

NORTH CAROLINA GENERAL ASSEMBLY  
1963 SESSION

CHAPTER 1211  
SENATE BILL 530

1 AN ACT AMENDING CHAPTER 104C OF THE GENERAL STATUTES, RELATING TO  
2 ATOMIC ENERGY, RADIOACTIVITY AND IONIZING RADIATION.

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4 The General Assembly of North Carolina do enact:

5 **Section 1.** G.S. 104C-4, as the same appears in the 1961 Cumulative Supplement to  
6 the General Statutes, is hereby amended by adding the following paragraphs immediately  
7 following the first paragraph thereof: "As used in this Chapter, the word 'person' means any  
8 individual, corporation, partnership, firm, association, trust, estate, public or private institution,  
9 group, agency, political subdivision of this State, any other state or political subdivision or  
10 agency thereof, and any legal successor, representative, agent, or agency of the foregoing, other  
11 than the United States Atomic Energy Commission, or any successor thereto, and other than  
12 Federal government agencies licensed by the United States Atomic Energy Commission, or any  
13 successor thereto.

14 "The State Board of Health shall provide by rule or regulation for general or specific  
15 licensing of by-product, source, special nuclear materials, or devices or equipment utilizing  
16 such materials. Such rule or regulation shall provide for amendment, suspension or revocation  
17 of licenses.

18 "Said Board is authorized to adopt reasonable rules and regulations necessary to carry out  
19 an effective licensing program designed to protect the public health or safety in this field.  
20 Provision shall be made for applications for licenses, conditions for issuance of licenses, and  
21 suspension and revocation of licenses. Said State Board is authorized to exempt certain sources  
22 of ionizing radiation or kinds of uses or users from the licensing or registration requirements set  
23 forth in this Section when the said State Board makes a finding that the exemption of such  
24 sources of ionizing radiation or kinds of uses or users will not constitute a significant risk to the  
25 health and safety of the public. Rules and regulations promulgated pursuant to this Chapter may  
26 provide for recognition of other state or Federal licenses as the said State Board may deem  
27 desirable, subject to such registration requirements as the said State Board may prescribe.

28 "The State Board shall have authority to impose a right to inspect premises as a condition of  
29 issuance of a license. Neither local boards of health nor counties nor cities shall adopt  
30 regulations inconsistent with those adopted by the State Board of Health pursuant to this  
31 Chapter.

32 "Authorized representatives of the State Board of Health shall have the authority in the  
33 event of an emergency to impound or order the impounding of sources of ionizing radiation, in  
34 the possession of any person who is not equipped to observe or fails to observe the provisions  
35 of this Chapter or any rules or regulations issued thereunder.

36 "Insofar as practicable, all the provisions of Chapter 150 of the General Statutes shall be  
37 applicable with respect to licenses and the licensing procedure herein provided for."

38 **Sec. 2.** Chapter 104C of the General Statutes is hereby further amended by adding a  
39 new Section at the end thereof, to be designated as G.S. 104C-5, and to read as follows: "G.S.  
40 104C-5. Governor Authorized to Enter into Agreements with Atomic Energy Commission,

41 (a) The Governor, on behalf of this State, is authorized to enter into agreements with  
42 the Federal government providing for discontinuance of certain of the Federal government's

1 responsibilities with respect to sources of ionizing radiation and the assumption thereof by this  
2 State.

3 "(b) Any person who, on the effective date of an agreement under subsection (a) above,  
4 possesses a license issued by the Federal government shall be deemed to possess the same  
5 pursuant to a license issued under this Chapter, which shall expire either ninety (90) days after  
6 receipt from the State Board of Health, of a notice of expiration of such license, or on the date  
7 of expiration specified in the Federal license, whichever is earlier."

8 **Sec. 3.** All laws and clauses of laws in conflict with this Act are hereby repealed.

9 **Sec. 4.** This Act shall become effective upon its ratification.

10 In the General Assembly read three times and ratified, this the 26th day of June,  
11 1963.