

1 SB136  
2 118167-2  
3 By Senators Dixon, Barron, Little (T), and Figures  
4 RFD: Governmental Affairs  
5 First Read: 12-JAN-10

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4 ENGROSSED

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7 A BILL  
8 TO BE ENTITLED  
9 AN ACT

10  
11 Relating to the Alabama Sunset Law; to continue the  
12 existence and functioning of the State Radiation Control  
13 Agency with certain modifications; to amend Section 22-14-6,  
14 Code of Alabama 1975, so as to require that applicants for  
15 licensure be United States citizens or legally present in the  
16 United States.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

18 Section 1. Pursuant to the Alabama Sunset Law, the  
19 Sunset Committee recommends the continuance of the State  
20 Radiation Control Agency, with the additional recommendation  
21 for statutory change as set out in Section 3.

22 Section 2. The existence and functioning of the  
23 State Radiation Control Agency, created and functioning  
24 pursuant to Sections 22-14-1 to 22-14-35, inclusive, Code of  
25 Alabama 1975, is continued, and those code sections are  
26 expressly preserved.

1           Section 3. Section 22-14-6 of the Code of Alabama  
2 1975, is amended to read as follows:

3           "§22-14-6.

4           "(a) The agency shall provide, by rule or  
5 regulation, for general or specific licensing of persons to  
6 receive, possess or transfer by-product, source, special  
7 nuclear materials, devices or equipment utilizing such  
8 materials, or any other radioactive materials occurring  
9 naturally or produced artificially. Such rule or regulation  
10 shall provide for amendment, suspension, or revocation of  
11 licenses and shall require that each applicant for licensure  
12 be a citizen of the United States or, if not a citizen of the  
13 United States, a person who is legally present in the United  
14 States with appropriate documentation from the federal  
15 government.

16           "(b) The agency is authorized to require  
17 registration and inspection of persons dealing with ionizing  
18 radiation which does not require a specific license and may  
19 require compliance with specific safety standards to be  
20 promulgated by the agency.

21           "(c) The agency is authorized to exempt certain  
22 sources of ionizing radiation or kinds of uses or users from  
23 the licensing or registration requirements set forth in this  
24 section when the agency makes a finding that the exemption of  
25 such sources of ionizing radiation or kinds of uses or users  
26 will not constitute a significant risk to the health and  
27 safety of the public.

1           "(d) Any report of investigation or inspection or  
2 any information concerning trade secrets or secret industrial  
3 processes obtained under this article shall not be disclosed  
4 or opened to public inspection by the agency.

5           "(e) Rules and regulations promulgated pursuant to  
6 this chapter may provide for recognition of other state or  
7 federal licenses as the agency may deem desirable, subject to  
8 such registration requirements as the agency may prescribe.

9           "(f) It shall be unlawful for any person to use,  
10 manufacture, produce, knowingly transport, transfer, receive,  
11 acquire, own, or possess any source of ionizing radiation  
12 unless licensed by or registered with the agency in accordance  
13 with ~~the provisions of~~ this article and the rules and  
14 regulations issued thereunder."

15           Section 4. The Legislature concurs in the  
16 recommendations of the Sunset Committee as provided in  
17 Sections 1, 2, and 3.

18           Section 5. This act shall become effective  
19 immediately upon its passage and approval by the Governor, or  
20 its otherwise becoming law.

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Senate

Read for the first time and referred to the Senate  
committee on Governmental Affairs ..... 12-JAN-10

Read for the second time and placed on the calen-  
dar ..... 14-JAN-10

Read for the third time and passed as amended ... 11-FEB-10

Yeas 30  
Nays 0

McDowell Lee  
Secretary