

hereinabove mentioned and prior to the levy of the execution or attachment, shall be charged against the exemption herein mentioned, and the amount of exemption shall be reduced accordingly; it being the intention of the Act to provide an exemption to the wage earner of not to exceed Three Hundred Dollars in every thirty-day period prior to the levy of attachment or execution.

Second. Books, pictures, and musical instruments owned by any person, to the value of three hundred dollars;

Third. Necessary wearing apparel owned by any person for the use of himself or his family: Provided, watches or jewelry exceeding in value the sum of two hundred dollars shall not be exempt by virtue of this subdivision;

Fourth. The tools, implements, apparatus, motor vehicles, books, office furniture, business files, animals, laboratory, and any other article necessary to enable any person to carry on the trade, occupation, or profession by which such person habitually earns his living to the value of eight-

een hundred dollars; also sufficient quantity of food to support such animals, if any, for six months;

Fifth. The following property, if owned by the head of a family and in actual use or kept for use by and for his family, or when being removed from one habitation to another on a change of residence: Animals, household goods, furniture, and utensils to the value of twelve hundred dollars; also food sufficient to support such animals, if any, for six months, and provisions actually provided for family use and necessary for the support of such person and family for six months;

Sixth. All property of any public or municipal corporation;

Seventh. No article of property, hereinbefore mentioned shall be exempt from execution issued on a judgment recovered for its price, and in the event the said article of property has been sold or exchanged for other property the proceeds of the sale or the article for which it was exchanged shall not be exempt from execution.

Approved March 18, 1957

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## CHAPTER 66

### AN ACT

Relating to Title 40, Health and Safety Chapter 1, Section 40-1-6, Alaska Compiled Laws Annotated 1949, as amended by Section 16 of Chapter 118, Session Laws of Alaska, 1949, relating to radiation protection and prescribing functions, powers and duties relating to prevention and prohibition of unnecessary radiation.

(H. B. 56)

**Be it enacted by the Legislature of the Territory of Alaska:**

**Section 1. Title.** This Act shall be known and may be cited as the "Radiation Protection Act."

**Sec. 2. Public Policy.** Whereas ionizing radiations and their sources can be instrumental in the improvement of health, welfare and productivity of the public if properly utilized and may be destructive of life or health if carelessly or excessively employed, or may impair the industrial and agricultural potentials of the Territory if improperly utilized, it is hereby declared to be the public policy of the Territory of Alaska to encourage the constructive uses of radiation and to prohibit and prevent unnecessary radiation.

**Sec. 3. Definitions.** The following words as used in this Act shall have the following meanings: "Department" means The Alaska Department of Health. "Unnecessary radiation" means the use of gamma rays, X-rays, alpha and beta particles, high speed electrons, neutrons, protons and other atomic or nuclear particles or rays in such manner as may be hazardous to the health of the people or the industrial or agricultural potentials of the Territory.

**Sec. 4. Rules and Regulations.** The Alaska Department of Health shall have the power to formulate and promulgate, amend and repeal codes and rules and regulations including registration of sources of radiation as may be necessary to prohibit and prevent unnecessary radiation provided however, that no such amendment or repeal shall be adopted except after public hearing to be held after sixty (60)

days prior notice thereof by public advertisement of the date, time and place of such hearing, at which opportunity to be heard by the Alaska Department of Health with respect thereto shall be given to the public; and provided, further, that no such code, rule or regulation and no such amendment or repeal shall be or become effective until thirty (30) days after the adoption thereof as aforesaid. A person heard at such public hearing shall be given written notice of the determination of the Alaska Department of Health.

**Sec. 5. Functions and Powers of Department.** The Department shall:

- a. Administer this Act and codes, rules or regulations promulgated under this Act;
- b. Develop comprehensive policies and programs for the evaluation and determination of hazards associated with the use of radiation, and for their amelioration;
- c. Advise, consult and cooperate with other agencies of the Territory, the Federal Government, States and interstate agencies, and with affected groups, political subdivisions and industries;
- d. Accept and administer according to law loans, grants, or other funds or gifts from the Federal Government and from other sources, public or private for carrying out its functions under this Act;
- e. Encourage, participate in, or conduct studies, investigations, training, research and demonstrations relating to the control of radiation hazard, the measurement of radiation, the effects on health of exposure to radiation and related problems as it may deem neces-

sary or advisable for the discharge of its duties under this Act;

f. Collect and disseminate health education information relating to radiation protection;

g. Review plans and specifications for radiation sources submitted pursuant to codes, rules or regulations promulgated under this Act;

h. Inspect radiation sources, their shielding and immediate surroundings and records concerning their operation for the determination of any possible radiation hazard;

i. Data obtained as a result of registrations or investigations may be kept confidential by the Department.

**Sec. 6. Use of Radiation Sources.** All sources of radiation shall be shielded, transported, handled, used and kept in such manner as to prevent all users thereof and all persons within effective range thereof from being exposed to unnecessary radiation.

**Sec. 7. Notification of Violation and Order of Abatement.** Whenever the Department finds upon inspection and examination a source of radiation as constructed, operated or maintained that there has been a violation of any of the provisions of this Act or any codes, rules or regulations promulgated under this Act, it shall notify any person found to be causing, allowing or permitting such violation, of the nature of that violation and order that prior to a time fixed by the Department; which time shall not be later than thirty (30) days from the date of service of the notice, that such person shall cease and abate causing, allowing or permitting such violation and take such action as may be necessary for the source of radiation to be

constructed, operated or maintained in compliance with this Act and codes, rules or regulations promulgated under this Act. Any person aggrieved by the finding or order of the Department may bring a civil action in the District Court of the appropriate Judicial Division at any time within three months after being notified thereof, and said court may hear and determine such action in which the court may proceed in a summary manner or otherwise, and thereupon may affirm; the finding or order of the Department or reverse or modify the finding or order of the Department in whole or in part as the Court shall deem just and reasonable.

**Sec. 8. Authority of Department in Cases of Emergency.** Whenever the Department finds that an emergency exists requiring immediate action to protect the health or welfare it may issue an order reciting the existence of such an emergency and requiring that such action be taken as it deems necessary to meet the emergency. Such order shall be effective immediately. Any person to whom such order is directed shall comply therewith immediately but on application to the Department shall be afforded a hearing within thirty (30) days. On the basis of such hearing the Department shall continue such order in effect, revoke it or modify it.

**Sec. 9. Injunctive Relief.** A civil action may be instituted in the District Court of the appropriate Judicial Division on behalf of the Department for injunctive relief to prevent the violation of the provisions of this Act or codes, rules or regulations promulgated under this Act, and said court may proceed in the action in a summary manner or otherwise and may restrain in all

such cases any person from violating any of the provisions of this Act or said codes, rules or regulations.

**Sec. 10. Exceptions.** Nothing in this Act shall be interpreted as limiting intentional exposure of patients to radiation for the purpose of diagnosis or therapy, or medical research, as authorized by law.

**Sec. 11. Conflicting Laws.** This Act shall not be construed as repealing any laws of the Territory relating to radiation sources, exposures, radiation protection, and professional licensure, but shall be

held and construed as auxiliary and supplementary thereto, except to the extent that the same are in direct conflict herewith. No ordinances or regulations of any governing body of a municipality not inconsistent with this Act or any code, rules or regulations promulgated pursuant thereto shall be superseded by this Act. Nothing in this Act or in any code, rules or regulations promulgated pursuant thereto shall preclude the right of any governing body of a municipality to adopt ordinances or regulations not inconsistent with this Act or any code, rules or regulations promulgated pursuant thereto.

Approved March 18, 1957

## CHAPTER 67

### AN ACT

To amend Section 11-1-6, ACLA 1949, by changing from April 1 to January 1 the date on which various officers of the Territorial Government shall qualify and enter upon their duties of office; amending Section 7-1-2, ACLA 1949, as repealed by Chapter 133, SLA 1951, and re-enacted by Chapter 24, SLA 1953, Section 9-1-2, ACLA 1949, and Section 41-3-2, ACLA 1949; and declaring an emergency.

(H. B. 70)

**Be it enacted by the Legislature of the Territory of Alaska:**

Section 1. Section 11-1-6, ACLA 1949, is amended to read as follows:

**Sec. 11-1-6. Qualifying for and Assumption of Office.** The Attorney General of the Territory of Alaska, the Treasurer of the Territory of Alaska, and the Highway Engineer of the Territory of Alaska shall qualify and enter upon the duties of their respective offices on the first day of

January, immediately following their election. Provided, however, that any incumbent in office on January 1 whose term is shortened by this Act shall be paid his salary in full from January 1 through March 31.

Section 2. Nothing herein contained shall authorize accrual or payment of salary prior to actual qualification for and entrance upon the duties of any such office.

Section 3. Section 7-1-2, ACLA