



Initiative Measure 325

TO THE PEOPLE

Official Ballot Title:

Shall future nuclear power facilities which do not meet certain conditions and receive two-thirds approval by the legislature be prohibited?

The Law as it now exists:

Nuclear power plant locations are now approved by the governor, acting upon a formal application and after recommendation by the Energy Facility Site Evaluation Council. That Council is comprised of representatives of several state agencies, as well as representatives of counties and port districts within which the proposed power

Statement for

Permits Nuclear Power

A yes vote on Initiative 325 permits nuclear power, but only when it is needed. And it assures that when new plants are built, they will be safe. More importantly, Initiative 325 takes nuclear decisions away from bureaucrats and utility officials and places that responsibility in the hands of our elected representatives — where it belongs.

Assures Abundant Low Cost Electricity

Initiative 325 exempts Washington's existing nuclear plant and allows three nuclear plants just now beginning construction to be completed, adding to our current 30% surplus.

Since nuclear power costs over ten times as much as present sources, overbuilding means that we pay and we take the risks, while others get surplus power. Initiative 325 requires that the need for such additional power be shown before further plants are built.

Insures Plant Safety

Initiative 325 requires plant operators to demonstrate proved methods of dealing with deadly radioactive waste material and other safety aspects which are, to date, largely untested.

Plugs A Liability Loophole

Your insurance policies specifically exclude protection from any losses due to a nuclear accident. A federally-approved loophole limits any liability of nuclear plant operators. Initiative 325 plugs that loophole and requires full financial responsibility, just as for any other business.

Prevents Premature Expansion

Seattle's exhaustive "Energy 1990" study revealed that

additional plants were not needed there for at least 20 years. A City Council member summed up Seattle's decision: "It (nuclear power) costs too much and we don't need it." Initiative 325 asks that a similar analysis be made statewide. The citizens of Washington must be assured a safe, economical energy future.

Vote Yes on Initiative 325

Rebuttal of Statement against

The "ban" claims are FALSE:

- 1) Federal liability limits need only be waived;
- 2) Safety test facilities *already* exist;
- 3) New and old plants at Hanford are *not* affected;
- 4) After 2 years for thorough review and assessment, the legislature may alter any provision by a simple *majority*.

Nuclear economics are BAD:

- 1) Domestic nuclear fuel is scarce; import costs will be high;
- 2) Many more jobs are provided by conservation, with lower electricity rates as well.

Voters' Pamphlet Statement Prepared by:

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Advisory Committee: MARILYN STANTON, Spokane City Council; DR. VICTOR COOK, Professor of Physics, University of Washington; ROBERT T. LAMSON, Aviation and Engineering Consultant, Mercer Island; and DR. RUTH WEINER, Dean, Huxley College, Bellingham.

plant would be located. If the governor approves the site, a binding agreement is then entered into between the state and the plant operator. The agreement may contain conditions on the construction and operation of the plant.

The location and use of other facilities for the manufacture, transportation, reprocessing, storage and disposal of radioactive and chemically toxic materials is initially subject to zoning and business licensing requirements imposed by local and state law. The licensing of such facilities, for health and safety purposes, is handled directly by the United States Nuclear Regulatory Commission or by the state pursuant to agreement with the federal government as authorized by the Atomic Energy Act of 1954.

The effect of Initiative 325, if approved into Law:

The initiative would permit construction and operation of future nuclear power plants or other nuclear facilities described in the preceding paragraph only when the legislature, by a two-thirds vote in each house, has made a number of determinations based upon recommended findings of the state Energy Facility Site Evaluation Council. Those findings must include:

First, that safety systems in any plant or facility will be effective, as demonstrated through actual testing of similar systems;

Second, that radioactive and chemically toxic wastes from nuclear plants can be stored or discarded without risk of escape or diversion; and,

Third, that there is a need for power from a nuclear plant (that is, the power is not available from another source) and the operation of such a plant is the best use to which the land in question could be put.

Thereafter, approval of plants and other nuclear facilities by the Energy Facility Site Evaluation Council would be further conditioned upon waiver or removal of limitations upon liability for injury or property loss which are presently imposed by federal law.

Prior to making its recommended findings to the legislature, the Energy Facility Site Evaluation Council would hold public hearings throughout the state and solicit opinions from experts and interested parties.

The initiative would also provide new procedures for the publication, dissemination and review of local evacuation plans for communities in the vicinity of nuclear fission power plants.

NOTE: The ballot title and explanatory statement were written by the Attorney General as required by state law. The complete text of Initiative Measure 325 begins on Page 16.

Statement against

The nuclear electricity generating option dies in Washington if 325 passes. 325 establishes conditions which cannot be met for new nuclear plants, cancels four plants under development and jeopardizes the steam plant at Hanford.

Everybody is for safety — but 325 doesn't make nuclear electricity safe — it makes it impossible.

Everybody is for conservation — but 325 doesn't conserve anything — it bans nuclear electricity and forces greater use of our non-renewable resources — oil, gas and coal — for electricity generation.

Everybody is for national security — but 325 forces greater reliance on foreign countries on which we already depend for 43% of our oil.

Everybody is for more jobs and less unemployment — but electrical energy and jobs go hand-in-hand . . . 325 would assure that within ten years we would have fewer jobs in relation to population and greater unemployment than today.

Everybody is for strictly regulating nuclear electrical generating plants — but today there are 31 state and federal regulatory agencies involved in regulating the licensing and safe operation of such plants — 325 doesn't regulate, it bans nuclear development.

Ban No. 1 (Section 6-1-a): No plant can be built until current federal insurance laws are changed.

Ban No. 2 (Section 6-1-b): No license to build can be issued until a plant is first built, operated and tested!

Ban No. 3 (Section 6-2-b and c): Stops four plants under development and probably stops operation of Hanford's steam plant.

Ban No. 4 (Section 8-1): Lets 17 legislators ban nuclear when 130 others approve it.

BAN THE BAN THAT'S BAD FOR PEOPLE — VOTE NO AGAINST INITIATIVE 325

Rebuttal of Statement for

Not one of the proponents' 5 basic views is supported by facts or by any public agency of the U. S. Government, Washington State government or local governments within Washington State.

Local university nuclear scientists, spokesmen for the Environmental Protection Agency, Federal Energy Administration, Bonneville Power Administration, State Public Utility Districts' Association, State Sportsmen's Council, Farm Bureau, Grange, State Labor Council and 46 local Chambers' of Commerce all oppose Initiative 325 because it bans nuclear electricity.

Voters' Pamphlet Statement Prepared by:

DR. OSWALD H. GREAGER, Former Chairman, Washington State Thermal Power Site Evaluation Council; TERRY R. ROGERS, M.D., Seattle; and DR. FRED SCHMIDT, Professor, Department of Physics, University of Washington.

Advisory Committee: JOE DAVIS, President, Wash. State Labor Council, AFL-CIO, Seattle; ARCHIE R. GRAHAM, President, Wash. State Sportsmen's Council, Seattle; DIANE OBERQUELL, Director, Wash. State Federation of Democratic Womens' Clubs, Olympia; C. DAVID GORDON, President, Assoc. of Washington Industries, Olympia; GENE WOODRUFF, Co-Chairman, Scientists and Engineers for Energy Options, Seattle.



COMPLETE TEXT OF

Initiative Measure 325

AN ACT Relating to the regulation of nuclear fission facilities; regulating the construction and operation of new nuclear fission power plants and related facilities and the disposition of radioactive and chemically toxic wastes; adding new sections to chapter 80.50 RCW; and creating new sections.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. This act shall be known and may be cited as the Nuclear Safeguards Act.

NEW SECTION. Sec. 2. Sections 3 through 12 of this act shall be added to and made a part of chapter 80.50 RCW.

NEW SECTION. Sec. 3. (1) The people of the state of Washington hereby find that nuclear fission power plants and related facilities connected with the manufacture, transportation, reprocessing, storage, and disposal of radioactive and chemically toxic materials from such plants have a profound effect on the planning for and the use of large areas of the state and may have a profoundly undesirable effect on the health and safety of the citizens of the state. The people hereby declare that nuclear fission power plants and related facilities connected with the manufacture, use, transportation, and storage of nuclear fuel must, for purposes of rational land use planning, be safely planned, constructed, maintained, and insured.

(2) The people of the state of Washington further declare that the wise and nonwasteful use of energy in this state is necessary for the continued health, safety, economic benefit, and well-being of the people.

NEW SECTION. Sec. 4. The people of the state of Washington further find and declare that substantial questions have been raised concerning the effect of nuclear fission power plants on land use planning and on public health and safety, which questions include but are not limited to:

(1) The reliability of the performance of the plants and related consequences in the areas of health, safety, economics, and security;

(2) The reliability of the emergency safety systems for the plants;

(3) The security of the plants against the release of potentially harmful substances into the environment due to both natural and human stimuli;

(4) The security of the systems of transportation, reprocessing, and disposal or storage of the waste of the plants from theft, sabotage, accident, acts of God, and other events;

(5) The state of knowledge and the practical application thereof regarding ways to safely and adequately dispose of the plants themselves at the conclusion of their operation and to safely store or dispose of the radioactive and chemically toxic waste products of the plants and related facilities during their operation;

(6) The effects of thermal emissions from the plants;

(7) The propriety of the creation by one generation of potentially catastrophic hazards for future generations, including, but not limited to, the radioactive and chemically toxic wastes from nuclear fission power plants; and

(8) Existing plans for the efficient evacuation of persons in the danger zone upon failure of or an accident involving a nuclear fission power plant, a related facility, or transportation of radioactive fuel or waste.

NEW SECTION. Sec. 5. The people of the state of Washington desire by sections 3 through 12 of this act to exercise the full power vested in them in the areas of land use planning, protection of health and safety, and otherwise.

NEW SECTION. Sec. 6. (1) A nuclear fission power plant or any facility connected with the manufacture, transportation, or storage of nuclear fission power plant fuel, or any nuclear fission power plant waste disposal or storage facility may be a permitted land use in the state of Washington and its waters; may be considered to be reasonably safe and susceptible to rational land use planning; may be certified, licensed, or permitted by the governor or any state or local

agency; and may be constructed and operated in the state of Washington only after all of the following conditions are met:

(a) Any federally imposed limits on the liability of owners and operators of such plant or other facility for personal injury, property damage, and other economic loss resulting from the existence or operation of such plant or other facility have been removed by law or waived, so that full compensation is assured for the people and businesses of the state of Washington;

(b) The effectiveness of safety systems of such plant or other facility has, to the satisfaction of the legislature in accordance with the procedures specified in section 8 of this act, been demonstrated by comprehensive testing of substantially similar physical systems in actual operation;

(c) The radioactive and chemically toxic wastes from the plant can be stored or disposed of with no reasonable chance, as determined by the legislature in accordance with the procedures specified in section 8 of this act, of intentional or unintentional escape or diversion at a time during which such waste is radioactive or chemically toxic; and

(d) The legislature has determined in accordance with the procedures specified in section 8 of this act that there is a demonstrated need for the power from the plant, that such power cannot reasonably be supplied by another source, and that the best use of the land on which the plant is to be constructed is for a nuclear fission power plant.

(2) Until all of the conditions of subsection (1) of this section have been met:

(a) No application for a site certificate for a nuclear fission power plant or for authority to construct or operate any other facility connected with the manufacture, transportation, storage, or disposal of nuclear fission power plant fuel or waste may hereafter be approved by the governor or any state or local agency; and

(b) No construction may begin or continue on:

(i) Any nuclear fission power plant which has received site certification approved by the governor after February 10, 1976;

(ii) Any facilities connected with the manufacture, transportation, and storage of nuclear fission power plant fuel which have been authorized by the governor or any state or local agency after February 10, 1976; or

(iii) Any nuclear fission power plant waste disposal or storage facility which has been authorized by the governor or any state or local agency after February 10, 1976; and

(c) No municipal corporation in the state of Washington may design, construct, or operate a nuclear fission power plant or facilities related to a plant which has not received site certification prior to February 10, 1976; and no municipal corporation in the state of Washington may finance the design, construction, or operation of such plants and related facilities.

NEW SECTION. Sec. 7. The provisions of section 6 of this act shall not apply to small-scale nuclear fission reactors used solely for medical or experimental purposes.

NEW SECTION. Sec. 8. (1) The determinations of the legislature made pursuant to section 6(1) (b), (c), and (d) of this act shall be made only after findings are made as set out in this section and only by a vote of two-thirds of all the members elected to each house.

(2) To advise the legislature in making the findings required by this section, the Washington state thermal power plant site evaluation council or any successor body created under Washington law shall act in an advisory capacity and submit recommended findings to the legislature.

(a) The council or its successor shall receive all applications for a license to construct or operate a nuclear fission power plant, any facility connected with the manufacture, transportation, or storage of nuclear fission power plant fuel, or any nuclear fission power plant waste disposal or storage facility. The council or its successor shall immediately notify the legislature of all such applications.

(b) The council or its successor shall then submit recommended findings to the legislature regarding the determination to be made pursuant to section 6(1)(b), (c), and (d) of this act. In preparing these recommended findings, the council or its successor shall first solicit opinions from experts and interested parties and shall hold widely publicized hearings throughout the state. The hearings shall be publicized at least once a week during each of the two weeks preceding

the hearing, in at least one newspaper of general circulation in the county where the hearing is to be held. At the hearings, the council or its successor shall give all persons an opportunity to cross-examine witnesses, within reasonable limits of time. Throughout the course of the hearings, the council or its successor shall cause objective information developed by it to be widely published through popular media and otherwise to the maximum extent feasible. After these hearings, the council or its successor shall make a report to the legislature, including minority reports, if necessary, not later than twenty-four months from the date the council or its successor received the application being considered. The final report shall contain the findings of the council or its successor and its recommendations regarding the determinations to be made by the legislature pursuant to section 6(1)(b), (c), and (d) of this act. The council or its successor shall prepare brief and simple summaries of its reports, and the summaries shall be widely published through popular news media and otherwise to the maximum extent feasible. Copies of the report shall be made available to the general public.

(3) (a) To insure full public participation in the determinations to be made pursuant to section 6(1)(b), (c), and (d) of this act, the legislature shall hold public hearings, giving full and adequate notice of such hearings throughout the state, and an opportunity to any person to testify. The legislature shall not hold the hearings until after publication of the reports specified in subsection (2)(b) of this section and shall not make the findings required by subsection (1) of this section until completion of the hearings required by this subsection (3)(a).

(b) All documents, records, studies, analyses, testimony, and materials submitted in conjunction with determinations specified in section 6(1)(b), (c), and (d) of this act to the legislature or to the council or its successor shall, except to the extent expressly prohibited by applicable law, be made available for inspection and copying by the general public.

(c) If, on the vote of the legislature respecting the determinations to be made pursuant to section 6(1)(b), (c), and (d) of this act, there is not a two-thirds affirmative vote in each house, then the legislature shall not again vote on such determinations unless and until the existence of new information so warrants.

(d) If, on the vote of the legislature regarding the determinations to be made pursuant to section 6(1)(b), (c), and (d) of this act, there is a two-thirds affirmative vote in each house, and if the council or its successor determines that the applicant has met the requirements of section 6(1)(a) of this act, the council or its successor shall issue a license to that applicant.

NEW SECTION. Sec. 9. (1) The governor shall cause to be annually published, publicized, and released to the news media and to the appropriate officials of affected communities, in a manner designed to inform residents of the affected communities to the maximum extent feasible, the entire evacuation plans specified in the licensing of each existing nuclear fission power plant in this state. Copies of such plans shall be made available to the members of the public upon request.

(2) The governor shall establish procedures for annual review by state and local officials of established evacuation plans with regard for, but not limited to, such factors as the adequacy of such plans and changes in traffic patterns, population densities, and new construction of schools, hospitals, industrial facilities, and similar facilities. Such procedures shall provide for full public participation in such reviews.

NEW SECTION. Sec. 10. The attorney general of the state of Washington shall enforce all the provisions of sections 3 through 12 of this act.

NEW SECTION. Sec. 11. To the extent that any provision of sections 3 through 12 of this act are inconsistent with any other provision of Washington law, the provisions of sections 3 through 12 of this act shall apply.

NEW SECTION. Sec. 12. If any provision of sections 3 through 11 of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provision or application of sections 3 through 11 of this act which can be given effect without such invalid provision or application, and, to this end, the provisions of sections 3 through 11 of this act are severable.



COMPLETE TEXT OF

Referendum Bill 36

AN ACT Relating to state government; amending section 24, chapter 1, Laws of 1973 as amended by section 13, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.240; and providing for a referendum to the people.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 24, chapter 1, Laws of 1973 as amended by section 13, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.240 are each amended to read as follows:

(1) Every elected official (except president, vice president and precinct committeemen), every chief executive state officer as specified in RCW 43.17.020, as now or hereafter amended, the director of the office of program planning and fiscal management, the director of the department of personnel, and every member appointed to the state board for community college education, office of community development, data processing authority, state finance committee, department of fisheries, forest practices board, forest practices appeals board, gambling commission, game commission, department of game, each professional staff member of the office of the governor, and each professional staff member of the legislature, higher education personnel board, state highway commission, horse racing commission, human rights commission, board of industrial insurance appeals, liquor control board, interagency commission for outdoor recreation, parks and recreation commission, personnel board, board of prison terms and paroles, public disclosure commission, public employees' retirement system, public pension commission, University of Washington board of regents, Washington State University board of regents, board of tax appeals, teachers' retirement system, Central Washington State College board of trustees, Eastern Washington State College board of trustees, Evergreen State College board of trustees, Western Washington State College board of trustees, board of trustees of each community college, and the utilities and transportation commission, and each chief executive officer of the various state boards, authorities, commissions, councils, and other political agencies enumerated in this section in addition to those specified in RCW 43.17.020 shall after January 1st and before January 31st of each year; and every candidate, and every person appointed to fill a vacancy in an elective office (except for the offices of president, vice president, and precinct committeeman) shall, within two weeks of becoming a candidate, and every person appointed to the appointive positions enumerated herein shall, within two weeks of being so appointed, or being appointed to such elective office, file with the commission a written statement sworn as to its truth and accuracy stating for himself and all members of his immediate family, for the preceding twelve months: PROVIDED, That no individual shall be required to file more than once in any calendar year:

(a) Occupation, name of employer, and business address; and

(b) Each bank or savings account or insurance policy in which any such person or persons owned a direct financial interest which exceeded five thousand dollars at any time during such period; each other item of intangible personal property in which any such person or persons owned a direct financial interest, the value of which exceeded five hundred dollars during such period; and the name, address, nature of entity, nature and highest value of each such direct financial interest during the reporting period; and

(c) The name and address of each creditor to whom the value of five hundred dollars or more was owed; the original amount of each debt to each such creditor; the amount of each debt owed to each creditor as of the date of filing; the terms of repayment of each such debt; and the security given, if any, for each such debt: PROVIDED, That debts arising out of a "retail installment transaction" as defined in chapter 63.14 RCW (Retail Installment Sales Act) need not be reported; and

(d) Every public or private office, directorship and position as trustee held; and