbolic acid (phenol) in quantities of 15 gallons or more be required to obtain a shopkeepers' license. Retail sales of carbolic acid (phenol) in quantities of less than 15 gallons shall be confined to pharmacies and registration of such sales shall be made on their poison register.

[Amended by 1953 c.351 §2; 1965 c.90 §1; 1967 c.381 §1; 1969 c.631 §9]

453.120 Requirements for poisons dispensed under prescription. (1) Whenever poisons are dispensed in accordance with a written prescription by a licensed medical practitioner, and such written prescription is filed and retained by the pharmacist as required by law, all of the requirements of ORS 453.040 to 453.160 are satisfied.

(2) A pharmacist shall affix a poison label to a prescription when the prescribing licensed medical practitioner so directs.

[Amended by 1969 c.631 §10]

453.130 Application to the manufacture or wholesale sales of poisons. Nothing in ORS 453.040 to 453.160 applies to the manufacture or wholesale of any poisons. However, each box, vessel or package, other than prescriptions, in which any poison is contained must be labeled as provided in ORS 453.040 to 453.160.

[Amended by 1969 c.631 §11]

453.140 Application of laws on sales of poisons to sale of certain medicinal narcotics. Except as specifically provided by law, the provisions of laws governing the sale and distribution of poisons do not apply to the sale or distribution of compounds, prepara-

tions or remedies which do not contain more than two grains of opium, or more than one-fourth grain of morphine, or more than one-eighth grain of heroin, or more than one grain of codeine, or any salt or derivative of any of them in one fluid ounce, or, if solid or semisolid preparations, in one avoirdupois ounce; or to liniments, ointments or other preparations which are prepared for external use only, when sold or distributed for use as medicines.

[Amended by 1969 c.631 §12]

453.150 Sale of antifreeze by garages and filling stations not affected. ORS 453.010 to 453.160 are not intended to interfere with or prevent the legitimate sale of completely denatured alcohol, methyl alcohol (methanol) by garages and filling stations, when used for antifreeze purposes and poured directly into the radiator of any automobile or motor vehicle by the seller thereof.

[Amended by 1969 c.631 §13]

453.160 Sale of alcohols for beverage purposes prohibited. No person shall knowingly sell, furnish or give away or cause to be sold, furnished or given away completely denatured alcohol, methyl alcohol (methanol), canned heat or other solidified forms of denatured alcohol, or any preparation containing those substances, to be used for beverage purposes.

453.170 Prohibiting sales of certain substances by rule; furnishing list of such substances to dealers. (1) The State Board of Pharmacy may restrict or prohibit by rule the retail sale of any poison or alcoholic mixture not inconsistent with law and to be applicable to all persons alike subject to its regulating authority when it finds that such restriction or prohibition is in the interest of the public health and safety.

(2) The board, upon request, shall furnish any dealer with a list of all articles, preparations and compounds, the sale of which is prohibited or regulated pursuant to this section.

[Amended by 1969 c.631 §14]

**DISTRIBUTION AND SALE OF
CAUSTIC OR CORROSIVE
ACIDS, ALKALIS AND
OTHER SIMILAR
SUBSTANCES**

453.210 Definitions for ORS 453.210 to 453.240. As used in ORS 453.210 to 453.240, unless the context otherwise requires:

(1) "Dangerous caustic or corrosive substance" means the following substances:

(a) Hydrochloric acid and any preparation containing free or chemically unneutralized hydrochloric acid (HCl) in a concentration of 10 percent or more.

(b) Sulphuric acid and any preparation containing free or chemically unneutralized sulphuric acid (H₂SO₄) in a concentration of 10 percent or more.

(c) Nitric acid or any preparation containing free or chemically unneutralized nitric acid (HNO₃) in a concentration of five percent or more.

(d) Carboic acid (C₆H₅OH), otherwise known as phenol, and any preparation containing carboic acid in a concentration of five percent or more.

(e) Oxalic acid and any preparation containing free or chemically unneutralized oxalic acid (H₂C₂O₄) in a concentration of 10 percent or more.

(f) Any salt of oxalic acid and any preparation containing any such salt in a concentration of 10 percent or more.

(g) Acetic acid or any preparation containing free or chemically unneutralized acetic acid (HC₂H₃O₂) in a concentration of 20 percent or more.

(h) Hypochlorous acid, either free or combined, and any preparation containing the same concentration so as to yield 10 percent or more by weight of available chlorine, excluding calx chlorinata, bleaching powder, and chloride of lime.

(i) Potassium hydroxide and any preparation containing free or chemically unneutralized potassium hydroxide (KOH), including caustic potash and Vienna paste, in a concentration of 10 percent or more.

(j) Sodium hydroxide and any preparation containing free or chemically unneutralized sodium hydroxide (NaOH), including caustic soda and lye, in a concentration of 10 percent or more.

(k) Silver nitrate, sometimes known as lunar caustic, and any preparation containing silver nitrate (AgNO₃) in a concentration of five percent or more.

(L) Ammonia water and any preparation yielding free or chemically uncombined ammonia (NH₃), including ammonium hydroxide and hartshorn, in a concentration of five percent or more.

(2) "Misbranded parcel, package or container" means a retail parcel, package or container of any dangerous caustic or corro-

sive substance for household use not bearing a conspicuous, easily legible label or sticker, containing:

(a) The name of the article.

(b) The name and place of business of the manufacturer, packer, seller or distributor.

(c) The word "POISON," running parallel with the main body of reading matter on said label or sticker, on a clear, plain background of a distinctly contrasting color, in uncondensed gothic capital letters, the letters to be not less than 24-point size, unless there is on said label or sticker no other type so large, in which event the type shall be not smaller than the largest type on the label or sticker.

(d) Directions for treatment in case of accidental personal injury by the dangerous caustic or corrosive substance.

453.220 Sales in misbranded packages prohibited. No person shall sell, barter or exchange, or receive, hold, pack, display or offer for sale, barter or exchange any dangerous caustic or corrosive substance in a misbranded parcel, package or container.

453.230 Proceedings for seizure and confiscation of misbranded goods; disposition; redelivery. (1) Any dangerous caustic or corrosive substance in a misbranded parcel, package or container suitable for household use that is being sold, bartered or exchanged, or held, displayed or offered for sale, barter or exchange, shall be liable to be proceeded against in any circuit court of the state within the jurisdiction of which the same is found and seized for confiscation by the sheriff of the county in which the same is found. If such substance is condemned as misbranded, by the court, it shall be disposed of by destruction or sale, as the court may direct. If sold, the proceeds, less the actual costs and charges, shall be paid over to the State Board of Pharmacy, but such substance shall not be sold contrary to the laws of the state. However, upon the payment of the costs of such proceedings and the execution and delivery of a good and sufficient bond to the effect that such substance will not be unlawfully sold or otherwise disposed of, the court may by order direct that such substance be delivered to the owner thereof.

(2) The condemnation proceedings under this section shall conform as near as may be

to proceedings provided for in ORS 471.660 and 471.665.

453.240 Enforcement of statute by State Board of Pharmacy. The State Board of Pharmacy shall enforce ORS 453.210 to 453.240. The board may approve and register such brands and labels intended for use under ORS 453.210 to 453.240 as may be submitted to it for that purpose and as may in its judgment conform to the requirements of those statutes. However, in any prosecution under ORS 453.210 to 453.240, the fact that any brand or label involved in the prosecution has not been submitted to the board for approval, or if submitted, has not been approved by it, is immaterial.

453.310 [Amended by 1969 c.514 §51; renumbered 689.855]

453.320 [Amended by 1969 c.514 §52; renumbered 689.860]

RADIATION SOURCES

453.605 Definitions for ORS 453.605 to 453.745. In ORS 453.605 to 453.745, unless the context requires otherwise:

(1) "Board" means the State Board of Health.

(2) "Byproduct material" means radioactive material, other than special nuclear material, that is yielded in or made radioactive by exposure to the radiation incident to the process of producing or utilizing special nuclear material.

(3) "Federal Government" means the United States or any agency or instrumentality of the United States.

(4) "General license" means a license, effective under regulations of the board without the filing of an application, to acquire, own, possess, use or transfer a device or equipment that produces radiation, or a quantity of, or a device or equipment that utilizes, byproduct material, source material, special nuclear material or other radioactive material that occurs naturally or is produced artificially.

(5) "Person" means any of the following other than the United States Atomic Energy Commission or any successor thereto:

(a) Individual, group, association, firm, partnership, corporation, trust, estate, agency or public or private institution;

(b) Political subdivision or agency of this state;

(c) State other than this state or any political subdivision or agency of a state other than this state; or

(d) The legal successor, representative, agent or agency of a person listed in paragraphs (a) to (c) of this subsection.

(6) "Radiation" means gamma rays, X-rays, alpha particles, beta particles, neutrons, protons, high-speed electrons and other nuclear particles, but "radiation" does not include sound waves, radio waves, visible light, infra-red light or ultra-violet light.

(7) "Source material" means:

(a) Uranium, thorium or any other material which the board declares to be essential to the production of special nuclear material by an order made after the United States Atomic Energy Commission or any successor thereto has determined the material to be source material; or

(b) Ore that contains such a concentration of one or more materials mentioned in paragraph (a) of this subsection that the board declares the ore to be essential to the production of special nuclear material by an order made after the United States Atomic Energy Commission or any successor thereto has determined such ore to be source material.

(8) "Special nuclear material" means any of the following that is not source material:

(a) Plutonium, uranium 233, uranium enriched in the isotope 233 or in the isotope 235, or any other material which the board declares to be capable of releasing substantial quantities of atomic energy by an order made after the United States Atomic Energy Commission or any successor thereto has determined the material to be special nuclear material.

(b) Material artificially enriched by any material mentioned in paragraph (a) of this subsection.

(9) "Specific license" means a license, issued after application, to receive, acquire, own, possess, use, manufacture, produce or transfer a device or equipment that produces radiation, or a quantity of, or a device or equipment that utilizes, byproduct material, source material or special nuclear material or other radioactive material that occurs naturally or is produced artificially.

(10) "X-ray machine" means a device or equipment that produces radiation when in operation but does not utilize byproduct material, source material, special nuclear material or other radioactive material that occurs naturally or is produced artificially.

[1961 c.664 §3]

453.610 [1957 c.399 §2; repealed by 1961 c.664 §16]

453.615 Statement of policy. It is the policy of the State of Oregon in furtherance of its responsibility to protect the public health and safety:

(1) To institute and maintain a regulatory program for radiation sources so as to provide for:

(a) Compatibility with the standards and regulatory programs of the Federal Government;

(b) An integrated effective system of regulation within the state; and

(c) A system consonant in so far as possible with those of other states; and

(2) To institute and maintain a program to permit development and utilization of radiation sources for peaceful purposes consistent with the health and safety of the public. [1961 c.664 §1]

453.620 [1957 c.399 §1; repealed by 1961 c.664 §16]

453.625 Purpose of ORS 453.605 to 453.745. It is the purpose of ORS 453.605 to 453.745 to effectuate the policies set forth in ORS 453.615 by providing for:

(1) A program of effective regulation of radiation sources for the protection of the occupational and public health and safety;

(2) A program to promote an orderly regulatory pattern within the state, among the states and between the Federal Government and this state and to facilitate inter-governmental cooperation with respect to use and regulation of radiation sources to the end that duplication of regulation may be minimized;

(3) A program to establish procedures for assumption and performance of certain regulatory responsibilities with respect to by-product materials, source materials and special nuclear materials; and

(4) A program to permit maximum utilization of radiation sources consistent with the health and safety of the public.

[1961 c.664 §2]

453.630 [1957 c.399 §§3, 4; repealed by 1961 c.664 §16]

453.635 State Board of Health as State Radiation Control Agency; duties. (1) The State Board of Health is the State Radiation Control Agency, but ORS 453.605 to 453.745 do not apply to a radiation source while it is being transported on a railroad car or in a motor vehicle subject to and in conformity

with rules and regulations adopted by the Public Utility Commissioner of Oregon. Except with respect to a radiation source being so transported, to protect occupational and public health and safety against radiation hazards the board shall:

(a) Develop programs to evaluate hazards associated with the use of radiation sources; and

(b) With due regard for compatibility with the regulatory programs of the Federal Government, promulgate standards and make reasonable regulations relating to registration, licensing, use, handling, transport, storage, disposal and control of radiation sources, including but not limited to byproduct materials, source materials and special nuclear materials.

(2) To protect occupational and public health and safety against radiation hazards the board or its authorized representative may:

(a) Advise, consult and cooperate with other agencies of this state, the Federal Government, other states, interstate agencies, political subdivisions of this state or other states and with groups concerned with control of radiation sources;

(b) Encourage, participate in or conduct studies, investigations, training, research or demonstrations relating to control of radiation sources;

(c) Accept and administer loans, grants or other funds or gifts, conditional or otherwise, from the Federal Government or from any other source, public or private;

(d) Collect and disseminate information relating to control of radiation sources; and

(e) Subject to any applicable provision of the State Merit System Law, appoint officers and employes and prescribe their duties and fix their compensation.

[1961 c.664 §4]

453.640 [1957 c.399 §5; repealed by 1961 c.664 §16]

453.645 Radiation Advisory Committee; composition; compensation and expenses. The board shall appoint a Radiation Advisory Committee to advise the board on matters relating to radiological health and radiation protection. The committee shall consist of eight persons who because of their training and experience are qualified to advise the board on such matters and they shall serve at the pleasure of the board. The

members of the Radiation Advisory Committee are entitled to compensation and expenses as provided in ORS 292.495.

[1961 c.664 §4a; 1969 c.314 §47]

453.650 [1957 c.399 §6; repealed by 1961 c.664 §16]

453.655 License or registration required for radiation source. When under ORS 453.605 to 453.745 a license or registration or both, as the case may be, is required for that purpose, no person shall receive, acquire, own, possess, use, manufacture, produce or transfer any radiation source without the license or registration or both, as the case may be.

[1961 c.664 §6]

453.665 Licenses; application; modifications; exemptions. (1) Subject to subsection (2) of this section, the board shall provide for the issuance, allowance, modification, amendment, revision, suspension and revocation of general and specific licenses that relate to byproduct materials, source materials or special nuclear materials and to devices or equipment that utilize any of those materials. The board shall not require a specific license for the use of an X-ray machine within the limits of his license by a licensed dentist, chiropodist or veterinarian or by a person licensed to practice medicine, surgery, osteopathy, chiropractic, naturopathy or any other system or method of healing. Otherwise the board may require registration or a general or specific license or both registration and a general or specific license with respect to any radiation source.

(2) (a) Each application for a specific license shall be in writing and shall state such information as the board by regulation determines both to be necessary to decide the applicant's technical, insurance, financial or other qualifications and to be reasonable and necessary to protect occupational and public health and safety. At any time after the filing of the application for and before the expiration of a specific license the board may require further written statements, and may cause such inspections to be made as the board considers necessary, to determine whether the license should be granted, denied, modified, amended, revised, suspended or revoked. An application for a specific license or any statement relating to that application or to any license pursuant thereto shall be signed by the applicant or licensee. The board may require any such application or statement to be made under oath or affirmation.

(b) Each license shall be in such form and contain such terms and conditions as the board considers necessary to protect the occupational and public health and safety.

(c) No general or specific license or right to possess or use a radiation source under a general or specific license may be assigned in any manner without the approval of the board.

(d) The terms and conditions of any general or specific license may be modified, amended or revised by regulation or order.

(e) Subject to any requirement for registration, the board may by regulation recognize a license from any other state or from the Federal Government as compliance with a license requirement of this section or of ORS 453.635.

(f) When the board finds that a radiation source, a use of a radiation source, a user of a radiation source or a class of such sources, uses or users will not constitute a significant risk to the health and safety of the public, the board may exempt the source, use, user or class, as the case may be, from any requirement for registration or a license.

[1961 c.664 §5]

453.670 X-ray machine registration fee; annual license fees; use of fees. (1) The board shall charge an annual registration fee for an X-ray machine registration granted pursuant to ORS 453.665 which shall not exceed \$10.

(2) The board shall charge an annual license fee for a specific license granted pursuant to ORS 453.665 which shall not exceed \$50.

(3) The fees prescribed by the board pursuant to this section are due and payable on or before July 1 of each year.

(4) All moneys received by the board under this section shall be paid into the State Treasury, deposited in the General Fund to the credit of the State Board of Health Account, and used exclusively by the board for the purposes of ORS 453.605 to 453.745. [1969 c.304 §2]

453.675 Assumption by state of Federal Government's responsibility regarding radiation sources; effect of federal licenses. (1) When in his opinion such agreements will promote public health and safety and assist in the peaceful uses of radiation sources, the Governor on behalf of this state shall enter into agreements with the Federal Government providing for discontinuance of certain of the Federal Government's responsibilities with

respect to radiation sources and the assumption thereof by this state.

(2) When a person immediately before the effective date of an agreement under subsection (1) of this section has a license from the Federal Government to do anything which relates to byproduct material, source material or special nuclear material and which on the effective date of the agreement is subject to the control of this state, he shall be considered to have a like license under ORS 453.605 to 453.745 until the expiration date specified in the license from the Federal Government or until the end of the ninetieth day after the person receives notice from the board that the license will be considered expired, whichever is earlier.

[1961 c.664 §7]

453.685 Entry on property for inspection purposes; issuance of warrant; liability for entry. (1) The board or its authorized representative may enter at any reasonable time upon any private or public property, with the permission of the owner or custodian, to determine whether there is compliance with ORS 453.605 to 453.745 and regulations lawfully issued pursuant thereto. When such permission is not obtained or given, if the board or its authorized representative has grounds to believe that a violation of ORS 453.605 to 453.745 or regulations lawfully issued pursuant thereto exists, the board or representative may apply to the proper judicial officer for a warrant to enter upon the property for purposes of inspection, search or seizure consonant with the scope of ORS 453.605 to 453.745; except that in a case where the board or representative has grounds to believe that a violation of ORS 453.605 to 453.745 or regulations pursuant thereto exists which presents a clear and present danger to the health, safety or security of the state or its citizens, the board or its representative may make such entry of property as is reasonable to abate the danger involved and for that purpose.

(2) Upon application to the proper judicial officer for a warrant to enter property under this section, the judicial officer shall forthwith summarily determine whether or not grounds to issue such warrant exists, and if he finds such exists, he shall immediately issue a warrant authorizing entry by the board or its authorized representative upon the described property for the purposes of ORS 453.605 to 453.745. No member or authorized representative of the board shall be

liable for injury or damage resulting from action taken or authorized by such member or representative in good faith and without malice under the apparent authority of this section, even though such action is later judicially determined to be unlawful.

[1961 c.664 §8]

453.695 Records concerning radiation source; notice of exposure to radiation source.

(1) When the board by regulation so requires, any person who possesses or uses a radiation source shall cause to be made, in the manner prescribed by the board, records relating to the receipt, storage, transfer and disposition of the source and to such other matters as the board prescribes.

(2) Any person who possesses or uses a radiation source shall cause to be made, in the manner prescribed by the board, records showing the radiation exposure of any individual who is affected by such possession or use and for whom the board by regulation requires personnel monitoring.

(3) (a) Each person who possesses or uses a radiation source and who has reason to believe that any individual has received from that source radiation exposure in excess of the maximum permissible exposure established for an individual by regulations of the board shall give that individual notice of the possible exposure with a copy of any record of the exposure.

(b) Any person who possesses or uses a radiation source and who, in connection with that possession or use, employs an individual for whom the board by regulation requires personnel monitoring, in addition to any requirement of paragraph (a) of this subsection shall, if the individual so requests or if regulations of the board so require, give the individual a copy of the individual's personnel monitoring exposure record annually and at the end of the employment.

(4) Upon the request of the board or its authorized representative, the custodian of any record required by this section shall give a copy of that record to the board or its authorized representative.

[1961 c.664 §10]

453.705 Impounding radiation source upon violation. When a radiation source is in the possession, custody or control of any person who is not equipped to observe or who fails to observe any applicable provision of or regulation pursuant to ORS 453.605 to

453.745, upon the issuance of an emergency order under ORS 453.725 the board or its authorized representative may cause that source to be impounded.

[1961 c.664 §11]

453.715 Injunction against violation.

When the board in writing notifies the Attorney General that, in the judgment of the board, a person has engaged or is about to engage in any act or practice that constitutes or will constitute a violation of any provision of or regulation pursuant to ORS 453.605 to 453.745, if the board so requests, the Attorney General shall apply to the circuit court for the county of that person's residence for an order enjoining such act or practice, or for an order directing compliance; and upon a showing by the board that that person has engaged or is about to engage in any such act or practice, the court may grant a permanent or temporary injunction or restraining order or other order.

[1961 c.664 §12]

453.725 Hearings on regulations, orders and licenses. (1) The procedures under ORS 453.605 to 453.745 apply in lieu of any like procedures that otherwise may be applicable under ORS 183.310 to 183.510.

(2) Notwithstanding any contrary provision of ORS 183.310 to 183.510, upon request of any person whose interest may be affected the board or its authorized representative shall admit that person as a party, and give that person an opportunity for a hearing, in a proceeding to:

(a) Issue or modify a regulation relating to the control of radiation sources;

(b) Allow, grant, suspend, modify, amend, revise or revoke a general or specific license; or

(c) Determine compliance with or grant exemption from a regulation of the board.

(3) Notwithstanding any contrary provision of ORS chapter 183:

(a) When the board or its authorized representative finds that an emergency requires immediate action to protect the public health or safety against radiation, the board or its authorized representative may, without notice or hearing, issue a regulation or order reciting the existence of the emergency and requiring that such action be taken as is necessary to meet the emergency. The regulation or order takes effect immediately; and any person to whom the regulation or order applies shall comply therewith immediately.

(b) Within 30 days after receiving an application for a hearing from a person to whom a regulation or order under paragraph (a) of this subsection applies the board or its authorized representative shall give that person a hearing. Within 30 days after the completion of the hearing the board or its authorized representative shall, on the basis of that hearing, continue, modify or revoke the regulation or order.

(4) A final order entered in a proceeding under subsection (1) or (2) of this section is subject to judicial review in the manner provided in ORS 183.480 to 183.500.

[1961 c.664 §13]

453.735 ORS 453.605 to 453.745 and regulations of board supersede contrary laws or regulations. Each provision of ORS 453.605 to 453.745 or regulations pursuant thereto supersedes any inconsistent provision of any ordinance, resolution, regulation, rule or order of any county, city, other political subdivision or public corporation of this state.

[1961 c.664 §14]

453.745 Intergovernmental cooperation to control radiation sources. (1) Subject to the approval of the Governor, to protect the public health and safety and to assist in the peaceful uses of radiation sources the board may cooperate with the Federal Government, other states or interstate agencies to perform functions, including inspection, that relate to control of radiation sources.

(2) The board may institute programs to qualify personnel to carry out the provisions of ORS 453.605 to 453.745 and may make those personnel available for participation with the Federal Government, other states or interstate agencies in any program in furtherance of the purposes of ORS 453.605 to 453.745.

[1961 c.664 §9]

**WESTERN INTERSTATE
NUCLEAR COMPACT**

453.810 Western Interstate Nuclear Compact. The Western Interstate Nuclear Compact is enacted into law and entered into with all other jurisdictions lawfully joining therein in a form substantially as follows:

ARTICLE I. POLICY AND PURPOSE

The party states recognize that the proper employment of scientific and technological

discoveries and advances in nuclear and related fields and direct and collateral application and adaptation of processes and techniques developed in connection therewith, properly correlated with the other resources of the region, can assist substantially in the industrial progress of the West and the further development of the economy of the region. They also recognize that optimum benefit from nuclear and related scientific or technological resources, facilities and skills requires systematic encouragement, guidance, assistance and promotion from the party states on a cooperative basis. It is the policy of the party states to undertake such cooperation on a continuing basis. It is the purpose of this compact to provide the instruments and framework for such a cooperative effort in nuclear and related fields, to enhance the economy of the West and contribute to the individual and community well-being of the region's people.

ARTICLE II. THE BOARD

(a) There is hereby created an agency of the party states to be known as the "Western Interstate Nuclear Board" (hereinafter called the board). The board shall be composed of one member from each party state designated or appointed in accordance with the law of the state which he represents and serving and subject to removal in accordance with such law. Any member of the board may provide for the discharge of his duties and the performance of his functions thereon (either for the duration of his membership or for any lesser period of time) by a deputy or assistant, if the laws of his state make specific provisions therefor. The Federal Government may be represented without vote if provision is made by federal law for such representation.

(b) The board members of the party states shall each be entitled to one vote on the board. No action of the board shall be binding unless taken at a meeting at which a majority of all members representing the party states are present and unless a majority of the total number of votes on the board are cast in favor thereof.

(c) The board shall have a seal.

(d) The board shall elect annually, from among its members, a chairman, a vice chairman and a treasurer. The board shall appoint and fix the compensation of an executive director who shall serve at its pleasure and who shall also act as secretary, and

who, together with the treasurer, and such other personnel as the board may direct, shall be bonded in such amounts as the board may require.

(e) The executive director, with the approval of the board, shall appoint and remove or discharge such personnel as may be necessary for the performance of the board's functions irrespective of the civil service, personnel or other merit system laws of any of the party states.

(f) The board may establish and maintain, independently or in conjunction with any one or more of the party states, or its institutions or subdivisions, a suitable retirement system for its full-time employes. Employes of the board shall be eligible for social security coverage in respect of old age and survivors insurance provided that the board takes such steps as may be necessary pursuant to federal law to participate in such program of insurance as a governmental agency or unit. The board may establish and maintain or participate in such additional programs of employe benefits as may be appropriate.

(g) The board may borrow, accept or contract for the services of personnel from any state or the United States or any subdivision or agency thereof, from any interstate agency, or from any institution, person, firm or corporation.

(h) The board may accept for any of its purposes and functions under this compact any and all donations, and grants of money, equipment, supplies, materials and services (conditional or otherwise) from any state or the United States or any subdivision or agency thereof, or interstate agency, or from any institution, person, firm or corporation, and may receive, utilize and dispose of the same. The nature, amount and conditions, if any, attendant upon any donation or grant accepted pursuant to this paragraph or upon any borrowing pursuant to paragraph (g) of this Article, together with the identity of the donor, grantor or lender, shall be detailed in the annual report of the board.

(i) The board may establish and maintain such facilities as may be necessary for the transacting of its business. The board may acquire, hold and convey real and personal property and any interest therein.

(j) The board shall adopt bylaws, rules and regulations for the conduct of its business, and shall have the power to amend and rescind these bylaws, rules and regulations.

The board shall publish its bylaws, rules and regulations in convenient form and shall file a copy thereof, and shall also file a copy of any amendment thereto, with the appropriate agency or officer in each of the party states.

(k) The board annually shall make to the governor of each party state, a report covering the activities of the board for the preceding year, and embodying such recommendations as may have been adopted by the board, which report shall be transmitted to the legislature of said state. The board may issue such additional reports as it may deem desirable.

ARTICLE III. FINANCES

(a) The board shall submit to the governor or designated officer or officers of each party state a budget of its estimated expenditures for such period as may be required by the laws of that jurisdiction for presentation to the legislature thereof.

(b) Each of the board's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party states. Each of the board's requests for appropriations pursuant to a budget of estimated expenditures shall be apportioned equally among the party states. Subject to appropriation by their respective legislatures, the board shall be provided with such funds by each of the party states as are necessary to provide the means of establishing and maintaining facilities, a staff of personnel, and such activities as may be necessary to fulfill the powers and duties imposed upon and entrusted to the board.

(c) The board may meet any of its obligations in whole or in part with funds available to it under Article II (h) of this compact, provided that the board takes specific action setting aside such funds prior to the incurring of any obligation to be met in whole or in part in this manner. Except where the board makes use of funds available to it under Article II (h) hereof, the board shall not incur any obligation prior to the allotment of funds by the party jurisdictions adequate to meet the same.

(d) Any expenses and any other costs for each member of the board in attending board meetings shall be met by the board.

(e) The board shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the board shall

be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the board shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be included in and become a part of the annual report of the board.

(f) The accounts of the board shall be open at any reasonable time for inspection to persons authorized by the board, and duly designated representatives of governments contributing to the board's support.

ARTICLE IV. ADVISORY COMMITTEES

The board may establish such advisory and technical committees as it may deem necessary, membership on which may include but not be limited to private citizens, expert and lay personnel, representatives of industry, labor, commerce, agriculture, civic associations, medicine, education, voluntary health agencies and officials of local, state and Federal Government, and may cooperate with and use the services of any such committees and the organizations which they represent in furthering any of its activities under this compact.

ARTICLE V. POWERS

The board shall have power to:

(a) Encourage and promote cooperation among the party states in the development and utilization of nuclear and related technologies and their application to industry and other fields.

(b) Ascertain and analyze on a continuing basis the position of the West with respect to the employment in industry of nuclear and related scientific findings and technologies.

(c) Encourage the development and use of scientific advances and discoveries in nuclear facilities, energy, materials, products, by-products and all other appropriate adaptations of scientific and technological advances and discoveries.

(d) Collect, correlate and disseminate information relating to the peaceful uses of nuclear energy, materials and products, and other products and processes resulting from the application of related science and technology.

(e) Encourage the development and use of nuclear energy, facilities, installations and products as part of a balanced economy.

(f) Conduct, or cooperate in conducting, programs of training for state and local personnel engaged in any aspects of:

1. Nuclear industry, medicine or education, or the promotion or regulation thereof.
2. Applying nuclear scientific advances or discoveries, and any industrial commercial or other processes resulting therefrom.

3. The formulation or administration of measures designed to promote safety in any matter related to the development, use or disposal of nuclear energy, materials, products, by-products, installations or wastes, or to safety in the production, use and disposal of any other substances peculiarly related thereto.

(g) Organize and conduct, or assist and cooperate in organizing and conducting, demonstrations or research in any of the scientific, technological or industrial fields to which this compact relates.

(h) Undertake such nonregulatory functions with respect to nonnuclear sources of radiation as may promote the economic development and general welfare of the West.

(i) Study industrial, health, safety and other standards, laws, codes, rules, regulations and administrative practices in or related to nuclear fields.

(j) Recommend such changes in, or amendments or additions to the laws, codes, rules, regulations, administrative procedures and practices or local laws or ordinances of the party states of their subdivisions in nuclear and related fields, as in its judgment may be appropriate. Any such recommendations shall be made through the appropriate state agency, with due consideration of the desirability of uniformity but shall also give appropriate weight to any special circumstances which may justify variations to meet local conditions.

(k) Consider and make recommendations designed to facilitate the transportation of nuclear equipment, materials, products, by-products, wastes and any other nuclear or related substances, in such manner and under such conditions as will make their availability or disposal practicable on an economic and efficient basis.

(L) Consider and make recommendations with respect to the assumption of and protection against liability actually or potentially incurred in any phase of operations in nuclear and related fields.

(m) Advise and consult with the Federal Government concerning the common posi-

tion of the party states or assist party states with regard to individual problems where appropriate in respect to nuclear and related fields.

(n) Cooperate with the Atomic Energy Commission, the National Aeronautics and Space Administration, the Office of Science and Technology, or any agencies successor thereto, any other officer or agency of the United States, and any other governmental unit or agency or officer thereof, and with any private persons or agencies in any of the fields of its interest.

(o) Act as licensee, contractor or subcontractor of the United States Government or any party state with respect to the conduct of any research activity requiring such license or contract and operate such research facility or undertake any program pursuant thereto, provided that this power shall be exercised only in connection with the implementation of one or more other powers conferred upon the board by this compact.

(p) Prepare, publish and distribute (with or without charge) such reports, bulletins, newsletters or other materials as it deems appropriate.

(q) Ascertain from time to time such methods, practices, circumstances and conditions as may bring about the prevention and control of nuclear incidents in the area comprising the party states, to coordinate the nuclear incident prevention and control plans and the work relating thereto of the appropriate agencies of the party states and to facilitate the rendering of aid by the party states to each other in coping with nuclear incidents.

The board may formulate and, in accordance with need from time to time, revise a regional plan or regional plans for coping with nuclear incidents within the territory of the party states as a whole or within any subregion or subregions of the geographic area covered by this compact.

Any nuclear incident plan in force pursuant to this paragraph shall designate the official or agency in each party state covered by the plan who shall coordinate requests for aid pursuant to Article VI of this compact and the furnishing of aid in response thereto.

Unless the party states concerned expressly otherwise agree, the board shall not administer the summoning and dispatching of aid, but this function shall be undertaken directly by the designated agencies and officers of the party states.

However, the plan or plans of the board in force pursuant to this paragraph shall provide for reports to the board concerning the occurrence of nuclear incidents and the requests for aid on account thereof, together with summaries of the actual working and effectiveness of mutual aid in particular instances.

From time to time, the board shall analyze the information gathered from reports of aid pursuant to Article VI and such other instances of mutual aid as may have come to its attention, so that experience in the rendering of such aid may be available.

(r) Prepare, maintain and implement a regional plan or regional plans for carrying out the duties, powers or functions conferred upon the board by this compact.

(s) Undertake responsibilities imposed or necessarily involved with regional participation pursuant to such cooperative programs of the Federal Government as are useful in connection with the fields covered by this compact.

ARTICLE VI. MUTUAL AID

(a) Whenever a party state, or any state or local governmental authorities therein, request aid from any other party state pursuant to this compact in coping with a nuclear incident, it shall be the duty of the requested state to render all possible aid to the requesting state which is consonant with the maintenance of protection of its own people.

(b) Whenever the officers or employes of any party state are rendering outside aid pursuant to the request of another party state under this compact, the officers or employes of such state shall, under the direction of the authorities of the state to which they are rendering aid, have the same powers, duties, rights, privileges and immunities as comparable officers and employes of the state to which they are rendering aid.

(c) No party state or its officers or employes rendering outside aid pursuant to this compact shall be liable on account of any act or omission on their part while so engaged, or on account of the maintenance or use of any equipment or supplies in connection therewith.

(d) All liability that may arise either under the laws of the requesting state or under the laws of the aiding state or under the laws of a third state on account of or in connection with a request for aid, shall be assumed and borne by the requesting state.

(e) Any party state rendering outside aid pursuant to this compact shall be reimbursed by the party state receiving such aid for any loss or damage to, or expense incurred in the operation of any equipment answering a request for aid, and for the cost of all materials, transportation, wages, salaries and maintenance of officers, employes and equipment incurred in connection with such requests: provided that nothing herein contained shall prevent any assisting party state from assuming such loss, damage, expense or other cost or from loaning such equipment or from donating such services to the receiving party state without charge or cost.

(f) Each party state shall provide for the payment of compensation and death benefits to injured officers and employes and the representatives of deceased officers and employes in case officers or employes sustain injuries or death while rendering outside aid pursuant to this compact, in the same manner and on the same terms as if the injury or death were sustained within the state by or in which the officer or employe was regularly employed.

ARTICLE VII. SUPPLEMENTARY AGREEMENTS

(a) To the extent that the board has not undertaken an activity or project which would be within its power under the provisions of Article V of this compact, any two or more of the party states (acting by their duly constituted administrative officials) may enter into supplementary agreements for the undertaking and continuance of such an activity or project. Any such agreement shall specify the purpose or purposes; its duration and the procedure for termination thereof or withdrawal therefrom; the method of financing and allocating the costs of the activity or project; and such other matters as may be necessary or appropriate.

No such supplementary agreement entered into pursuant to this Article shall become effective prior to its submission to and approval by the board. The board shall give such approval unless it finds that the supplementary agreement or activity or project contemplated thereby is inconsistent with the provisions of this compact or a program or activity conducted by or participated in by the board.

(b) Unless all of the party states participate in a supplementary agreement, any cost

or costs thereof shall be borne separately by the states party thereto. However, the board may administer or otherwise assist in the operation of any supplementary agreement.

(c) No party to a supplementary agreement entered into pursuant to this Article shall be relieved thereby of any obligation or duty assumed by said party state under or pursuant to this compact, except that timely and proper performance of such obligation or duty by means of the supplementary agreement may be offered as performance pursuant to the compact.

(d) The provisions to this Article shall apply to supplementary agreements and activities thereunder, but shall not be construed to repeal or impair any authority which officers or agencies of party states may have pursuant to other laws to undertake cooperative arrangements or projects.

ARTICLE VIII.

OTHER LAWS AND RELATIONS

Nothing in this compact shall be construed to:

(a) Permit or require any person or other entity to avoid or refuse compliance with any law, rule, regulation, order or ordinance of a party state or subdivision thereof now or hereafter made, enacted or in force.

(b) Limit, diminish or otherwise impair jurisdiction exercised by the Atomic Energy Commission, any agency successor thereto, or any other federal department, agency or officer pursuant to and in conformity with any valid and operative act of Congress; nor limit, diminish, affect or otherwise impair jurisdiction exercised by any officer or agency of a party state, except to the extent that the provisions of this compact may provide therefor.

(c) Alter the relations between and respective internal responsibilities of the government of a party state and its subdivisions.

(d) Permit or authorize the board to own or operate any facility, reactor, or installation for industrial or commercial purposes.

ARTICLE IX.

ELIGIBLE PARTIES, ENTRY INTO FORCE AND WITHDRAWAL

(a) Any or all of the states of Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington and Wyoming shall be eligible to become party to this compact.

(b) As to any eligible party state, this compact shall become effective when its legislature shall have enacted the same into law: Provided, that it shall not become initially effective until enacted into law by five states.

(c) Any party state may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall take effect until two years after the Governor of the withdrawing state has given notice in writing of the withdrawal to the Governors of all other party states. No withdrawal shall affect any liability already incurred by or chargeable to a party state prior to the time of such withdrawal.

(d) Guam and American Samoa, or either of them may participate in the compact to such extent as may be mutually agreed by the board and the duly constituted authorities of Guam or American Samoa, as the case may be. However, such participation shall not include the furnishing or receipt of mutual aid pursuant to Article VI, unless that Article has been enacted or otherwise adopted so as to have the full force and effect of law in the jurisdiction affected. Neither Guam nor American Samoa shall be entitled to voting participation on the board, unless it has become a full party to the compact.

ARTICLE X.

SEVERABILITY AND CONSTRUCTION

The provisions of this compact and of any supplementary agreement entered into hereunder shall be severable and if any phrase, clause, sentence or provision of this compact or such supplementary agreement is declared to be contrary to the constitution of any participating state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact or such supplementary agreement and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact or any supplementary agreement entered into hereunder shall be held contrary to the constitution of any state participating therein, the compact or such supplementary agreement shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters. The provisions of this compact and of any supplementary agreement entered into pursuant thereto

shall be liberally construed to effectuate the purposes thereof.

[1969 c.444 §1]

453.820 Definitions for ORS 453.810 to 453.850. As used in ORS 453.810 to 453.850, "compact" means the Western Interstate Nuclear Compact enacted by ORS 453.810.

[1969 c.444 §2]

453.830 Member of Nuclear Energy Council to represent state; alternate. (1) The Governor shall designate one member of the Nuclear Energy Council to represent this state as a member of the Western Interstate Nuclear Board created under Article II of the compact. The member so designated shall serve at the pleasure of the Governor.

(2) The member appointed under subsection (1) of this section shall appoint an alternate for him as provided in Article II of the compact. The alternate shall serve at the pleasure of such member.

[1969 c.444 §3]

453.840 Copies of compact documents to be filed with Secretary of State. Copies of bylaws, rules and regulations adopted by the Western Interstate Nuclear Board under Article II of the compact, and amendments thereto, shall be filed with the Secretary of State.

[1969 c.444 §4]

453.850 Status of persons sent to other states under compact. ORS 656.001 to 656.794 applies with respect to individuals sent to another state pursuant to Article VI of the compact. If the aiding personnel are officers or employes of political subdivisions in this state, they are entitled to the same workmen's compensation or other benefits in case of injury or death to which they would have been entitled if injured or killed while

engaged in coping with a nuclear incident within the jurisdiction of his regular employer.

[1969 c.444 §5]

PENALTIES

453.990 Penalties. (1) Any sale in violation of the rules of the State Board of Pharmacy, as provided in ORS 453.030, is punishable, upon conviction, by a fine of not less than \$20 nor more than \$100.

(2) Violation of ORS 453.040 to 453.150 is punishable, upon conviction, by a fine of not more than \$100 or by imprisonment for not more than 30 days, or both.

(3) Violation of ORS 453.160 is a felony and is punishable, upon conviction, by a fine of not more than \$500 or by imprisonment in the penitentiary for not more than five years, or both. The penalties in this subsection do not supplant, mitigate or diminish the penalties provided by law for a person found guilty of manslaughter.

(4) Any sale in violation of the rules under ORS 453.170 is punishable, upon conviction, by a fine of not more than \$500.

(5) Violation of ORS 453.210 to 453.240 is punishable, upon conviction, by a fine of not more than \$200, or by imprisonment for not more than 90 days, or by both.

(6) Any person who knowingly violates any provision of or any regulation pursuant to ORS 453.605 to 453.745 shall be punished, upon conviction, as for a misdemeanor.

[Subsection (10) enacted as 1961 c.664 §15; 1969 c.631 §15]

453.992 Jurisdiction. Circuit courts and district courts have concurrent original jurisdiction to try causes arising out of violations of ORS 453.030 to 453.160.

[Amended by 1969 c.631 §16]

CERTIFICATE OF LEGISLATIVE COUNSEL

Pursuant to ORS 173.170, I, Robert W. Lundy, Legislative Counsel, do hereby certify that I have compared each section printed in this chapter with the original section in the enrolled bill, and that the sections in this chapter are correct copies of the enrolled sections, with the exception of the changes in form permitted by ORS 173.160 and other changes specifically authorized by law.

Done at Salem, Oregon,
on December 1, 1969.

Robert W. Lundy
Legislative Counsel

CHAPTERS 454 AND 455
[Reserved for expansion]

