
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. **686** Session of
1961

INTRODUCED BY MESSRS. WEINER, BERGER AND RIPP,
MAY 24, 1961.

REFERRED TO COMMITTEE ON STATE GOVERNMENT,
MAY 24, 1961.

AN ACT

Relating to atomic energy defining powers and duties of State departments offices boards commissions and of political subdivisions in connection therewith creating the Office of Atomic Development and prescribing its powers and duties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

- 1 Section 1 Short Title This act shall be known and may be cited
- 2 as the "State Atomic Energy Law"

EXPLANATION—CAPITAL LETTERS indicate new matter added to bill. Matter stricken through is to be omitted from bill. Underscoring indicates new matter added to existing law. [Brackets] indicate matter stricken from existing law.

1 Section 2 Definitions When used in this act

2 (1) The term "atomic energy" means all forms of energy released
3 in the course of nuclear fission or nuclear fusion or other nuclear trans-
4 formation

5 (2) The term "director" means the director of the Office of Atomic
6 Development

7 (3) The term "office" means the Office of Atomic Development

8 (4) The term "person" means any natural person firm association
9 public or private corporation organization partnership trust estate
10 or joint stock company or any political subdivision of the State or any
11 officer or agent thereof

12 Section 3 Office of Atomic Development Director Employees There
13 is hereby created an independent administrative commission to be known
14 as the "Office of Atomic Development" The head of such commis-
15 sion shall be a director who shall be appointed by the Governor by
16 and with the advice and consent of the Senate and shall hold office
17 during the pleasure of the Governor He shall receive an annual salary
18 to be fixed by the Governor within the amount available therefor
19 by appropriation He shall also be entitled to receive reimbursement
20 for expenses actually and necessarily incurred by him in the perform-

1 ance of his duties The director may appoint such officers employes
2 agents consultants and special committees as he may deem necessary
3 prescribe their duties fix their compensation and provide for reimburse-
4 ment of their expenses within the amounts available therefor by ap-
5 propriation

6 Section 4 General Functions Powers and Duties of Office The
7 Office of Atomic Development by and through the director or his
8 duly authorized officer or employe shall subject to the supervision and
9 direction of the Governor have the following functions powers and
10 duties

11 (1) To advise the Governor and the Legislature with regard to
12 the status of atomic energy research development education and regu-
13 lation and to make recommendations to the Governor and the Legisla-
14 ture designed to assure increasing progress in this field within the State

15 (2) To advise and assist the Governor and the Legislature in de-
16 veloping and promoting a State policy for atomic energy research
17 development education and regulation

18 (3) To coordinate the atomic energy activities of the departments
19 agencies offices boards commissions and other agencies of the State
20 and the political subdivisions of the State

1 (4) To cooperate with business enterprise and other persons con-
2 cerned with atomic energy the Federal government and the govern-
3 ments of other states and to correlate the atomic energy activities of
4 the State and its political subdivisions with the atomic energy activities
5 of the foregoing

6 (5) To sponsor or conduct studies collect and disseminate informa-
7 tion and issue periodic reports with regard to atomic energy research
8 development education and regulation and proposals for further pro-
9 gress in the field of atomic energy

10 (6) To accept and to administer loans grants or other contribu-
11 tions from the Federal government or other sources public or private
12 for carrying out the policies or purposes of this act

13 (7) To foster and support research and education relating to
14 atomic energy through contracts or other appropriate means of as-
15 sistance including acquisition of land and construction of facilities
16 on such terms and conditions as the director may deem necessary or
17 appropriate in the public interest and within the amounts available
18 therefor by appropriation

1 (8) To keep the public informed with respect to atomic energy
2 development within the State and the activities of the State and its
3 political subdivisions relating thereto

4 (9) To locate within the State with due regard for the health
5 and safety of the public one or more (i) sites at which radioactive by-
6 products could be concentrated and stored (ii) sites at which an atomic
7 test reactor could be constructed and operated and (iii) port facilities
8 capable of handling the fueling and servicing of atomic propelled vessels
9 and the shipping of used uranium fuel

10 The office may subject to the approval of the Governor enter into
11 a contract or contracts with engineers and other experts and make all
12 other arrangements appropriate to locate such sites and facilities

13 (10) To enter into subject to the approval of the Governor an
14 agreement or agreements with the Federal government whereby the
15 State will perform on a cooperative basis with the Federal government
16 inspections or other functions with respect to atomic energy activities
17 State will perform on a cooperative basis with the Federal government

18 (11) To cooperate with the Federal government the State Council
19 of Civil Defense and other appropriate departments offices boards com-
20 missions and agencies of the State and the political subdivisions thereof

1 in connection with the establishment of training programs relating
2 to the handling of an accident fire or disaster believed to involve radio-
3 active materials

4 (12) To prepare maintain currently and distribute to the appro-
5 priate departments offices boards commissions and other agencies of
6 the State and political subdivisions thereof for use in the event of
7 an accident fire or disaster believed to involve radioactive materials
8 (i) a roster of persons within the State qualified in the detection and
9 handling of radiation hazards and (ii) a list of the type and location of
10 technical instruments and other specialized equipment within the State
11 which could be of use in connection with such an accident fire or
12 disaster

13 (13) To do all things necessary or convenient to carry out the
14 functions powers and duties set forth in this act

15 Section 5 Assistance of Other Departments Offices Boards Com-
16 missions Agencies and Political Subdivisions Review of Regulations (a)
17 All departments offices boards commissions and other agencies of
18 the State and all political subdivisions thereof are directed to keep the
19 director fully and currently informed as to their activities relating
20 to atomic energy or ionizing radiation

1 (b) The director may request from any department office board
2 commission or other agency of the State or any political subdivision
3 thereof and the same are authorized to provide such assistance services
4 and data as may be required by the office in carrying out the purposes
5 of this act

6 (c) No rule regulation or ordinance or amendment thereto or
7 repeal thereof primarily and directly relating to atomic energy or the
8 use of atomic energy which any department office board or commission
9 or other agency of the State or of any political subdivision thereof
10 may propose to issue or promulgate shall become effective until ninety
11 days after it has been submitted to the director unless either the Gov-
12 ernor or the director by order waives all or any part of such ninety
13 day period

14 Section 6 Contracts for Atomic Energy Facilities In making
15 contracts or providing other appropriate assistance to foster and sup-
16 port atomic energy research or education the director shall require
17 that any State funds provided through the office for the acquisition
18 of land or the construction of facilities affixed thereto be matched by
19 funds or other contributions from other sources of at least equal amount
20 or value and that any such land and facilities be available for research

1 and training for such period of time and on such terms as may be
2 approved by the director to the departments offices boards commis-
3 sions and other agencies of the State and of the political subdivisions
4 thereof to educational and nonprofit institutions in the State and to
5 other persons consistent with the purposes of this law

6 Section 7 Atomic Energy Special Fund (a) There is hereby estab-
7 lished in the State Treasury a special fund to be known as the "Atomic
8 Energy Special Fund"

9 (b) All moneys received from grants or other contributions ac-
10 cepted pursuant to clause (6) of section 4 of this act shall be deposited
11 directly in the Atomic Energy Special Fund

12 (c) The moneys of the Atomic Energy Special Fund subject to
13 the terms and conditions of such grants or contributions shall be avail-
14 able for payment of any and all costs and expenditures including con-
15 tracts and grants for atomic energy facilities required in carrying out
16 the purposes of this act and costs and expenditures incidental and ap-
17 purtenant thereto and such moneys are hereby appropriated to the
18 Office of Atomic Development for such purpose

19 Section 8 Coordinating Council The Governor shall designate a
20 coordinating council under the chairmanship of the director to advise

1 assist and make recommendations to the director with respect to co-
2 ordination of the atomic energy activities of the departments offices
3 boards commissions and other agencies of the State and the political
4 subdivisions of the State The coordinating council shall consist of such
5 representatives of State departments and agencies importantly concerned
6 with atomic energy and such other persons as the Governor may from
7 time to time designate

8 Section 9 Advisory Committee (a) There shall be within the office
9 a general advisory committee consisting of not more than fifteen mem-
10 bers appointed by the Governor who shall broadly reflect the varied
11 interests in and aspects of atomic energy within the State one of whom
12 shall be designated as chairman by the Governor and who shall serve
13 as chairman at the pleasure of the Governor The advisory committee
14 shall meet from time to time at the call of the chairman or the director
15 shall advise the director on atomic energy matters and if so requested
16 by the director may make particular atomic energy studies

1 (b) The members of the advisory committee shall serve without
2 compensation but shall be allowed their actual and necessary expenses
3 incurred in the performance of their duties hereunder

4 (c) All members of the advisory committee shall be appointed for
5 terms of three years such terms to commence on April first and expire
6 on March thirty-first except that of the members first appointed one-
7 third shall be appointed for one year terms and one-third shall be ap-
8 pointed or two year terms Any member chosen to fill a vacancy created
9 otherwise than by expiration of term shall be appointed for the un-
10 expired term of the member whom he is to succeed

11 Section 10 No Disqualification No member of the coordinating
12 council or the advisory committee shall be disqualified from holding
13 any other public office or employment nor shall he forfeit any such
14 office or employment by reason of his appointment hereunder notwith-
15 standing the provisions of any general special or local law ordinance or
16 rule or regulation

17 Section 11 Agreements with the Federal Government The Gover-
18 nor on behalf of the State may enter into an agreement or agreements
19 with the Federal government whereby the Federal government will dis-
20 continue and the State will assume regulatory authority with respect

1 to atomic energy activities within the State now or hereafter regulated
 2 by the Federal government relating to by-product materials source
 3 materials and special nuclear materials in quantities not sufficient to
 4 form a critical mass

We certify that this bill has passed the Senate and the House of
 Representatives.

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 Chief Clerk, Senate

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 President pro tempore, Senate

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 Speaker, House of Representatives

Approved The day of A. D. 1961.

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 Governor