



STATE OF ARIZONA
OFFICE OF THE GOVERNOR

DOUGLAS A. DUCEY
GOVERNOR

EXECUTIVE OFFICE

May 19, 2017

The Honorable Michele Reagan
Secretary of State
1700 W. Washington, 7th Floor
Phoenix, AZ 85007

Dear Secretary Reagan:

I am transmitting to you the following bills from the Fifty-third Legislature, 1st Regular Session, which I signed on May 19, 2017:

HB 2075 - radiation regulatory agency; DHS; transfer
HB 2133 - correctional facilities; community notification
HB 2369 - repeal; state boards and committees

Sincerely,

Douglas A. Ducey
Governor
State of Arizona

cc: Senate Secretary
Chief Clerk of the House of Representatives
Arizona News Service

Senate Engrossed House Bill

FILED

MICHELE REAGAN

SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-third Legislature
First Regular Session
2017

CHAPTER 313

HOUSE BILL 2075

AN ACT

AMENDING SECTIONS 13-2301, 26-305.01, 26-306.02, 30-651, 30-652, 30-654, 30-655, 30-656, 30-657, 30-658, 30-671, 30-673, 30-681, 30-682, 30-683, 30-685, 30-686, 30-687, 30-688, 30-692, 30-693, 30-694, 30-695, 30-696, 30-702, 30-722, 32-516, 32-2801, 32-2802, 32-2803, 32-2823, 32-2843, 32-3231, 32-3233, 32-3234, 36-495.02, 41-1804, 41-3018.04, 45-105, 49-123 AND 49-903, ARIZONA REVISED STATUTES; APPROPRIATING MONIES; RELATING TO THE RADIATION REGULATORY AGENCY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 13-2301, Arizona Revised Statutes, is amended to
3 read:

4 13-2301. Definitions

5 A. For the purposes of sections 13-2302, 13-2303 and 13-2304:

6 1. "Collect an extension of credit" means to induce in any way any
7 person to make repayment of that extension.

8 2. "Creditor" means any person making an extension of credit or any
9 person claiming by, under or through any person making an extension of
10 credit.

11 3. "Debtor" means any person to whom an extension of credit is made
12 or any person who guarantees the repayment of an extension of credit, or
13 in any manner undertakes to indemnify the creditor against loss resulting
14 from the failure of any person to whom an extension is made to repay the
15 extension.

16 4. "Extend credit" means to make or renew any loan or to enter into
17 any agreement, tacit or express, whereby the repayment or satisfaction of
18 any debt or claim, whether acknowledged or disputed, valid or invalid, and
19 however arising, may or shall be deferred.

20 5. "Extortionate extension of credit" means any extension of credit
21 with respect to which it is the understanding of the creditor and the
22 debtor at the time the extension is made that delay in making repayment or
23 failure to make repayment could result in the use of violence or other
24 criminal means to cause harm to the person or the reputation or property
25 of any person.

26 6. "Extortionate means" means the use, or an express or implicit
27 threat of use, of violence or other criminal means to cause harm to the
28 person or the reputation or property of any person.

29 7. "Repayment of any extension of credit" means the repayment,
30 satisfaction or discharge in whole or in part of any debt or claim,
31 acknowledged or disputed, valid or invalid, resulting from or in
32 connection with that extension of credit.

33 B. For the purposes of section 13-2305, 13-2306 or 13-2307:

34 1. "Dealer in property" means a person who buys and sells property
35 as a business.

36 2. "Stolen property" means property of another as defined in
37 section 13-1801 that has been the subject of any unlawful taking.

38 3. "Traffic" means to sell, transfer, distribute, dispense or
39 otherwise dispose of stolen property to another person, or to buy,
40 receive, possess or obtain control of stolen property, with the intent to
41 sell, transfer, distribute, dispense or otherwise dispose of the property
42 to another person.

1 C. For the purposes of this chapter:

2 1. "Animal activity" means a commercial enterprise that uses
3 animals for food, clothing or fiber production, agriculture or
4 biotechnology.

5 2. "Animal facility" means a building or premises where a
6 commercial activity in which the use of animals is essential takes place,
7 including a zoo, rodeo, circus, amusement park, hunting preserve and horse
8 and dog event.

9 3. "Animal or ecological terrorism" means any felony in violation
10 of section 13-2312, subsection B that involves at least three persons
11 acting in concert, that involves the intentional or knowing infliction of
12 property damage in an amount of more than ten thousand dollars to the
13 property that is used by a person for the operation of a lawfully
14 conducted animal activity or to a commercial enterprise that is engaged in
15 a lawfully operated animal facility or research facility and that involves
16 either:

17 (a) The use of a deadly weapon or dangerous instrument.

18 (b) The intentional or knowing infliction of serious physical
19 injury on a person engaged in a lawfully conducted animal activity or
20 participating in a lawfully conducted animal facility or research
21 facility.

22 4. "Biological agent" means any microorganism, virus, infectious
23 substance or biological product that may be engineered through
24 biotechnology or any naturally occurring or bioengineered component of any
25 microorganism, virus, infectious substance or biological product and that
26 is capable of causing any of the following:

27 (a) Death, disease or physical injury in a human, animal, plant or
28 other living organism.

29 (b) The deterioration or contamination of air, food, water,
30 equipment, supplies or material of any kind.

31 5. "Combination" means persons who collaborate in carrying on or
32 furthering the activities or purposes of a criminal syndicate even though
33 such persons may not know each other's identity, membership in the
34 combination changes from time to time or one or more members may stand in
35 a wholesaler-retailer or other arm's length relationship with others as to
36 activities or dealings between or among themselves in an illicit
37 operation.

38 6. "Communication service provider" has the same meaning prescribed
39 in section 13-3001.

40 7. "Criminal syndicate" means any combination of persons or
41 enterprises engaging, or having the purpose of engaging, on a continuing
42 basis in conduct that violates any one or more provisions of any felony
43 statute of this state.

- 1 8. "Explosive agent" means an explosive as defined in section
2 13-3101 and flammable fuels or fire accelerants in amounts over fifty
3 gallons but excludes:
4 (a) Fireworks as defined in section 36-1601.
5 (b) Firearms.
6 (c) A propellant actuated device or propellant actuated industrial
7 tool.
8 (d) A device that is commercially manufactured primarily for the
9 purpose of illumination.
10 (e) A rocket having a propellant charge of less than four ounces.
- 11 9. "Material support or resources" includes money or other
12 financial securities, financial services, lodging, sustenance, training,
13 safehouses, false documentation or identification, communications
14 equipment, facilities, weapons, lethal substances, explosives, personnel,
15 transportation, disguises and other physical assets but does not include
16 medical assistance, legal assistance or religious materials.
- 17 10. "Public establishment" means a structure that is owned, leased
18 or operated by this state or a political subdivision of this state or a
19 health care institution as defined in section 36-401.
- 20 11. "Research facility" means a laboratory, institution, medical
21 care facility, government facility, public or private educational
22 institution or nature preserve at which a scientific test, experiment or
23 investigation involving the use of animals is lawfully carried out,
24 conducted or attempted.
- 25 12. "Terrorism" means any felony, including any completed or
26 preparatory offense, that involves the use of a deadly weapon or a weapon
27 of mass destruction or the intentional or knowing infliction of serious
28 physical injury with the intent to either:
29 (a) Influence the policy or affect the conduct of this state or any
30 of the political subdivisions, agencies or instrumentalities of this
31 state.
32 (b) Cause substantial damage to or substantial interruption of
33 public communications, communication service providers, public
34 transportation, common carriers, public utilities, public establishments
35 or other public services.
- 36 13. "Toxin" means the toxic material of plants, animals,
37 microorganisms, viruses, fungi or infectious substances or a recombinant
38 molecule, whatever its origin or method of reproduction, including:
39 (a) Any poisonous substance or biological product that may be
40 engineered through biotechnology and that is produced by a living
41 organism.
42 (b) Any poisonous isomer or biological product, homolog or
43 derivative of such A substance.
- 44 14. "Vector" means a living organism or molecule, including a
45 recombinant molecule or biological product that may be engineered through

1 biotechnology, that is capable of carrying a biological agent or toxin to
2 a host.

3 15. "Weapon of mass destruction" means:

4 (a) Any device or object that is designed or that the person
5 intends to use to cause multiple deaths or serious physical injuries
6 through the use of an explosive agent or the release, dissemination or
7 impact of a toxin, biological agent, OR poisonous chemical, or its
8 precursor, or any vector.

9 (b) Except as authorized and used in accordance with a license,
10 registration or exemption by the ~~radiation regulatory agency~~ DEPARTMENT OF
11 HEALTH SERVICES pursuant to section 30-672, any device or object that is
12 designed or that the person intends to use to release radiation or
13 radioactivity at a level that is dangerous to human life.

14 D. For the purposes of sections 13-2312, 13-2313, 13-2314 and
15 13-2315, unless the context otherwise requires:

16 1. "Control", in relation to an enterprise, means the possession of
17 sufficient means to permit substantial direction over the affairs of an
18 enterprise and, in relation to property, means to acquire or possess.

19 2. "Enterprise" means any corporation, partnership, association,
20 labor union or other legal entity or any group of persons associated in
21 fact although not a legal entity.

22 3. "Financial institution" means any business under the
23 jurisdiction of the department of financial institutions or a banking or
24 securities regulatory agency of the United States, a business coming
25 within the definition of a bank, financial agency or financial institution
26 as prescribed by 31 United States Code section 5312 or 31 Code of Federal
27 Regulations section 1010.100 or a business under the jurisdiction of the
28 securities division of the corporation commission, the state real estate
29 department or the department of insurance.

30 4. "Racketeering" means any act, including any preparatory or
31 completed offense, that is chargeable or indictable under the laws of the
32 state or country in which the act occurred and, if the act occurred in a
33 state or country other than this state, that would be chargeable or
34 indictable under the laws of this state if the act had occurred in this
35 state, and that would be punishable by imprisonment for more than one year
36 under the laws of this state and, if the act occurred in a state or
37 country other than this state, under the laws of the state or country in
38 which the act occurred, regardless of whether the act is charged or
39 indicted, and the act involves either:

40 (a) Terrorism, animal terrorism or ecological terrorism that
41 results or is intended to result in a risk of serious physical injury or
42 death.

43 (b) Any of the following acts if committed for financial gain:

44 (i) Homicide.

45 (ii) Robbery.

- 1 (iii) Kidnapping.
- 2 (iv) Forgery.
- 3 (v) Theft.
- 4 (vi) Bribery.
- 5 (vii) Gambling.
- 6 (viii) Usury.
- 7 (ix) Extortion.
- 8 (x) Extortionate extensions of credit.
- 9 (xi) Prohibited drugs, marijuana or other prohibited chemicals or
- 10 substances.
- 11 (xii) Trafficking in explosives, weapons or stolen property.
- 12 (xiii) Participating in a criminal syndicate.
- 13 (xiv) Obstructing or hindering criminal investigations or
- 14 prosecutions.
- 15 (xv) Asserting false claims, including, but not limited to, false
- 16 claims asserted through fraud or arson.
- 17 (xvi) Intentional or reckless false statements or publications
- 18 concerning land for sale or lease or sale of subdivided lands or sale and
- 19 mortgaging of unsubdivided lands.
- 20 (xvii) Resale of realty with intent to defraud.
- 21 (xviii) Intentional or reckless fraud in the purchase or sale of
- 22 securities.
- 23 (xix) Intentional or reckless sale of unregistered securities or
- 24 real property securities.
- 25 (xx) A scheme or artifice to defraud.
- 26 (xxi) Obscenity.
- 27 (xxii) Sexual exploitation of a minor.
- 28 (xxiii) Prostitution.
- 29 (xxiv) Restraint of trade or commerce in violation of section
- 30 34-252.
- 31 (xxv) Terrorism.
- 32 (xxvi) Money laundering.
- 33 (xxvii) Obscene or indecent telephone communications to minors for
- 34 commercial purposes.
- 35 (xxviii) Counterfeiting marks as proscribed in section 44-1453.
- 36 (xxix) Animal terrorism or ecological terrorism.
- 37 (xxx) Smuggling of human beings.
- 38 (xxxii) Child prostitution.
- 39 (xxxii) Sex trafficking.
- 40 (xxxiii) Trafficking of persons for forced labor or services.
- 41 (xxxiv) Manufacturing, selling or distributing misbranded drugs in
- 42 violation of section 13-3406, subsection A, paragraph 9.
- 43 5. "Records" means any book, paper, writing, computer program,
- 44 data, image or information that is collected, recorded, preserved or
- 45 maintained in any form of storage medium.

1 6. "Remedy racketeering" means to enter a civil judgment pursuant
2 to this chapter or chapter 39 of this title against property or a person
3 who is subject to liability, including liability for injury to the state
4 that is caused by racketeering or by actions in concert with racketeering.

5 E. For the purposes of sections 13-2316, 13-2316.01 and 13-2316.02:

6 1. "Access" means to instruct, communicate with, store data in,
7 retrieve data from or otherwise make use of any resources of a computer,
8 computer system or network.

9 2. "Access device" means any card, token, code, account number,
10 electronic serial number, mobile or personal identification number,
11 password, encryption key, biometric identifier or other means of account
12 access, including a canceled or revoked access device, that can be used
13 alone or in conjunction with another access device to obtain money, goods,
14 services, computer or network access or any other thing of value or that
15 can be used to initiate a transfer of any thing of value.

16 3. "Computer" means an electronic device that performs logic,
17 arithmetic or memory functions by the manipulations of electronic or
18 magnetic impulses and includes all input, output, processing, storage,
19 software or communication facilities that are connected or related to such
20 a device in a system or network.

21 4. "Computer contaminant" means any set of computer instructions
22 that is designed to modify, damage, destroy, record or transmit
23 information within a computer, computer system or network without the
24 intent or permission of the owner of the information, computer system or
25 network. Computer contaminant includes a group of computer instructions,
26 such as viruses or worms, that is self-replicating or self-propagating and
27 that is designed to contaminate other computer programs or computer data,
28 to consume computer resources, to modify, destroy, record or transmit data
29 or in some other fashion to usurp the normal operation of the computer,
30 computer system or network.

31 5. "Computer program" means a series of instructions or statements,
32 in a form acceptable to a computer, that permits the functioning of a
33 computer system in a manner designed to provide appropriate products from
34 the computer system.

35 6. "Computer software" means a set of computer programs, procedures
36 and associated documentation concerned with the operation of a computer
37 system.

38 7. "Computer system" means a set of related, connected or
39 unconnected computer equipment, devices and software, including storage,
40 media and peripheral devices.

41 8. "Critical infrastructure resource" means any computer or
42 communications system or network that is involved in providing services
43 necessary to ensure or protect the public health, safety or welfare,
44 including services that are provided by any of the following:

45 (a) Medical personnel and institutions.

- 1 (b) Emergency services agencies.
- 2 (c) Public and private utilities, including water, power,
- 3 communications and transportation services.
- 4 (d) Fire departments, districts or volunteer organizations.
- 5 (e) Law enforcement agencies.
- 6 (f) Financial institutions.
- 7 (g) Public educational institutions.
- 8 (h) Government agencies.

9 9. "False or fraudulent pretense" means the unauthorized use of an
10 access device or the use of an access device to exceed authorized access.

11 10. "Financial instrument" means any check, draft, money order,
12 certificate of deposit, letter of credit, bill of exchange, credit card or
13 marketable security or any other written instrument as defined in section
14 13-2001 that is transferable for value.

15 11. "Network" includes a complex of interconnected computer or
16 communication systems of any type.

17 12. "Property" means financial instruments, information, including
18 electronically produced data, computer software and programs in either
19 machine or human readable form, and anything of value, tangible or
20 intangible.

21 13. "Proprietary or confidential computer security information"
22 means information about a particular computer, computer system or network
23 that relates to its access devices, security practices, methods and
24 systems, architecture, communications facilities, encryption methods and
25 system vulnerabilities and that is not made available to the public by its
26 owner or operator.

27 14. "Services" includes computer time, data processing, storage
28 functions and all types of communication functions.

29 Sec. 2. Section 26-305.01, Arizona Revised Statutes, is amended to
30 read:

31 26-305.01. Nuclear emergency plan; duties of division and
32 director

33 A. The division is designated the lead agency and has the overall
34 and primary responsibility for development of a state plan for off-site
35 response to an emergency caused by an accident at a commercial nuclear
36 generating station.

37 B. The director shall develop the plan by appointing a coordinator
38 and response group and working in consultation with designated
39 representatives from the following:

- 40 ~~1. Radiation regulatory agency.~~
- 41 ~~2.~~ 1. Arizona department of agriculture.
- 42 ~~3.~~ 2. Department of health services.
- 43 ~~4.~~ 3. Department of public safety.
- 44 ~~5.~~ 4. Department of transportation.
- 45 ~~6.~~ 5. Arizona commerce authority.

- 1 ~~7.~~ 6. Arizona corporation commission.
2 ~~8.~~ 7. Department of environmental quality.
3 ~~9.~~ 8. Any other agencies or offices deemed necessary by the
4 division of emergency management.

5 Sec. 3. Section 26-306.02, Arizona Revised Statutes, is amended to
6 read:

7 26-306.02. Nuclear emergency management fund; exemption;
8 appropriation reduction

9 A. The nuclear emergency management fund is established consisting
10 of monies appropriated under section 26-306.01. The division shall use
11 the fund for administering and enforcing the state plan for off-site
12 response to an emergency caused by an accident at a commercial nuclear
13 generating station.

14 B. Monies in the fund are appropriated for use by the division as
15 provided in this section. Monies deposited in the fund are exempt from
16 section 35-190 relating to lapsing of appropriations, except that any
17 monies remaining unexpended and unencumbered at the end of each fiscal
18 year from the distributions made from the fund to the division of
19 emergency management of the department of emergency and military affairs,
20 the Arizona department of agriculture and the ~~radiation regulatory agency~~
21 DEPARTMENT OF HEALTH SERVICES and for disbursements to departments and
22 agencies of Maricopa county revert to the nuclear emergency management
23 fund and shall be used to reduce the assessment and appropriation to the
24 fund for the following fiscal years. The reduction in the appropriation
25 for each applicable agency shall be equal to the amount of monies reverted
26 to the fund by each agency.

27 Sec. 4. Section 30-651, Arizona Revised Statutes, is amended to
28 read:

29 30-651. Definitions

30 In this chapter, unless the context otherwise requires:

31 ~~1. "Agency" means the radiation regulatory agency.~~

32 ~~2.~~ 1. "Atomic energy" means all forms of energy released in the
33 course of nuclear transformations, nuclear fission and nuclear fusion.

34 ~~3.~~ 2. "Board" means the radiation regulatory hearing board.

35 ~~4.~~ 3. "By-product material" means any radioactive material, except
36 special nuclear material, yielded in or made radioactive by exposure to
37 the radiation incident to the process of producing or utilizing special
38 nuclear material and the tailings or wastes produced by the extraction or
39 concentration of uranium ore thorium from any ore processed primarily for
40 its source material content.

41 4. "DEPARTMENT" MEANS THE DEPARTMENT OF HEALTH SERVICES.

42 5. "Diagnostic mammography" means an x-ray imaging of the breast
43 performed on persons who have symptoms or physical signs indicative of
44 breast disease.

1 6. "Director" means the director of the ~~radiation regulatory agency~~
2 DEPARTMENT.

3 7. "Electronic product" means:

4 (a) Any machine or device designed to produce a beam of ionizing
5 radiation as the result of the operation of an electronic circuit or
6 component.

7 (b) Class IIIb and IV lasers, as classified by the United States
8 food and drug administration.

9 (c) Radio frequency heaters, dryers and sealers.

10 (d) Any device employing a source of radio frequency
11 electromagnetic radiation within a protective enclosure and used for
12 heating or curing materials in industrial or manufacturing applications
13 and in restaurants or food vending establishments. This subdivision does
14 not include microwave ovens manufactured as consumer products and used for
15 home food preparation.

16 (e) Microwave and shortwave diathermy.

17 (f) Mercury vapor, metal halide and high-pressure sodium lamps used
18 for commercial lighting and industrial manufacturing processes or sunlamps
19 used in commercial establishments for the intentional irradiation of
20 humans.

21 (g) Therapeutic ultrasound devices.

22 (h) Industrial ultrasonic welders and sealers.

23 8. "Electronic product radiation" means:

24 (a) Any ionizing or nonionizing electromagnetic or particulate
25 radiation ~~which~~ THAT is emitted from an electronic product.

26 (b) Any sonic, infrasonic or ultrasonic wave ~~which~~ THAT is emitted
27 from an electronic product as the result of the operation of an electronic
28 circuit in the product.

29 9. "Ionizing radiation" means gamma rays and x-rays, alpha and beta
30 particles, high speed electrons, neutrons, protons and other nuclear
31 particles or rays.

32 10. "Operation" means adjustments or procedures by the user
33 required for the equipment to perform its intended functions.

34 11. "Person" means any individual, corporation, partnership, firm,
35 association, trust, estate, public or private institution, group, agency
36 or political subdivision of this state, or any other state or political
37 subdivision or agency of such state, and any legal successor,
38 representative, agent, or agency of the foregoing, other than the United
39 States nuclear regulatory commission or any successor, and other than
40 federal government agencies and any other entities licensed by the United
41 States nuclear regulatory commission or any successor.

42 12. "Radiation" means:

43 (a) Ionizing radiation, including gamma rays, x-rays, alpha and
44 beta particles, high speed electrons, neutrons, protons and other nuclear
45 particles or rays.

1 (b) Any electromagnetic radiation ~~which~~ THAT may be produced by the
2 operation of an electronic product.

3 (c) Any sonic, ultrasonic or infrasonic wave ~~which~~ THAT may be
4 produced by the operation of an electronic product.

5 13. "Radiation machine" means any manufactured devices or products
6 producing any of the following:

7 (a) X-rays for medical, industrial, research and development or
8 educational purposes.

9 (b) Electromagnetic radiation from an electronic product.

10 (c) Laser devices classified as class IIIb or IV by the United
11 States food and drug administration.

12 (d) Diathermy machines.

13 14. "Radioactive material" means any material or materials, solid,
14 liquid or gaseous, that emit radiation spontaneously.

15 15. "Screening mammography" means x-ray imaging of the breast of
16 asymptomatic persons.

17 16. "Service" means major adjustments or repairs, usually requiring
18 specialized training or tools, or both.

19 17. "Source material" means:

20 (a) Uranium, thorium or any other material ~~which~~ THAT the governor
21 declares by order to be source material after the United States nuclear
22 regulatory commission or any successor has determined the material to be
23 source material.

24 (b) Ores containing one or more of the materials, as provided in
25 subdivision (a) of this paragraph, in such A concentration as the governor
26 declares by order to be source material after the United States nuclear
27 regulatory commission or any successor has determined the material in such
28 A concentration to be source material.

29 18. "Sources of radiation" means radioactive materials, radiation
30 machines and electronic products.

31 19. "Special nuclear material" means:

32 (a) Plutonium, uranium 233, uranium enriched in the isotope 233 or
33 in the isotope 235 and any other material ~~which~~ THAT the governor declares
34 by order to be special nuclear material after the United States nuclear
35 regulatory commission or any successor has determined the material to be
36 ~~such~~ SPECIAL NUCLEAR MATERIAL, but does not include source material.

37 (b) Any material artificially enriched by any of the material
38 provided in subdivision (a) of this paragraph, but does not include source
39 material.

40 Sec. 5. Section 30-652, Arizona Revised Statutes, is amended to
41 read:

42 30-652. Duties of the director

43 ~~A. There is established a radiation regulatory agency.~~

44 ~~B. The governor shall appoint a director pursuant to section 38-211~~
45 ~~to administer the agency to serve at the pleasure of the governor. The~~

1 ~~director is entitled to receive compensation as determined under section~~
2 ~~38-611.~~

3 ~~c.~~ The director shall:

4 1. Administer and enforce this chapter and the rules ~~and~~
5 ~~regulations promulgated~~ ADOPTED under this chapter.

6 2. Subject to title 41, chapter 4, article 4 and, as applicable,
7 articles 5 and 6, employ, determine the conditions of employment and
8 specify the duties of inspectors, technical assistants and other employees
9 ~~of the agency~~ NECESSARY TO CARRY OUT THIS CHAPTER.

10 3. Subject to title 41, chapter 4, article 4, employ persons to act
11 as investigators as deemed necessary by the ~~agency~~ DEPARTMENT to assist
12 the ~~agency~~ DEPARTMENT in carrying out the powers and duties prescribed in
13 this chapter.

14 4. Subject to title 41, chapter 4, article 4, employ consultants or
15 persons possessing technical expertise as deemed necessary to assist the
16 ~~agency~~ DEPARTMENT in carrying out the ~~agency's~~ DEPARTMENT'S powers and
17 duties prescribed in this chapter.

18 Sec. 6. Section 30-654, Arizona Revised Statutes, is amended to
19 read:

20 30-654. Powers and duties of the department

21 A. The ~~agency~~ DEPARTMENT may:

22 1. Accept grants or other contributions from the federal government
23 or other sources, public or private, to be used by the ~~agency~~ DEPARTMENT
24 to carry out any of the purposes of this chapter.

25 2. Do all things necessary, within the limitations of this chapter,
26 to carry out the powers and duties of the ~~agency~~ DEPARTMENT.

27 3. Conduct an information program, including ~~but not limited to~~:

28 (a) Providing information on the control and regulation of sources
29 of radiation and related health and safety matters, on request, to members
30 of the legislature, the executive offices, state departments and agencies
31 and county and municipal governments.

32 (b) Providing such published information, audiovisual
33 presentations, exhibits and speakers on the control and regulation of
34 sources of radiation and related health and safety matters to the state's
35 educational system at all educational levels as may be arranged.

36 (c) Furnishing to citizen groups, on request, speakers and such
37 audiovisual presentations or published materials on the control and
38 regulation of sources of radiation and related health and safety matters
39 as may be available.

40 (d) Conducting, sponsoring or cosponsoring and actively
41 participating in the professional meetings, symposia, workshops, forums
42 and other group informational activities concerned with the control and
43 regulation of sources of radiation and related health and safety matters
44 when representation from this state at such meetings is determined to be
45 important by the ~~agency~~ DEPARTMENT.

1 B. The ~~agency~~ DEPARTMENT shall:

2 1. Regulate the use, storage and disposal of sources of radiation.

3 2. Establish procedures for purposes of selecting any proposed
4 permanent disposal site located within this state for ~~low-level~~ LOW-LEVEL
5 radioactive waste.

6 3. Coordinate with the department of transportation and the
7 corporation commission in regulating the transportation of sources of
8 radiation.

9 4. Assume primary responsibility for and provide necessary
10 technical assistance to handle any incidents, accidents and emergencies
11 involving radiation or sources of radiation occurring within this state.

12 5. Adopt rules deemed necessary to administer this chapter in
13 accordance with title 41, chapter 6.

14 6. Adopt uniform radiation protection and radiation dose standards
15 to be as nearly as possible in conformity with, and in no case
16 inconsistent with, the standards contained in the regulations of the
17 United States nuclear regulatory commission and the standards of the
18 United States public health service. In the adoption of the standards,
19 the ~~agency~~ DEPARTMENT shall consider the total occupational radiation
20 exposure of individuals, including that from sources THAT ARE not
21 regulated by the ~~agency~~ DEPARTMENT.

22 7. Adopt rules for personnel monitoring under the close supervision
23 of technically competent people in order to determine compliance with
24 safety rules adopted under this chapter.

25 8. Adopt a uniform system of labels, signs and symbols and the
26 posting of the labels, signs and symbols to be affixed to radioactive
27 products, especially those transferred from person to person.

28 9. By rule, require adequate training and experience of persons
29 utilizing sources of radiation with respect to the hazards of excessive
30 exposure to radiation in order to protect health and safety.

31 10. Adopt standards for the storage of radioactive material and for
32 security against unauthorized removal.

33 11. Adopt standards for the disposal of radioactive materials into
34 the air, water and sewers and burial in the soil in accordance with 10
35 Code of Federal Regulations part 20.

36 12. Adopt rules THAT ARE applicable to the shipment of radioactive
37 materials in conformity with and compatible with those established by the
38 United States nuclear regulatory commission, the department of
39 transportation, the United States treasury department and the United
40 States postal service.

41 13. In individual cases, impose additional requirements to protect
42 health and safety or grant necessary exemptions ~~which~~ THAT will not
43 jeopardize health or safety, or both.

1 14. Make recommendations to the governor and furnish such technical
2 advice as required on matters relating to the utilization and regulation
3 of sources of radiation.

4 15. Conduct or cause to be conducted off-site radiological
5 environmental monitoring of the air, water and soil surrounding any fixed
6 nuclear facility, any uranium milling and tailing site and any uranium
7 leaching operation, and maintain and report the data or results obtained
8 by the monitoring as deemed appropriate by the ~~agency~~ DEPARTMENT.

9 16. Develop and utilize information resources concerning radiation
10 and radioactive sources.

11 17. Prescribe by rule a schedule of fees to be charged to
12 categories of licensees and registrants of radiation sources, including
13 academic, medical, industrial, waste, distribution and imaging categories.
14 The fees shall cover a significant portion of the reasonable costs
15 associated with processing the application for license or registration,
16 renewal or amendment of the license or registration and the costs of
17 inspecting the licensee or registrant activities and facilities, including
18 the cost to the ~~agency~~ DEPARTMENT of employing clerical help, consultants
19 and persons possessing technical expertise and using analytical
20 instrumentation and information processing systems.

21 18. Adopt rules establishing radiological standards, personnel
22 standards and quality assurance programs to ~~assure~~ ENSURE the accuracy and
23 safety of screening and diagnostic mammography.

24 C. All fees collected under subsection B, paragraph ~~18~~ 17 OF THIS
25 SECTION shall be deposited, pursuant to sections 35-146 and 35-147, in the
26 state general fund.

27 Sec. 7. Section 30-655, Arizona Revised Statutes, is amended to
28 read:

29 30-655. Powers and duties of radiation regulatory hearing
30 board

31 A. The board shall conduct hearings and review orders of the
32 director or the ~~agency~~ DEPARTMENT as provided in this chapter.

33 B. The board, ~~shall, upon~~ ON an appeal by a person adversely
34 affected, SHALL review an order of the director or ~~agency~~ DEPARTMENT
35 relating to modification of a license issued under this chapter,
36 revocation of a license issued under this chapter, assessment of a civil
37 penalty under section 30-687 or an order ~~which~~ THAT is part of an
38 escalated enforcement action under section 30-688.

39 C. Except as otherwise provided in section 30-688, in reviewing an
40 order specified in subsection B of this section, the board shall conduct a
41 hearing to review the decision of the director or ~~agency~~ DEPARTMENT to
42 issue the order. The board shall make findings of fact and, by order,
43 affirm, revoke or modify the order of the director or ~~agency~~
44 DEPARTMENT. Except as provided in section 41-1092.08, subsection H, a

1 final order of the board is subject to judicial review under title 12,
2 chapter 7, article 6.

3 D. The board shall review and approve rules and substantive policy
4 statements as defined in section 41-1001 adopted by the ~~agency~~ DEPARTMENT.

5 E. The board is subject to title 39, chapter 1, relating to public
6 records.

7 Sec. 8. Section 30-656, Arizona Revised Statutes, is amended to
8 read:

9 30-656. Authority for governor to enter into agreements with
10 federal government; effect on federal licenses

11 A. The governor, on behalf of this state, may enter into agreements
12 with the federal government providing for discontinuance of certain of the
13 federal government's responsibilities with respect to sources of radiation
14 and the assumption of the responsibilities by this state.

15 B. Any person ~~who~~ THAT, on the effective date of an agreement
16 entered into under subsection A OF THIS SECTION, possesses a license
17 issued by the federal government shall be deemed to possess a like license
18 issued under this chapter, which shall expire either ninety days after
19 receipt from the ~~agency~~ DEPARTMENT of a notice of expiration of the
20 license or on the date of expiration specified in the federal license,
21 whichever is earlier.

22 Sec. 9. Section 30-657, Arizona Revised Statutes, is amended to
23 read:

24 30-657. Records

25 A. Each person ~~who~~ THAT possesses or uses a source of radiation
26 shall maintain records relating to its receipt, storage, transfer or
27 disposal and such other records as the ~~agency provides by rules and~~
28 ~~regulations~~ DEPARTMENT REQUIRES BY RULE.

29 B. The ~~agency~~ DEPARTMENT shall require each person ~~who~~ THAT
30 possesses or uses a source of radiation to maintain appropriate records
31 showing the radiation exposure of all individuals for whom personnel
32 monitoring is required by rules ~~and regulations promulgated~~ ADOPTED by the
33 ~~agency~~ DEPARTMENT. Copies of records required by this section shall be
34 submitted to the ~~agency~~ DEPARTMENT on request by the ~~agency~~ DEPARTMENT.

35 C. Any person ~~who~~ THAT possesses or uses a source of radiation
36 shall furnish to each employee for whom personnel monitoring is required a
37 copy of the employee's personal exposure record at such times as
38 prescribed by rules ~~and regulations promulgated~~ ADOPTED by the ~~agency~~
39 DEPARTMENT.

40 D. Any person ~~who~~ THAT possesses or uses a source of radiation
41 ~~shall~~, when requested, SHALL submit to the ~~agency~~ DEPARTMENT copies of
42 records or reports submitted to the United States nuclear regulatory
43 commission regardless of whether the person is subject to regulation by
44 the ~~agency~~ DEPARTMENT. The ~~agency~~ ~~shall~~ DEPARTMENT, by rule ~~and~~

1 ~~regulation~~, SHALL specify the records or reports required to be submitted
2 to the ~~agency~~ DEPARTMENT under this subsection.

3 Sec. 10. Section 30-658, Arizona Revised Statutes, is amended to
4 read:

5 30-658. Radiation regulatory fee fund; exemption

6 The radiation regulatory fee fund is established consisting of fees
7 directed by law to be deposited in the fund. The ~~agency~~ DEPARTMENT shall
8 administer the fund. Monies in the fund are subject to legislative
9 appropriation. Monies in the fund are exempt from the provisions of
10 section 35-190 relating to lapsing of appropriations.

11 Sec. 11. Section 30-671, Arizona Revised Statutes, is amended to
12 read:

13 30-671. Radiation protection standards

14 A. Radiation protection standards ~~adopted~~ in rules ~~and regulations~~
15 ~~promulgated~~ ADOPTED by the ~~agency~~ DEPARTMENT under this chapter shall DO
16 not ~~be construed to~~ limit the kind or amount of radiation that may be
17 intentionally applied to a person or animal for diagnostic or therapeutic
18 purposes by or under the direction of a licensed practitioner of the
19 healing arts.

20 B. Radiation sources shall be registered, licensed or ~~exempt~~
21 EXEMPTED at the discretion of the ~~agency~~ DEPARTMENT and shall be available
22 for inspection as specified in this chapter or rules ~~and regulations~~
23 adopted under this chapter.

24 Sec. 12. Section 30-673, Arizona Revised Statutes, is amended to
25 read:

26 30-673. Unlawful acts

27 It is unlawful for any person to receive, use, possess, transfer,
28 install or service any source of radiation unless THE PERSON IS
29 registered, licensed or exempted by the ~~agency~~ DEPARTMENT in accordance
30 with this chapter and rules ~~and regulations~~ adopted under this chapter.

31 Sec. 13. Section 30-681, Arizona Revised Statutes, is amended to
32 read:

33 30-681. Inspection

34 The ~~agency~~ DEPARTMENT or its duly authorized representatives may
35 enter at all reasonable times ~~upon~~ ON any private or public property for
36 the purpose of determining whether ~~or not~~ there is compliance with or A
37 violation of this chapter and rules ~~and regulations issued~~ ADOPTED under
38 this chapter, except that entry into areas under the jurisdiction of the
39 federal government shall be effected only with the concurrence of the
40 federal government or its duly designated representative.

41 Sec. 14. Section 30-682, Arizona Revised Statutes, is amended to
42 read:

43 30-682. Authority to impound materials

44 In the event of an emergency, the ~~agency~~ DEPARTMENT may impound or
45 order the impounding of sources of radiation in the possession of any

1 person ~~who~~ THAT is not equipped to comply with or fails to comply with
2 this chapter or any rule ~~or regulation issued~~ ADOPTED under this chapter.

3 Sec. 15. Section 30-683, Arizona Revised Statutes, is amended to
4 read:

5 30-683. Intergovernmental agreements; inspections; training
6 programs; mammography facilities

7 A. The ~~agency may~~ DEPARTMENT, subject to the approval of the
8 governor, MAY enter into agreements with the federal government, other
9 states or interstate agencies, ~~whereby this state will~~ TO perform on a
10 cooperative basis with the federal government, other states or interstate
11 agencies inspections or other functions relating to control of sources of
12 radiation.

13 B. The ~~agency~~ DEPARTMENT may institute training programs for the
14 purpose of qualifying personnel to carry out this chapter and make such
15 personnel available for participation in any program of the federal
16 government, other states or interstate agencies in furtherance of the
17 purposes of this chapter.

18 C. The ~~agency~~ DEPARTMENT shall ~~make annual inspection of~~ ANNUALLY
19 INSPECT facilities ~~which~~ THAT provide diagnostic or screening mammography
20 examinations.

21 Sec. 16. Section 30-685, Arizona Revised Statutes, is amended to
22 read:

23 30-685. Injunction proceedings

24 ~~When~~ IF the ~~agency~~ DEPARTMENT finds that any person has engaged in
25 or is about to engage in any act or practice ~~which~~ THAT constitutes or
26 will constitute a violation of any provision of this chapter or any
27 rule, ~~regulation~~ or order issued under this chapter, the attorney general
28 ~~may, upon~~ ON request by the ~~agency~~ DEPARTMENT, ~~make application~~ MAY APPLY
29 to the appropriate court for an order enjoining such acts or practices or
30 for an order directing compliance. ~~Upon~~ ON a showing by the ~~agency~~
31 DEPARTMENT that ~~such~~ THE person has engaged or is about to engage in any
32 such act or practice, a permanent or temporary injunction, restraining
33 order or other order may be granted.

34 Sec. 17. Section 30-686, Arizona Revised Statutes, is amended to
35 read:

36 30-686. Administrative procedure and judicial review

37 A. Except as otherwise provided in section 30-688, the ~~agency~~
38 DEPARTMENT shall afford an opportunity for a hearing on the record ~~upon~~ ON
39 the request of any person whose interest may be affected by article 2 of
40 this chapter, or by the proceeding under title 41, chapter 6, article 10,
41 and shall admit any interested person as a party to the proceeding for:

42 1. ~~The issuance or modification of~~ ISSUING OR MODIFYING rules
43 relating to control of sources of radiation.

44 2. Granting licenses.

1 3. Determining compliance with or granting exceptions from rules of
2 the ~~agency~~ DEPARTMENT.

3 B. Except as provided in section 41-1092.08, subsection H, any
4 final order entered in any proceeding under subsection A of this section
5 is subject to judicial review in the manner prescribed in title 12,
6 chapter 7, article 6.

7 Sec. 18. Section 30-687, Arizona Revised Statutes, is amended to
8 read:

9 30-687. Routine enforcement actions; civil penalty

10 A. A person ~~who~~ THAT violates this chapter or any rule ~~or~~
11 ~~regulation of the agency~~ ADOPTED UNDER THIS CHAPTER or any license
12 requirement is subject to a civil penalty imposed by the ~~agency~~
13 DEPARTMENT. The ~~agency~~ DEPARTMENT shall issue a notice of violation to
14 the violator and may hold a hearing ~~prior to assessment of~~ BEFORE
15 ASSESSING a civil penalty. The ~~agency may~~ DEPARTMENT, in lieu of imposing
16 a civil penalty, MAY prescribe a time for elimination of the violation and
17 assessment of a civil penalty if the violation is not eliminated within
18 the time prescribed by the order. The attorney general shall bring
19 actions to collect a civil penalty assessed under this subsection.

20 B. The ~~agency shall~~ DEPARTMENT, by rule ~~and regulation~~, SHALL
21 establish a schedule of civil penalties based on factors such as the
22 nature of the violation, the number of previous violations and whether the
23 violation was of a serious nature.

24 C. The ~~agency~~ DEPARTMENT may impose a civil penalty of not more
25 than five thousand dollars for each violation for each day up to a maximum
26 of twenty-five thousand dollars for any ~~thirty day~~ THIRTY-DAY period.

27 D. A final order of the ~~agency~~ DEPARTMENT under this section is
28 subject to appeal to the radiation regulatory hearing board.

29 Sec. 19. Section 30-688, Arizona Revised Statutes, is amended to
30 read:

31 30-688. Escalated enforcement action; orders; hearings;
32 appeals

33 A. To enforce this chapter, the ~~agency shall~~ DEPARTMENT, by rule
34 ~~and regulation~~, SHALL prescribe procedures for implementing an escalated
35 enforcement action. An escalated enforcement action may include actions
36 such as an informal hearing, impounding of radiation sources, assessment
37 of civil penalties, an order modifying, suspending or revoking a license
38 issued under this chapter or recommending prosecution of a criminal
39 action.

40 B. The director ~~may~~, as part of an escalated enforcement action,
41 MAY issue an order providing for an immediate suspension of a license
42 issued under this section without notice or hearing if the director
43 determines that a potential threat to the public health and safety exists.

44 C. The board shall conduct a hearing within ten days after the date
45 of the director's order unless the person against whom the order is

1 directed waives the right to a hearing within ten days. If the ~~ten-day~~
2 TEN-DAY hearing requirement is waived, the board shall set the date for a
3 hearing on the director's order within thirty days after the date of the
4 order or within a time mutually agreeable to the interested parties. The
5 purpose of the hearing is to review the decision of the director to issue
6 the order. The board shall make findings of fact and may continue,
7 suspend or modify the director's order.

8 D. The board shall not waive the ~~ten-day~~ TEN-DAY hearing
9 requirement for any reason other than at the request of the person against
10 whom the order was directed.

11 Sec. 20. Section 30-692, Arizona Revised Statutes, is amended to
12 read:

13 30-692. Acquisition of lands, buildings and grounds

14 A. Any site used for the concentration and storage or disposal of
15 radioactive waste material shall represent a continuing and perpetual
16 responsibility in the interests of the public health, safety and general
17 welfare, and shall ultimately be reposed in the state without regard for
18 the existence or nonexistence of any particular state agency,
19 instrumentality, department, division or officer.

20 B. Lands, buildings and grounds ~~which~~ THAT are acquired pursuant to
21 this section as sites for the concentrations and permanent storage or
22 disposal of radioactive waste materials may be acquired in fee simple and
23 dedicated in perpetuity to such purpose. All rights, title and interest
24 in, of and to any radioactive waste materials accepted by the ~~agency~~
25 DEPARTMENT for permanent storage or disposal at such facilities, ~~shall~~
26 ~~upon~~ ON acceptance, SHALL become the property of the state and shall be
27 administered, controlled, and disposed of, including transfer by sale,
28 lease, OR loan or otherwise, by the ~~agency~~ DEPARTMENT in the name of this
29 state.

30 C. The ~~agency~~ DEPARTMENT may acquire by purchase, gift or ~~by~~
31 condemnation under title 12, chapter 8, article 2 or 3 any lands,
32 buildings or grounds where radioactive by-product materials and wastes
33 produced by industrial, medical, agricultural, scientific or other
34 organizations can be concentrated, stored or otherwise disposed of in a
35 manner consistent with the public health and safety.

36 D. The ~~agency~~ DEPARTMENT may accept, receive, and receipt for
37 monies or lands, buildings and grounds for and in behalf of this state,
38 given by the federal government under any federal law to this state or by
39 any other public or private agency, for the acquisition or operation of
40 any site for the concentration and storage or disposal of radioactive
41 wastes. Such funds received by the ~~agency~~ DEPARTMENT pursuant to this
42 section shall be deposited in the radiation REGULATORY and perpetual care
43 fund. Such funds or properties shall be used only for the purposes for
44 which they are contributed.

1 E. The ~~agency~~ DEPARTMENT may lease such properties as it may
2 acquire under ~~the provisions of~~ this section to a private firm or firms
3 for the purpose of operating sites for the concentration and storage or
4 disposal of radioactive wastes or for any other purpose not contrary to
5 the public interests.

6 F. The operation of any site acquired for the concentration and
7 storage of radioactive wastes shall be under the direct supervision of the
8 ~~agency~~ DEPARTMENT and shall be in accordance with ~~regulations promulgated~~
9 RULES ADOPTED and enforced by the ~~agency~~ DEPARTMENT to protect the public
10 health and safety.

11 G. The ~~agency~~ DEPARTMENT may enter into such contracts as it may
12 deem necessary for carrying out ~~the provisions of~~ this section.

13 Sec. 21. Section 30-693, Arizona Revised Statutes, is amended to
14 read:

15 30-693. Financial qualifications; exemptions; financial
16 security; release

17 A. Each licensee, ~~shall~~ as a condition of its license, SHALL:

18 1. Arrange for and pay all of the costs of management, control,
19 stabilization and disposal of the licensed activity and tailings and for
20 decommissioning the licensed activity.

21 2. On the termination of all licensed activities, convey to this
22 state all right, title and interest held by the licensee to the lands,
23 buildings and grounds designated as sites for the concentration and
24 permanent storage or disposal of radioactive waste materials resulting
25 from the licensed activity pursuant to section 30-672, together with
26 requisite rights of ingress and egress, and all rights, title and interest
27 in, of and to all radioactive waste materials situated on such properties
28 or, at the election of the licensee, to otherwise make safe or dispose of
29 any radioactive waste materials in its possession on the termination of
30 all licensed activities in accordance with the ~~regulations~~ RULES of the
31 ~~agency~~ DEPARTMENT.

32 B. Each applicant for a license or any renewal of a license shall
33 demonstrate and the ~~agency shall prior to issuance of~~ DEPARTMENT, BEFORE
34 ISSUING any license or renewal of a license, SHALL find that ~~such~~ THE
35 applicant is financially qualified to conduct the licensed activity,
36 including any required decommissioning and disposal of radioactive
37 material. The licensee shall submit to the ~~agency~~ DEPARTMENT current
38 proof of its financial qualifications at such intervals as the ~~agency~~
39 DEPARTMENT shall by ~~regulation~~ RULE or license require.

40 C. Each licensee shall post financial security acceptable to the
41 ~~agency~~ DEPARTMENT to ~~assure~~ ENSURE performance by the licensee of its
42 obligations under this article and to provide funds to this state if the
43 licensee abandons, defaults or is otherwise unable to meet any
44 requirements of this chapter or rules ~~and regulations~~ of the ~~agency~~

1 DEPARTMENT. Such acceptable financial security may include one or more of
2 the following:

3 1. A bond executed by a surety company or companies authorized to
4 do business in this state ~~which~~ THAT is not terminable during the term of
5 the license.

6 2. A letter of credit issued by a financial institution authorized
7 to do business in this state.

8 3. A cash bond.

9 4. The guarantee of a licensee whose financial qualifications meet
10 the requirements of the ~~agency~~ DEPARTMENT or who furnishes collateral
11 satisfactory to the ~~agency~~ DEPARTMENT in the form of a suitable guarantee
12 by any person, if ~~such~~ THE person has financial qualifications that meet
13 the requirements of the commission.

14 D. The ~~agency~~ DEPARTMENT shall determine the amount of the
15 financial security in accordance with criteria established by rule, ~~and~~
16 ~~regulation~~ including:

17 1. Consideration of the need for and scope of any decommissioning
18 or other activity reasonably required to protect the health and safety of
19 the public.

20 2. Reasonable estimates of the costs of such decommissioning as
21 provided in section 30-695, subsection B.

22 3. The net worth of the sum required for the perpetual maintenance
23 and surveillance of any radioactive waste materials resulting from the
24 licensed activity.

25 E. The licensee shall pay all sums required to be paid under this
26 section into the radiation regulatory and perpetual care fund. The ~~agency~~
27 DEPARTMENT shall ensure that all amounts posted, paid or forfeited as
28 financial security under this section are paid into the radiation
29 regulatory and perpetual care fund.

30 F. ~~Upon~~ ON the satisfaction by a licensee of all of its obligations
31 under subsection A of this section, the ~~agency~~ DEPARTMENT shall release
32 the financial security furnished under this section.

33 G. The ~~agency~~ DEPARTMENT shall deposit all monies received by the
34 ~~agency~~ DEPARTMENT as a result of any forfeiture or enforcement of any
35 financial security furnished pursuant to this section in the radiation
36 regulatory and perpetual care fund.

37 Sec. 22. Section 30-694, Arizona Revised Statutes, is amended to
38 read:

39 30-694. Radiation regulatory and perpetual care fund;
40 investment; purposes; exemption

41 A. A special fund called the radiation regulatory and perpetual
42 care fund is established in which the ~~agency~~ DEPARTMENT shall deposit all
43 sums and collateral received by it pursuant to sections 30-692, 30-693 and
44 30-695, which shall be held in trust for carrying out the purposes of this
45 article.

1 B. On notice from the agency DEPARTMENT, the state treasurer shall
2 invest and divest monies in the fund as provided by section 35-313, and
3 all monies earned from investment shall be credited to the fund.

4 C. All monies and collateral in the radiation regulatory and
5 perpetual care fund are appropriated to and may be expended by the agency
6 DEPARTMENT as required for the decommissioning, stabilization,
7 maintenance, surveillance, control, storage or disposal of radioactive
8 materials acquired by the agency DEPARTMENT for the protection of the
9 public health and safety pursuant to section 30-692, for any activities
10 deemed necessary under section 30-693 or for the decommissioning of any
11 licensed activity or refunds pursuant to section 30-695.

12 D. Monies and collateral in the fund shall not be used for normal
13 operating expenses of the agency DEPARTMENT and are exempt from the
14 provisions of section 35-190 relating to lapsing of appropriations.

15 Sec. 23. Section 30-695, Arizona Revised Statutes, is amended to
16 read:

17 30-695. Deposits in radiation regulatory and perpetual care
18 fund; reimbursements

19 A. If there is a possibility that any licensed activity will result
20 in radioactive waste materials ~~which~~ THAT will require maintenance,
21 surveillance or other care on a continuing or perpetual basis after
22 termination of the licensed activity or will require decommissioning
23 activity, the agency DEPARTMENT may require the licensee of ~~such~~ THAT
24 activity to pay annually to the agency DEPARTMENT, for deposit in the
25 radiation REGULATORY and perpetual care fund, an amount equal to the sum
26 of:

27 1. The net worth of the fund required to produce investment
28 earnings sufficient to pay the cost of maintenance and surveillance of the
29 lands, buildings, grounds and radioactive waste materials to be conveyed
30 to the state pursuant to section 30-692, less the net worth of all
31 payments previously made by the licensee to the agency DEPARTMENT for such
32 purposes, divided by the number of years the licensed activity is
33 reasonably expected to continue.

34 2. With respect to a waste disposal activity, the cost of any
35 decommissioning activity, estimated as of December 31 of the year
36 preceding each annual payment, less the total of all payments previously
37 made to the agency DEPARTMENT by the licensee for the decommissioning
38 activity, divided by the number of years the licensed activity is
39 reasonably expected to continue.

40 B. Any estimates of costs or activities required to be made
41 pursuant to this section shall be subject to changes and review by the
42 agency DEPARTMENT according to the need, nature and cost of any
43 decommissioning activity and the maintenance and surveillance of
44 radioactive waste materials required for public health and safety. Any
45 charges imposed for maintenance and perpetual care shall be established at

1 the lowest level consistent with existing technology. Any change that
2 results in any increase in such costs shall not be applied retroactively,
3 but such changes may result in increases in subsequent annual payments.
4 With respect to uranium milling or processing operations, total cumulative
5 charges shall not exceed a maximum charge of five cents per ton of ore or
6 material milled or processed.

7 C. In computing the net worth of any fund or payments for the
8 purpose of this section or section 30-693, the interest rate shall be
9 equal to the average annual rate of investment earnings, including
10 investment appreciation, of the state retirement system over the five
11 years preceding any net worth determination and the term shall be the
12 number of years the licensed activity is expected to continue after such A
13 determination.

14 D. ~~At such time as any~~ WHEN A licensee has satisfied all or part of
15 its obligations under section 30-693, subsection A, the ~~agency~~ DEPARTMENT
16 shall promptly refund to ~~such~~ THE licensee from the radiation regulatory
17 and perpetual care fund any excess of the amount of paragraph 1 of this
18 subsection over the amount of paragraph 2 of this subsection:

19 1. The sum of subdivisions (a) and (b) of this paragraph:

20 (a) All payments made by the licensee to the ~~agency~~ DEPARTMENT
21 pursuant to this article.

22 (b) All investment earnings on such payments.

23 2. The amount then determined to be required for the continuing
24 maintenance and surveillance of the lands, buildings and grounds and
25 radioactive waste materials conveyed to the state pursuant to section
26 30-692.

27 Sec. 24. Section 30-696, Arizona Revised Statutes, is amended to
28 read:

29 30-696. License application; review requirements

30 A. The ~~agency~~ DEPARTMENT, with the assistance of appropriate state
31 agencies, shall review the radioactive materials license application. The
32 review shall document, at a minimum:

33 1. Alternatives considered for THE siting of any uranium milling or
34 mill tailings disposal facilities. ~~;~~

35 2. Alternative designs or schemes for mill tailings management and
36 disposal. ~~;~~

37 3. An assessment of the radiological impacts of uranium milling
38 operations and mill tailings management techniques. ~~;~~ ~~and~~

39 4. An assessment of potential impacts on groundwater of uranium
40 milling operations and mill tailings management techniques.

41 B. Results of the review ~~so conducted~~ shall be published and made
42 available to the public and requesting state agencies.

1 aesthetician or cosmetologist has completed the training and supervision
2 as prescribed by this section.

3 5. For other cosmetic laser and IPL device procedures, complete a
4 minimum of an additional twenty-four hours of hands-on training of at
5 least ten cosmetic procedures for each type of specific procedure that is
6 supervised by a health professional who is acting within the health
7 professional's scope of practice or by a laser technician who has a
8 minimum of one hundred hours of hands-on experience per procedure. The
9 health professional or laser technician must be present in the room during
10 twenty-four hours of hands-on use of lasers or IPL devices. The
11 supervising health professional or laser technician shall verify that the
12 aesthetician or cosmetologist has completed the training and supervision
13 as prescribed by this section.

14 6. Submit to the ~~agency~~ DEPARTMENT the provisional certificate from
15 the training program and certification by the health professional or laser
16 technician who directly supervised the applicant in the room during the
17 hands-on training.

18 B. The ~~agency~~ DEPARTMENT shall issue a laser technician certificate
19 authorizing the aesthetician or cosmetologist to use lasers and IPL
20 devices if the applicant has completed the training for hair removal or
21 lasers and IPL devices for other cosmetic procedures, as applicable, and
22 shall maintain a current register of those laser technicians in good
23 standing and whether certification is for hair removal only or other
24 cosmetic procedures as well. The ~~agency~~ DEPARTMENT may establish a fee
25 for the registration of aestheticians or cosmetologists as laser
26 technicians and the issuance of certificates pursuant to this subsection.
27 The ~~agency~~ DEPARTMENT shall deposit monies collected pursuant to this
28 subsection in the laser safety fund established by section 32-3234.

29 C. An aesthetician or a cosmetologist who has been certified as a
30 laser technician by the ~~agency~~ DEPARTMENT may use a laser or IPL device:

31 1. For hair removal under the indirect supervision of a health
32 professional whose scope of practice permits the supervision.

33 2. For cosmetic purposes other than hair removal if the
34 aesthetician or cosmetologist is directly supervised by a health
35 professional whose scope of practice permits the supervision and the
36 aesthetician or cosmetologist has been certified in those procedures.

37 D. The board shall investigate any complaint from the public or
38 from another board or agency regarding a licensed aesthetician or
39 cosmetologist who performs cosmetic laser procedures or procedures using
40 IPL devices pursuant to this section. The board shall report to the
41 ~~agency~~ DEPARTMENT any complaint it receives about the training or
42 performance of an aesthetician or a cosmetologist who is certified as a
43 laser technician.

1 E. An aesthetician or a cosmetologist who used laser and IPL
2 devices before November 24, 2009 may continue to do so if the aesthetician
3 or cosmetologist received a certificate pursuant to this section before
4 October 1, 2010.

5 F. For the purposes of this section:

6 ~~1. "Agency" means the radiation regulatory agency.~~

7 1. "DEPARTMENT" MEANS THE DEPARTMENT OF HEALTH SERVICES.

8 2. "Directly supervised" means a health professional who is
9 licensed in this state and whose scope of practice allows the supervision
10 supervises the use of a laser or IPL device for cosmetic purposes while
11 the health professional is present at the facility where and when the
12 device is being used.

13 3. "Health professional" means a person who is licensed pursuant to
14 either:

15 (a) Chapter 11, article 2 of this title and who specializes in oral
16 and maxillofacial surgery.

17 (b) Chapter 13, 14, 15, 17 or 25 of this title.

18 4. "Indirect supervision" means supervision by a health
19 professional who is licensed in this state, whose scope of practice allows
20 the supervision and who is readily accessible by telecommunication.

21 5. "IPL device" means an intense pulse light class II surgical
22 device certified in accordance with the standards of the ~~agency~~ DEPARTMENT
23 for cosmetic procedures.

24 6. "Laser" means any device that can produce or amplify
25 electromagnetic radiation with wavelengths in the range of one hundred
26 eighty nanometers to one millimeter primarily by the process of controlled
27 stimulated emission and certified in accordance with the standards for the
28 ~~agency~~ DEPARTMENT for cosmetic procedures.

29 7. "Laser technician" means a person who is or has been certified
30 by the ~~agency~~ DEPARTMENT pursuant to its rules and chapter 32, article 2
31 of this title.

32 Sec. 28. Section 32-2801, Arizona Revised Statutes, is amended to
33 read:

34 32-2801. Definitions

35 In this chapter, unless the context otherwise requires:

36 ~~1. "Agency" means the radiation regulatory agency established by~~
37 ~~section 30-652.~~

38 ~~2.~~ 1. "Board" means the medical radiologic technology board of
39 examiners.

40 ~~3.~~ 2. "Bone densitometry technologist" means a person who applies
41 ionizing radiation to a person's hips, spine or extremities through the
42 use of a bone densitometry machine.

43 ~~4.~~ 3. "Certificate" means a certificate that is granted and issued
44 by the board.

1 ~~5.~~ 4. "Certified technologist" means a person holding a
2 certificate that is granted and issued by the board.

3 ~~6.~~ 5. "Computed tomography technologist" means a person who
4 applies ionizing radiation to a human using a computed tomography machine
5 for diagnostic purposes.

6 6. "DEPARTMENT" MEANS THE DEPARTMENT OF HEALTH SERVICES.

7 7. "Direction" means responsibility for and control of the
8 application of ionizing radiation to human beings for diagnostic or
9 therapeutic purposes.

10 8. "DIRECTOR" MEANS THE DIRECTOR OF THE DEPARTMENT OF HEALTH
11 SERVICES.

12 ~~8.~~ 9. "Ionizing radiation" means gamma rays and x-rays, alpha and
13 beta particles, high speed electrons, neutrons, protons and other nuclear
14 particles or rays.

15 ~~9.~~ 10. "Leg" means that part of the lower limb between the knee
16 and the foot.

17 ~~10.~~ 11. "Licensed practitioner" means a person who is licensed or
18 otherwise authorized by law to practice medicine, dentistry, osteopathy,
19 podiatry, chiropractic or naturopathic medicine in this state.

20 ~~11.~~ 12. "Mammographic technologist" means a person who applies
21 ionizing radiation to the breasts of a human being for diagnostic
22 purposes.

23 ~~12.~~ 13. "Nuclear medicine technologist" means a person who uses
24 radiopharmaceutical agents on humans for diagnostic or therapeutic
25 purposes as set forth in rules adopted pursuant to section 32-2815.

26 ~~13.~~ 14. "Practical technologist in podiatry" means a person
27 holding a practical technologist in podiatry certificate that is granted
28 and issued by the board.

29 ~~14.~~ 15. "Practical technologist in podiatry certificate" means a
30 certificate that is issued to a person, other than a licensed
31 practitioner, who applies ionizing radiation to the foot and leg for
32 diagnostic purposes while under the specific direction of a licensed
33 practitioner.

34 ~~15.~~ 16. "Practical technologist in radiology" means a person
35 holding a practical technologist in radiology certificate that is granted
36 and issued by the board.

37 ~~16.~~ 17. "Practical technologist in radiology certificate" means a
38 certificate that is issued to a person, other than a licensed
39 practitioner, who applies ionizing radiation to specific parts of the
40 human body for diagnostic purposes while under the specific direction of a
41 licensed practitioner.

42 ~~17.~~ 18. "Radiation therapy technologist" means a person who uses
43 radiation on humans for therapeutic purposes.

44 ~~18.~~ 19. "Radiologic technologist" means a person who holds a
45 certificate that is issued by the board and that allows that person to

1 apply ionizing radiation to individuals at the direction of a licensed
2 practitioner for general diagnostic or therapeutic purposes.

3 ~~19.~~ 20. "Radiologic technology" means the science and art of
4 applying ionizing radiation to human beings for general diagnostic or
5 therapeutic purposes.

6 ~~20.~~ 21. "Radiologic technology certificate" means a certificate
7 that is issued in radiologic technology to a person with at least
8 twenty-four months of full-time study or its equivalent through an
9 approved program and who has successfully completed an examination by a
10 national certifying body.

11 ~~21.~~ 22. "Radiologist" means a licensed practitioner of medicine or
12 osteopathy who has undertaken a course of training that meets the
13 requirements for admission to the examination of the American board of
14 radiology or the American osteopathic board of radiology.

15 ~~22.~~ 23. "Radiologist assistant" means a person who holds a
16 certificate pursuant to section 32-2819 and who performs independent
17 advanced procedures in medical imaging and interventional radiology under
18 the guidance, directions, supervision and discretion of a licensed
19 practitioner of medicine or osteopathy specializing in radiology as set
20 forth in section 32-2819 and the rules adopted pursuant to that section.

21 ~~23.~~ 24. "Unethical professional conduct" means the following acts,
22 whether occurring in this state or elsewhere:

23 (a) The intentional betrayal of a professional confidence or
24 intentional violation of a privileged communication except as required by
25 law. This subdivision does not prevent members of the board from the
26 exchange of information with the radiologic licensing and disciplinary
27 boards of other states, territories or districts of the United States or
28 foreign countries.

29 (b) The use of controlled substances as defined in section 36-2501,
30 narcotic drugs, dangerous drugs or marijuana as defined in section 13-3401
31 or hypnotic drugs, derivatives or any compounds, mixtures or preparations
32 that may be used for producing hypnotic effects or the use of alcohol to
33 the extent that it affects the ability of the certificate or permit holder
34 to practice his profession.

35 (c) Using drugs for other than accepted therapeutic purposes.

36 (d) Gross malpractice.

37 (e) Acting or assuming to act as a member of the board if this is
38 not true.

39 (f) Procuring or attempting to procure a certificate or license by
40 fraud or misrepresentation.

41 (g) Having professional connection with or lending one's name to an
42 illegal practitioner of radiologic technology or any other health
43 profession.

1 (h) Offering, undertaking or agreeing to correct, cure or treat a
2 condition, disease, injury, ailment or infirmity by a secret means,
3 method, device or instrumentality.

4 (i) Refusing to divulge to the board, on reasonable notice and
5 demand, the means, method, device or instrumentality used in the treatment
6 of a condition, disease, injury, ailment or infirmity. This subdivision
7 shall not apply to communication between a technologist or permit holder
8 and a patient with reference to a disease, injury, ailment or infirmity,
9 or as to any knowledge obtained by personal examination of the patient.

10 (j) Giving or receiving, or aiding or abetting the giving or
11 receiving, of rebates, either directly or indirectly.

12 (k) Knowingly making any false or fraudulent statement, written or
13 oral, in connection with the practice of radiologic technology.

14 (l) Refusal, revocation or suspension of a certificate or license
15 by any other state, territory, district or country for reasons that relate
16 to the person's ability to safely and skillfully practice radiologic
17 technology or to any act of unprofessional conduct.

18 (m) Any conduct or practice that does or would constitute a danger
19 to the health of the patient or the public.

20 (n) Obtaining a fee by fraud or misrepresentation or wilfully or
21 intentionally filing a fraudulent claim with a third party for services
22 rendered or to be rendered to a patient.

23 (o) Employing uncertified persons to perform or aiding and abetting
24 uncertified persons in the performance of work that can be done legally
25 only by certified persons.

26 (p) Violating or attempting to violate, directly or indirectly, or
27 assisting or abetting the violation of or conspiring to violate this
28 chapter or a rule adopted by the board.

29 ~~24.~~ 25. "Unlimited practical technologist in radiology" means a
30 person holding an unlimited practical technologist in radiology
31 certificate that is granted and issued by the board.

32 ~~25.~~ 26. "Unlimited practical technologist in radiology
33 certificate" means a certificate that was issued to a person in 1977 or
34 1978, other than a licensed practitioner, who applies ionizing radiation
35 to the human body for diagnostic purposes while under the specific
36 direction of a licensed practitioner.

37 Sec. 29. Section 32-2802, Arizona Revised Statutes, is amended to
38 read:

39 32-2802. Medical radiologic technology board of examiners;
40 appointment; terms; compensation; meetings;
41 removal; employees; immunity

42 A. The medical radiologic technology board of examiners is
43 established ~~as a division of the agency~~ IN THE DEPARTMENT. The board is
44 composed of the director of the ~~radiation regulatory agency~~ DEPARTMENT, or

1 the director's designee, who serves as chairman and the following members
2 appointed by the governor:

3 1. Four members who are practicing radiologic technologists, who
4 have at least five years' experience and who hold radiologic technology
5 certificates issued pursuant to this chapter.

6 2. Two public members. Only a person who has never been a member,
7 or ~~a~~ THE spouse of a member, of a health care delivery profession, and
8 who has never had a material financial interest in the providing of health
9 care or in a directly related activity, is eligible to be a public member
10 of the board.

11 3. Two members who are licensed practitioners, one of whom is a
12 radiologist.

13 4. One member who is a practical technologist in radiology, who has
14 at least five years' experience and who is a current license holder.

15 5. One member who is a practicing nuclear medicine technologist,
16 who has at least five years' experience in that field and who holds an
17 active certificate issued pursuant to this chapter.

18 B. All members serve a term of three years to begin and end on the
19 third Monday of January in the appropriate year. The governor shall fill
20 a vacancy that occurs before the expiration of a term for the unexpired
21 term.

22 C. Each board member is eligible to receive compensation as
23 determined pursuant to section 38-611.

24 D. The board shall meet at least once every six months at times and
25 places determined by the board. Special meetings also may be held at such
26 times as the board may decide or on the call of the chairman. A written
27 notice of the time, place and purpose of any special meeting shall be
28 mailed to all members of the board.

29 E. The ~~agency~~ DEPARTMENT may provide additional professional,
30 technical, secretarial and clerical assistance as the board may require to
31 carry out its functions.

32 F. The board shall hold examinations for applicants for
33 certificates pursuant to this chapter at least once every six months, at
34 times and places as the board may determine.

35 G. The governor may terminate the term of a board member and
36 declare the position vacant if the member fails to attend three
37 consecutive board meetings.

38 H. The board may hire practicing radiologic technologists and other
39 medical specialists to assist it in preparing and administering
40 examinations. These specialists shall receive the same compensation as
41 board members.

42 I. The board may employ temporary and permanent personnel necessary
43 to carry out the purposes of this chapter.

1 J. Board members, board staff and board examiners are personally
2 immune from suit for all actions taken in good faith in furtherance of the
3 purposes of this chapter.

4 Sec. 30. Section 32-2803, Arizona Revised Statutes, is amended to
5 read:

6 32-2803. Rules

7 A. The director of ~~the radiation regulatory~~ agency, after
8 consultation and with the approval of the board and after notice and
9 public hearing, may adopt rules as may be needed to carry out the purposes
10 of this chapter. The rules shall include, but not be limited to:

11 1. Minimum standards of training and experience for persons to be
12 certified pursuant to this chapter and procedures for examining applicants
13 for certification.

14 2. Provisions identifying the types of applications of ionizing
15 radiation for a practical technologist in podiatry, practical technologist
16 in radiology, practical technologist in bone densitometry, radiologic
17 technologist, radiation therapy technologist, mammographic technologist,
18 nuclear medicine technologist, bone densitometry technologist, computed
19 tomography technologist, ~~AND~~ radiologist assistant and any new radiologic
20 modality technologist and those minimum standards of education and
21 training to be met by each type of applicant.

22 B. Rules adopted pursuant to subsection A, paragraph 2 of this
23 section establishing minimum standards of education and training to be met
24 by practical technologist in podiatry applicants shall be approved or
25 proposed by a joint committee on education, training and examination
26 composed of an equal number of representatives from the medical radiologic
27 technology board of examiners and the state board of podiatry
28 examiners. The medical radiologic technology board of examiners shall
29 determine the total membership of the committee, and the medical
30 radiologic technology board of examiners and the state board of podiatry
31 examiners shall appoint their respective representatives.

32 C. The medical radiologic technology board of examiners may propose
33 to the ~~agency~~ DEPARTMENT standards as may be appropriate for carrying out
34 the purposes of this chapter. In the case of proposing to the ~~agency~~
35 DEPARTMENT standards governing practical technologists in podiatry, the
36 medical radiologic technology board of examiners shall consult with the
37 state board of podiatry examiners.

38 Sec. 31. Section 32-2823, Arizona Revised Statutes, is amended to
39 read:

40 32-2823. State radiologic technologist certification fund

41 Except as provided in section 32-2821, subsection D, all monies
42 received by the board shall be deposited, pursuant to sections 35-146 and
43 35-147, in the state radiologic technologist certification fund, which is
44 set aside, appropriated and made available to the ~~agency~~ DEPARTMENT in

1 carrying out the purposes of this chapter and for no other purpose. No
2 money shall be expended from ~~such~~ THE fund except:

3 1. As provided for by the legislature specifying the amounts and
4 purposes for which the funds may be expended.

5 2. To match federal grants for examination or certification of
6 persons required to be certified pursuant to this chapter.

7 Sec. 32. Section 32-2843, Arizona Revised Statutes, is amended to
8 read:

9 32-2843. Facilities; requirements

10 A. A facility that wishes to conduct patient self-referral
11 mammographic screening examinations after January 1, 1994 shall submit the
12 following to the ~~radiation regulatory agency~~ DEPARTMENT:

13 1. The ~~physician approved~~ PHYSICIAN-APPROVED guide for accepting
14 self-referrals by patients.

15 2. A copy of the facility's quality assurance program.

16 3. The medical physicist's evaluation report of the facility.

17 B. ~~Beginning January 1, 1994,~~ A facility that does not have a
18 darkroom ~~on site~~ ON-SITE or that does not develop the films within one
19 hour of exposure shall submit the following to the ~~radiation regulatory~~
20 ~~agency~~ DEPARTMENT:

21 1. A description of how the facility plans to ensure that the
22 equipment is operating properly at the start of each day.

23 2. Information regarding the darkroom that develops the film that
24 demonstrates to the ~~radiation regulatory agency's~~ DEPARTMENT'S
25 satisfaction that transportation conditions will not adversely affect a
26 person's ability to interpret the films.

27 C. ~~Not later than August 1, 1993,~~ The director of the ~~radiation~~
28 ~~regulatory agency~~ shall prescribe requirements for the documents required
29 to be submitted to the ~~agency~~ DEPARTMENT under subsections A and B of this
30 section.

31 Sec. 33. Section 32-3231, Arizona Revised Statutes, is amended to
32 read:

33 32-3231. Definitions

34 In this article, unless the context otherwise requires:

35 1. "Administer" means the direct application, ~~OF OR~~ dispensing or
36 furnishing a prescription medication or a prescription-only device,
37 whether by injection or any other means, to the body of a patient by a
38 health professional or by the health professional's authorized agent at
39 the direction of the health professional.

40 2. "Aesthetician" has the same meaning prescribed in section
41 32-501.

42 ~~3. "Agency" means the radiation regulatory agency.~~

43 ~~4.~~ 3. "Cosmetic purpose" means for the purpose of beautifying,
44 preserving or conferring comeliness, excluding therapeutic massage and
45 manipulations.

- 1 4. "DEPARTMENT" MEANS THE DEPARTMENT OF HEALTH SERVICES.
- 2 5. "Directly supervised" means a health professional who is
- 3 licensed in this state and whose scope of practice allows the
- 4 supervision, supervises the use of a laser or IPL device for cosmetic
- 5 purposes while the health professional is present at the facility where
- 6 and when the device is being used.
- 7 6. "Indirect supervision" means supervision by a health
- 8 professional who is licensed in this state, ~~and~~ whose scope of practice
- 9 allows the supervision and who is readily accessible by telecommunication.
- 10 7. "IPL device" has the same meaning prescribed in section 32-516.
- 11 8. "Laser" has the same meaning prescribed in section 32-516.
- 12 9. "Laser technician" means a person who is or has been certified
- 13 by the ~~agency~~ DEPARTMENT pursuant to its rules and this article.
- 14 10. "Registrant" means a person or entity that owns or operates a
- 15 laser or IPL device for which the application for registration is on file
- 16 with the ~~agency~~ DEPARTMENT and that is in compliance with ~~agency~~
- 17 DEPARTMENT rules.

18 Sec. 34. Section 32-3233, Arizona Revised Statutes, is amended to
19 read:

20 32-3233. Lasers; IPL devices; authorized use; authorized
21 supervision

22 A. A health professional may register, operate and use a laser or
23 IPL device THAT IS registered with the ~~agency~~ DEPARTMENT or administer
24 drugs or devices for cosmetic purposes to the extent the use is allowed by
25 the health professional's scope of practice and the health professional
26 has completed any training required by the health professional's
27 regulatory board and the ~~agency~~ DEPARTMENT.

28 B. A health professional may supervise another health professional
29 in the use of a laser or IPL device for cosmetic purposes to the extent
30 the supervision is allowed or required by the supervising health
31 professional's scope of practice and the supervising health professional
32 has completed any training required by the supervising health
33 professional's regulatory board and the ~~agency~~ DEPARTMENT.

34 C. The health professional's regulatory board shall investigate any
35 complaint from the public or another board or agency involving the
36 training, education, supervision or use of a laser or IPL device. A
37 health professional shall report to the ~~agency~~ DEPARTMENT any complaint
38 received about the training or performance of a laser technician.

39 D. A health professional may supervise a laser technician in the
40 use of a laser or IPL device for cosmetic purposes if:

- 41 1. The health professional is licensed pursuant to either:
 - 42 (a) Chapter 11, article 2 of this title and specializes in oral and
 - 43 maxillofacial surgery.
 - 44 (b) Chapter 13, 14, 15, 17 or 25 of this title and the supervision
 - 45 is within the health professional's scope of practice.

1 2. The supervision does not conflict with the requirements of this
2 article.

3 3. The laser technician has been certified by the ~~agency~~ DEPARTMENT
4 to use a laser or IPL device for hair removal or other cosmetic
5 procedures.

6 E. A laser technician who wishes to perform cosmetic laser
7 procedures and procedures using IPL devices must:

8 1. Successfully complete forty hours of didactic training as
9 required by ~~agency~~ DEPARTMENT rules at ~~an agency certified~~ A
10 DEPARTMENT-CERTIFIED training program. The program shall provide a
11 provisional certificate to the applicant verifying the successful
12 completion of the didactic training.

13 2. For hair removal, complete hands-on training that is supervised
14 by a health professional who is acting within the health professional's
15 scope of practice or by a laser technician who has a minimum of one
16 hundred hours of hands-on experience per procedure. The health
17 professional or laser technician must be present in the room during
18 twenty-four hours of hands-on use of lasers or IPL devices. The
19 supervising health professional or supervising laser technician shall
20 verify that the laser technician has completed the training and
21 supervision as prescribed by this section.

22 3. For other cosmetic laser and IPL device procedures, complete a
23 minimum of an additional twenty-four hours of hands-on training of at
24 least ten cosmetic procedures for each type of procedure that is
25 supervised by a health professional who is acting within the health
26 professional's scope of practice or by a laser technician who has a
27 minimum of one hundred hours of hands-on experience per procedure. The
28 health professional or laser technician must be present in the room during
29 twenty-four hours of hands-on use of lasers or IPL devices. The
30 supervising health professional or supervising laser technician shall
31 verify that the laser technician has completed the training and
32 supervision as prescribed by this section.

33 4. Submit to the ~~agency~~ DEPARTMENT the provisional certificate from
34 the training program and certification by the health professional or laser
35 technician who directly supervised the applicant in the room during the
36 hands-on training.

37 F. The ~~agency~~ DEPARTMENT shall issue a laser technician certificate
38 authorizing the use of lasers and IPL devices only for hair removal if the
39 applicant meets the applicable requirements of subsection E of this
40 section, or for hair removal and other cosmetic procedures if the
41 applicant meets the applicable requirements of subsection E of this
42 section. The ~~agency~~ DEPARTMENT shall maintain a current register of those
43 laser technicians in good standing and whether certification is only for
44 hair removal or for hair removal and other cosmetic procedures. The
45 ~~agency~~ DEPARTMENT may establish a fee for the registration of laser

1 technicians and the issuance of certificates pursuant to this subsection.
2 The ~~agency~~ DEPARTMENT shall deposit monies collected pursuant to this
3 subsection in the laser safety fund established by section 32-3234.

4 G. A laser technician who has been using laser and IPL devices
5 before November 24, 2009 may continue to do so if the laser technician
6 applies for and receives a certificate pursuant to this section before
7 October 1, 2010.

8 H. A laser technician may use a laser or IPL device in the
9 following circumstances:

10 1. For hair removal under the indirect supervision of a health
11 professional whose scope of practice permits the supervision.

12 2. For cosmetic purposes other than hair removal if the laser
13 technician is directly supervised by a health professional whose scope of
14 practice permits the supervision.

15 I. The supervising health professional, the employer of a laser
16 technician and the registrant who owns or operates the laser or IPL device
17 are subject to disciplinary action by the appropriate regulatory board for
18 any errors made by a laser technician or for the use of a laser or IPL
19 device THAT IS not allowed by this article. A person who employs a person
20 who operates a laser or IPL device must report any misuse of a laser or
21 IPL device to the operator's regulatory board and to the ~~agency~~
22 DEPARTMENT.

23 J. The ~~agency~~ DEPARTMENT shall investigate any complaint from a
24 member of the public or another board or agency involving the training,
25 education, practice or complaint of harm resulting from a laser technician
26 performing procedures for cosmetic purposes under this article and shall
27 take appropriate disciplinary action as necessary, including revocation of
28 the laser technician's certification or revocation of a registrant's or
29 employer's license to own or operate a laser or IPL device.

30 Sec. 35. Section 32-3234, Arizona Revised Statutes, is amended to
31 read:

32 32-3234. Laser safety fund

33 The laser safety fund is established consisting of fees collected by
34 the ~~agency~~ DEPARTMENT pursuant to sections 32-516 and 32-3233. The ~~agency~~
35 DEPARTMENT shall administer the fund. Monies in the fund are continuously
36 appropriated.

37 Sec. 36. Section 36-495.02, Arizona Revised Statutes, is amended to
38 read:

39 36-495.02. Exemptions

40 A. This chapter does not apply to an environmental laboratory in
41 this state that is:

42 1. Certified or designated by the United States environmental
43 protection agency as the laboratory ~~which~~ THAT provides analytical
44 services to this state required for the delegation of primary enforcement

1 responsibility under a federal law or regulation administered by that
2 agency.

3 2. Operated by the Arizona department of agriculture or the
4 ~~radiation regulatory agency~~ DEPARTMENT OF HEALTH SERVICES.

5 3. Performing only compliance testing of parameters ~~which~~ THAT
6 require analysis at the time of sample collection as long as the testing
7 methodologies employed are approved by the director of the department of
8 health services or the department of environmental quality.

9 4. Licensed to perform those analyses for which it is licensed or
10 certified by another agency of this state.

11 5. Accredited by a national voluntary laboratory accreditation
12 program administered by the national institute of standards and technology
13 and approved by the department.

14 B. In addition to the exemptions established in subsection A OF
15 THIS SECTION, the director OF THE DEPARTMENT OF HEALTH SERVICES may also
16 exempt by rule certain classes of environmental laboratories and types of
17 compliance testing, parameters and methods, if the director determines
18 that the exemptions will not adversely affect the public health or the
19 environment. The rules shall be developed in cooperation with the
20 director of the department of environmental quality and the director of
21 the Arizona department of agriculture.

22 Sec. 37. Section 41-1804, Arizona Revised Statutes, is amended to
23 read:

24 41-1804. Guidelines committee: duties

25 A. The department of public safety, in consultation with the
26 department of emergency and military affairs, THE department of
27 administration, THE department of health services, THE department of
28 agriculture, ~~Arizona radiation regulatory agency~~, THE department of
29 environmental quality, THE state department of corrections, THE Arizona
30 fire ~~chiefs~~ CHIEFS association, THE Arizona ~~police chiefs~~ association OF
31 CHIEFS OF POLICE, THE Arizona ~~sheriffs~~ associations SHERIFFS ASSOCIATION,
32 THE Arizona association of counties, THE ~~Arizona~~ league of ARIZONA cities
33 and towns and representatives from every Indian tribal nation, shall
34 convene a consulting committee to establish guidelines related to the
35 critical infrastructure information system.

36 B. The committee shall:

37 1. Develop the type of information to be included in the critical
38 infrastructure information system.

39 2. Develop critical infrastructure information technology standards
40 to be used by all entities participating in the statewide critical
41 infrastructure information system.

42 3. Determine the order in which critical infrastructure shall be
43 added to the system when funding is received.

44 4. Develop guidelines on how the information shall be made
45 available. These guidelines shall include detailed procedures and security

1 measures to ensure that the information is only made available to the
2 government or a private entity that either owns the critical
3 infrastructure or is responding to an incident involving the critical
4 infrastructure.

5 Sec. 38. Section 41-3018.04, Arizona Revised Statutes, is amended
6 to read:

7 41-3018.04. Radiation regulatory hearing board; termination
8 July 1, 2018

9 A. The ~~radiation regulatory agency and~~ radiation regulatory hearing
10 board ~~terminate~~ TERMINATES on July 1, 2018.

11 B. ~~Title 30, chapter 4 is~~ SECTIONS 30-653 AND 30-655 AND THIS
12 SECTION ARE repealed on January 1, 2019.

13 Sec. 39. Section 45-105, Arizona Revised Statutes, is amended to
14 read:

15 45-105. Powers and duties of director

16 A. The director may:

17 1. Formulate plans and develop programs for the practical and
18 economical development, management, conservation and use of surface water,
19 groundwater and the watersheds in this state, including the management of
20 water quantity and quality.

21 2. Investigate works, plans or proposals pertaining to surface
22 water and groundwater, including management of watersheds, and acquire,
23 preserve, publish and disseminate related information ~~which~~ the director
24 deems advisable.

25 3. Collect and investigate information ~~upon~~ ON and prepare and
26 devise means and plans for the development, conservation and utilization
27 of all waterways, watersheds, surface water, groundwater and groundwater
28 basins in this state and of all related matters and subjects, including
29 irrigation, drainage, water quality maintenance, regulation of flow,
30 diversion of running streams adapted for development in cooperating with
31 the United States or by this state independently, flood control,
32 utilization of water power, prevention of soil waste and storage,
33 conservation and development of water for every useful purpose.

34 4. Measure, survey and investigate the water resources of this
35 state and their potential development and cooperate and contract with
36 agencies of the United States for such purposes.

37 5. Acquire, hold and dispose of property, including land,
38 rights-of-way, water and water rights, as necessary or convenient for the
39 performance of the groundwater and water quality management functions of
40 the department.

41 6. Acquire, other than by condemnation, construct, improve,
42 maintain and operate early warning systems for flood control purposes and
43 works for the recovery, storage, treatment and delivery of water.

44 7. Accept grants, gifts or donations of money or other property
45 from any source, which may be used for any purpose consistent with this

1 title. All property acquired by the director is public property and is
2 subject to the same tax exemptions, rights and privileges granted to
3 municipalities, public agencies and other public entities.

4 8. Enter into an interagency contract or agreement with any public
5 agency pursuant to title 11, chapter 7, article 3 and contract, act
6 jointly or cooperate with any person to carry out the ~~provisions and~~
7 purposes of this title.

8 9. Prosecute and defend all rights, claims and privileges of this
9 state respecting interstate streams.

10 10. Initiate and participate in conferences, conventions or
11 hearings, including meetings of the Arizona water resources advisory
12 board, congressional hearings, court hearings or hearings of other
13 competent judicial or quasi-judicial departments, agencies or
14 organizations, and negotiate and cooperate with agencies of the United
15 States or of any state or government and represent this state concerning
16 matters within the department's jurisdiction.

17 11. Apply for and hold permits and licenses from the United States
18 or any agency of the United States for reservoirs, dam sites and
19 rights-of-way.

20 12. Receive and review all reports, proposed contracts and
21 agreements from and with the United States or any agencies, other states
22 or governments or their representatives and recommend to the governor and
23 the legislature action to be taken on such reports, proposed contracts and
24 agreements. The director shall take action on such reports, if authorized
25 by law, and review and coordinate the preparation of formal comments of
26 this state on both the preliminary and final reports relating to water
27 resource development of the United States army corps of engineers, the
28 UNITED STATES secretary of the interior and the UNITED STATES secretary of
29 agriculture, as provided for in the flood control act of 1944 (58 Stat.
30 887; 33 United States Code section ~~701-1~~ 701-1).

31 13. Contract with any person for imported water or for the
32 acquisition of water rights or rights to withdraw, divert or use surface
33 water or groundwater as necessary for the performance of the groundwater
34 management functions of the director prescribed by chapter 2 of this
35 title. If water becomes available under any contract executed under this
36 paragraph, the director may contract with any person for its delivery or
37 exchange for any other water available.

38 14. Recommend to the administrative heads of agencies, boards and
39 commissions of this state, and political subdivisions of this state, rules
40 to promote and protect the rights and interests of this state and its
41 inhabitants in any matter relating to the surface water and groundwater in
42 this state.

43 15. Conduct feasibility studies and remedial investigations
44 relating to groundwater quality and enter into contracts and cooperative
45 agreements under section 104 of the comprehensive environmental response,

1 compensation, and liability act of 1980 (P.L. 96-510) to conduct such
2 studies and investigations.

3 16. Dispose informally by stipulation, agreed settlement, consent
4 order or alternative means of dispute resolution, including arbitration,
5 if the parties and director agree, or by default of any case in which a
6 hearing before the director is required or allowed by law.

7 17. Cooperate and coordinate with the appropriate governmental
8 entities in Mexico regarding water planning in areas near the border
9 between Mexico and Arizona and for the exchange of relevant hydrological
10 information.

11 B. The director shall:

12 1. Exercise and perform all powers and duties vested in or imposed
13 ~~upon~~ ON the department and adopt and issue rules necessary to carry out
14 the purposes of this title.

15 2. Administer all laws relating to groundwater, as provided in this
16 title.

17 3. Be responsible for the supervision and control of reservoirs and
18 dams of this state and, when deemed necessary, conduct investigations to
19 determine ~~if~~ WHETHER the existing or anticipated condition of any dam or
20 reservoir in this state is or may become a menace to life and property.

21 4. Coordinate and confer with and may contract with:

22 (a) The Arizona power authority, THE game and fish commission, THE
23 state land department, THE Arizona outdoor recreation coordinating
24 commission, THE Arizona commerce authority, ~~radiation regulatory agency~~
25 THE DEPARTMENT OF HEALTH SERVICES, active management area water
26 authorities or districts and political subdivisions of this state with
27 respect to matters within their jurisdiction relating to surface water and
28 groundwater and the development of state water plans.

29 (b) The department of environmental quality with respect to title
30 49, chapter 2 for its assistance in the development of state water plans.

31 (c) The department of environmental quality regarding water plans,
32 water resource planning, water management, wells, water rights and
33 permits, and other appropriate provisions of this title pertaining to
34 remedial investigations, feasibility studies, site prioritization,
35 selection of remedies and implementation of the water quality assurance
36 revolving fund program pursuant to title 49, chapter 2, article 5.

37 (d) The department of environmental quality regarding coordination
38 of ~~data bases~~ DATABASES that are necessary for activities conducted
39 pursuant to title 49, chapter 2, article 5.

40 5. Cooperate with the Arizona power authority in the performance of
41 the duties and functions of the authority.

42 6. Maintain a permanent public depository for existing and future
43 records of stream flow, groundwater levels and water quality and other
44 data relating to surface water and groundwater.

1 7. Maintain a public docket of all matters before the department
2 ~~which~~ THAT may be subject to judicial review pursuant to this title.

3 8. Investigate and take appropriate action ~~upon~~ ON any complaints
4 alleging withdrawals, diversions, impoundments or uses of surface water or
5 groundwater that may violate this title or the rules adopted pursuant to
6 this title.

7 9. Report to and consult with the Arizona water resources advisory
8 board at regular intervals.

9 10. Adopt an official seal for the authentication of records,
10 orders, rules and other official documents and actions.

11 11. Provide staff support to the Arizona water protection fund
12 commission established pursuant to chapter 12 of this title.

13 12. Exercise and perform all powers and duties invested in the
14 chairperson of the Arizona water banking authority commission as
15 prescribed by chapter 14 of this title.

16 13. Provide staff support to the Arizona water banking authority
17 established pursuant to chapter 14 of this title.

18 14. In the year following each regular general election, present
19 information to the committees with jurisdiction over water issues in the
20 house of representatives and the senate. A written report is not required
21 but the presentation shall include information concerning the following:

22 (a) The current status of the water supply in this state and any
23 likely changes in that status.

24 (b) Issues of regional and local drought effects, short-term and
25 long-term drought management efforts and the adequacy of drought
26 preparation throughout the state.

27 (c) The status of current water conservation programs in this
28 state.

29 (d) The current state of each active management area and the level
30 of progress toward management goals in each active management area.

31 (e) Issues affecting management of the Colorado river and the
32 reliability of this state's two million eight hundred thousand acre-foot
33 allocation of Colorado river water, including the status of water supplies
34 in and issues related to the Colorado river basin states and Mexico.

35 (f) The status of any pending or likely litigation regarding
36 surface water adjudications or other water related litigation and the
37 potential impacts on this state's water supplies.

38 (g) The status of Indian water rights settlements and related
39 negotiations that affect this state.

40 (h) Other matters related to the reliability of this state's water
41 supplies, the responsibilities of the department and the adequacy of the
42 department's and other entities' resources to meet this state's water
43 management needs.

1 Sec. 40. Section 49-123, Arizona Revised Statutes, is amended to
2 read:

3 49-123. Hazardous materials emergency management program;
4 Arizona emergency response commission; emergency
5 planning and community right-to-know

6 A. The department is designated the lead agency for developing and
7 implementing a state hazardous materials emergency management program.

8 B. The director shall appoint a coordinator to work in consultation
9 with the Arizona emergency response commission in the development and
10 implementation of the hazardous materials emergency management program.

11 C. The Arizona emergency response commission is established
12 consisting of representatives from the following agencies and departments:

- 13 1. The division of emergency management.
- 14 2. The department of health services.
- 15 3. The department of public safety.
- 16 4. The department of transportation.
- 17 5. The Arizona department of agriculture.
- 18 6. The corporation commission.
- 19 7. The industrial commission of Arizona.
- 20 8. The office of state fire marshal.
- 21 9. The office of state mine inspector.

22 ~~10. The radiation regulatory agency.~~

23 ~~11.~~ 10. Two representatives nominated by the Arizona fire chiefs
24 association or its successor organization, one of whom represents a fire
25 department or a fire district serving a population of less than two
26 hundred fifty thousand persons.

27 ~~12.~~ 11. Other agencies or offices deemed necessary by the
28 director.

29 D. This article does not change or alter the existing regulatory
30 authority or provisions of law relating to the agencies and departments
31 listed in subsection C of this section.

32 E. The department is designated as the lead agency for implementing
33 title III of the superfund amendments and reauthorization act of 1986
34 (P.L. 99-499). The director shall administer any monies received under
35 subsection G of this section.

36 F. The department shall administer this article and the rules
37 adopted under this article. The department shall administer title III in
38 this state and may conduct whatever activities are necessary to implement
39 this article and title III in this state. The department is granted all
40 the authority and responsibilities of a state emergency response
41 commission for purposes of title III.

42 G. The department may procure by contract the temporary or
43 intermittent services of experts or consultants if such services are to be
44 performed on a part-time or fee-for-services basis and do not involve the
45 performance of administrative duties. The department may also enter into

1 agreements with the federal government, Indian tribes, other states and
2 political subdivisions of this state for the purposes of this
3 article. The department may also accept on behalf of this state any
4 reimbursement, grant or gift that may become available for purposes of
5 this article. The department shall deposit, pursuant to sections 35-146
6 and 35-147, any such monies in the emergency response fund.

7 H. The department shall establish a program of financial grants to
8 local governments funded through the department by appropriations to the
9 emergency response fund. The grants shall be dedicated to and used for
10 local compliance with this article. The department shall include
11 procedures for applying for the grants and qualifying criteria for
12 awarding the grants.

13 I. The department shall adopt and may modify, suspend or repeal
14 rules pursuant to title 41, chapter 6. The rules may not be more
15 stringent than title III and the federal regulations adopted under title
16 III, except as specifically authorized in this article. These rules shall
17 implement this article and title III in this state. The authority to
18 adopt rules includes establishing:

- 19 1. Procedures for handling public information requests.
- 20 2. Procedures and implementing programs for chemical emergency
21 planning and preparedness.
- 22 3. Community right-to-know program reporting requirements.
- 23 4. Fees to implement the community right-to-know program. The fees
24 shall be deposited, pursuant to sections 35-146 and 35-147, in the
25 emergency response fund established by section 49-132. The governor's
26 regulatory review council must approve rules adopted pursuant to this
27 paragraph.
- 28 5. Release reporting requirements.

29 J. The department shall ensure that mandatory hazardous materials
30 training programs for on-scene command personnel that are developed,
31 delivered or managed by their respective agencies, departments or
32 divisions address notification procedures, coordination of services and
33 comprehensive management for protection of the public health during and
34 after a chemical or other toxic fire event. The training shall include
35 notification and coordination with the department of public safety, the
36 department of transportation, ~~the radiation regulatory agency~~, the
37 commission, local emergency planning committees, the department of health
38 services, the division of emergency management, the national response
39 center and the Arizona poison control system. Training shall also include
40 orientation on the state emergency response and recovery plan concerning
41 hazardous materials. The department shall encourage private companies
42 that deliver similar training in this state to include the same curriculum
43 in their programs.

1 Sec. 41. Section 49-903, Arizona Revised Statutes, is amended to
2 read:

3 49-903. Development of facility

4 A. The director of the department of administration may contract
5 with one or more persons for the development of a hazardous waste disposal
6 facility. The person developing the facility is solely responsible for
7 compliance with all federal, state and local environmental laws,
8 ordinances and rules. In no event shall the director of the department of
9 administration be responsible for such compliance.

10 B. Hazardous wastes disposed of at any facility established
11 pursuant to this article shall not include special nuclear or by-product
12 materials, or any radioactive waste material whose storage,
13 transportation, treatment and disposal are regulated by the federal
14 nuclear regulatory commission, or its successor agency, or the ~~Arizona~~
15 ~~radiation regulatory agency~~ DEPARTMENT OF HEALTH SERVICES, or its
16 successor agency.

17 C. A facility established pursuant to this article shall not
18 incinerate hazardous waste.

19 D. A facility established pursuant to this article shall not accept
20 for purposes of storage, treatment or disposal any waste that is generated
21 outside this state and that is classified as hazardous under the laws of
22 its state or country of origin unless the legislature does either of the
23 following:

24 1. Approves an interstate or regional agreement for the safe
25 treatment, storage or disposal of hazardous waste as prescribed by the
26 comprehensive environmental response, compensation, and liability act of
27 1980 (P.L. 96-510), as amended.

28 2. Finds that the prohibition on importation is no longer in the
29 best interests of this state due to a finding that this state is in
30 violation of its capacity assurance plan requirements prescribed by the
31 comprehensive environmental response, compensation, and liability act of
32 1980 (P.L. 96-510), as amended.

33 E. The director of the department of environmental quality shall
34 determine those wastes that have been classified as hazardous by another
35 state or country as of July 3, 1991. The director shall publish a list of
36 those wastes by December 31, 1992.

37 Sec. 42. Succession

38 A. As provided by this act, the department of health services
39 succeeds to the authority, powers, duties and responsibilities of the
40 radiation regulatory agency, the radiation regulatory hearing board and
41 the medical radiologic technology board of examiners.

42 B. This act does not alter the effect of any actions that were
43 taken or impair the valid obligations of the radiation regulatory agency,
44 the radiation regulatory hearing board and the medical radiologic

1 technology board of examiners in existence before the effective date of
2 this act.

3 C. Administrative rules and orders that were adopted by the
4 radiation regulatory agency, the radiation regulatory hearing board and
5 the medical radiologic technology board of examiners continue in effect
6 until superseded by administrative action by the department of health
7 services. Until the department of health services takes administrative
8 action, any reference in the rules or orders of the radiation regulatory
9 agency, the radiation regulatory hearing board or the medical radiologic
10 technology board of examiners to the agency or boards is considered to
11 refer to the department of health services.

12 D. All administrative matters, contracts and judicial and
13 quasi-judicial actions, whether completed, pending or in process, of the
14 radiation regulatory agency, the radiation regulatory hearing board and
15 the medical radiologic technology board of examiners on the effective date
16 of this act are transferred to and retain the same status with the
17 department of health services.

18 E. All certificates, licenses, registrations, permits and other
19 indicia of qualification and authority that were issued by the radiation
20 regulatory agency, the radiation regulatory hearing board and the medical
21 radiologic technology board of examiners retain their validity for the
22 duration of their terms of validity as provided by law.

23 F. All equipment, records, furnishings and other property, all data
24 and investigative findings, all obligations and all appropriated monies
25 that remain unexpended and unencumbered on the effective date of this act
26 of the radiation regulatory agency, the radiation regulatory hearing board
27 and the medical radiologic technology board of examiners are transferred
28 to the department of health services.

29 G. All personnel who are under the state personnel system and
30 employed by the radiation regulatory agency, the radiation regulatory
31 hearing board and the medical radiologic technology board of examiners are
32 transferred to comparable positions and pay classifications in the
33 respective administrative units of the department of health services on
34 the effective date of this act.

35 Sec. 43. Effective date

36 This act is effective from and after December 31, 2017.

APPROVED BY THE GOVERNOR MAY 19, 2017.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 19, 2017.

Passed the House February 9, 2017

Passed the Senate April 24, 2017

by the following vote: 58 Ayes,

by the following vote: 29 Ayes,

0 Nays, 2 Not Voting

0 Nays, 1 Not Voting



Speaker of the House
 Pro Tempore



President of the Senate



Chief Clerk of the House



Secretary of the Senate

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR**

This Bill received by the Governor this

_____ day of _____, 20____

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

at _____ o'clock _____ M.

Governor of Arizona

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE**

This Bill received by the Secretary of State

this _____ day of _____, 20____

at _____ o'clock _____ M.

Secretary of State

H.B. 2075

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

May 8, 2017,

by the following vote: 58 Ayes,

1 Nays, 1 Not Voting

[Signature]
Speaker of the House

[Signature]
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

8th day of May, 2017,

at 3:37 o'clock P. M.

[Signature]
Secretary to the Governor

Approved this 19th day of

May, 2017,

at 10:27 o'clock A. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 19 day of May, 2017,

at 11:32 o'clock A M.

[Signature]
Secretary of State

H.B. 2075