

Senate Engrossed

State of Arizona
Senate
Forty-seventh Legislature
First Regular Session
2005

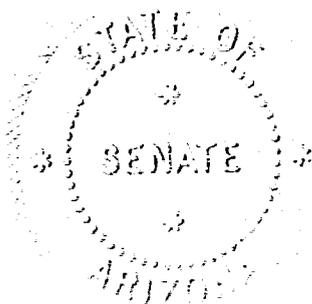
CHAPTER 170

SENATE BILL 1125

AN ACT

CHANGING THE DESIGNATION OF TITLE 36, CHAPTER 2, ARTICLE 4, ARIZONA REVISED STATUTES, TO "BIOMEDICAL RESEARCH"; AMENDING SECTIONS 36-271, 36-272, 36-773 AND 41-3009.02, ARIZONA REVISED STATUTES; RELATING TO THE BIOMEDICAL RESEARCH COMMISSION.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Heading change

3 The article heading of title 36, chapter 2, article 4, Arizona Revised
4 Statutes, is changed from "DISEASE CONTROL RESEARCH" to "BIOMEDICAL
5 RESEARCH".

6 Sec. 2. Section 36-271, Arizona Revised Statutes, is amended to read:
7 36-271. Definitions

8 In this article, unless the context otherwise requires:

9 1. "Commission" means the Arizona ~~disease control~~ BIOMEDICAL research
10 commission.

11 2. "Disease" means a condition or disorder that causes the human body
12 to deviate from its normal or healthy state and which condition or disorder
13 has no known general cure or adequate medically accepted treatment.

14 3. "Medically accepted treatment" means a methodology or protocol
15 recognized by the American medical association, the American college of
16 surgeons or the national cancer institute or taught by an approved school of
17 medicine as defined in section 32-1401 as a treatment that results in the
18 restoration of the human body to a normal or healthy state.

19 Sec. 3. Section 36-272, Arizona Revised Statutes, is amended to read:
20 36-272. Biomedical research commission; members; terms;

21 appointment; compensation; meetings

22 A. The ~~disease control~~ BIOMEDICAL research commission is established,
23 consisting of the following members WHO ARE appointed by the governor
24 pursuant to section 38-211:

25 1. Three members representing the medical community who are
26 experienced in disease related research, no more than one of whom may be
27 employed by or otherwise associated with any state agency, state university
28 or political subdivision of this state.

29 2. Three members representing the scientific research community, no
30 more than two of whom may be employed by or otherwise associated with any
31 state agency, state university or political subdivision of this state.

32 3. Three members representing the general public.

33 B. Notwithstanding any other provision of law, the terms of members
34 are three years beginning on May 1.

35 ~~C. Members are eligible to receive compensation pursuant to section~~
36 ~~38-611.~~

37 C. COMMISSION MEMBERS ARE ELIGIBLE TO RECEIVE COMPENSATION IN THE
38 AMOUNT OF TWO HUNDRED DOLLARS PER DAY FOR EVERY DAY OF ACTUAL SERVICE IN THE
39 BUSINESS OF THE COMMISSION AND ARE ELIGIBLE FOR REIMBURSEMENT OF EXPENSES
40 NECESSARILY AND PROPERLY INCURRED IN ATTENDING COMMISSION MEETINGS.

41 D. The director of the department of health services or the director's
42 designee may serve as a nonvoting member of the commission and is not counted
43 for the purpose of determining the presence of a quorum.

44 E. The commission shall meet at least quarterly at the call of the
45 chairperson. The commission shall also meet at the call of either three

1 commission members or two commission members and the commission's executive
2 director. The commission shall elect a chairperson and cochairperson from
3 among its membership annually at its first quarterly meeting.

4 Sec. 4. Section 36-773, Arizona Revised Statutes, is amended to read:
5 36-773. Health research account

6 A. Five cents of each dollar in the tobacco tax and health care fund
7 shall be deposited in the health research account for research on preventing
8 and treating tobacco-related disease and addiction.

9 B. The Arizona ~~disease control~~ BIOMEDICAL research commission shall
10 administer the account.

11 C. Monies that are deposited in the health research account shall only
12 be used to supplement monies that are appropriated by the legislature for
13 health research purposes and shall not be used to supplant those appropriated
14 monies.

15 Sec. 5. Section 41-3009.02, Arizona Revised Statutes, is amended to
16 read:

17 41-3009.02. Biomedical research commission; termination July 1,
18 2009

19 A. The ~~disease control~~ BIOMEDICAL research commission terminates on
20 July 1, 2009.

21 B. Title 36, chapter 2, article 4, is repealed on January 1, 2010.

APPROVED BY THE GOVERNOR APRIL 22, 2005.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 22, 2005.

Passed the House April 18, 20 05,

by the following vote: 35 Ayes,

19 Nays, 6 Not Voting

Speaker of the House
Pro Tempore

Chief Clerk of the House

Passed the Senate March 10, 20 05,

by the following vote: 23 Ayes,

6 Nays, 1 Not Voting

President of the Senate

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

19th day of April, 2005

at 12:05 o'clock P. M.

Secretary to the Governor

Approved this 22 day of

April, 20 05,

at 1:55 o'clock P. M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 22 day of April, 20 05

at 3:53 o'clock P. M.

Secretary of State

S.B. 1125