

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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8 SYNOPSIS: Under existing law, termination dates are
9 established for enumerated state agencies. The
10 agencies are periodically reviewed by the Alabama
11 Sunset Committee. After the review process is
12 completed, the committee prepares its
13 recommendations for the agencies to the Legislature
14 in the form of sunset bills which either continue,
15 terminate, or continue with modification each
16 agency reviewed.

17 This bill would provide for the continuance
18 of the State Radiation Control Agency, with the
19 following change: To require that applicants for
20 licensure be United States citizens or legally
21 present in the United States.

22
23 A BILL
24 TO BE ENTITLED
25 AN ACT
26

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

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. Pursuant to the Alabama Sunset Law, the
9 Sunset Committee recommends the continuance of the State
10 Radiation Control Agency, with the additional recommendation
11 for statutory change as set out in Section 3.

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

17 Section 3. Section 22-14-6 of the Code of Alabama
18 1975, is amended to read as follows:

19 "§22-14-6.

20 "(a) The agency shall provide, by rule or
21 regulation, for general or specific licensing of persons to
22 receive, possess or transfer by-product, source, special
23 nuclear materials, devices or equipment utilizing such
24 materials, or any other radioactive materials occurring
25 naturally or produced artificially. Such rule or regulation
26 shall provide for amendment, suspension, or revocation of
27 licenses and shall require that each applicant for licensure

1 be a citizen of the United States or, if not a citizen of the
2 United States, a person who is legally present in the United
3 States with appropriate documentation from the federal
4 government.

5 "(b) The agency is authorized to require
6 registration and inspection of persons dealing with ionizing
7 radiation which does not require a specific license and may
8 require compliance with specific safety standards to be
9 promulgated by the agency.

10 "(c) The agency is authorized to exempt certain
11 sources of ionizing radiation or kinds of uses or users from
12 the licensing or registration requirements set forth in this
13 section when the agency makes a finding that the exemption of
14 such sources of ionizing radiation or kinds of uses or users
15 will not constitute a significant risk to the health and
16 safety of the public.

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

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

25 "(f) It shall be unlawful for any person to use,
26 manufacture, produce, knowingly transport, transfer, receive,
27 acquire, own, or possess any source of ionizing radiation

1 unless licensed by or registered with the agency in accordance
2 with ~~the provisions of~~ this article and the rules and
3 regulations issued thereunder."

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

7 Section 5. This act shall become effective
8 immediately upon its passage and approval by the Governor, or
9 its otherwise becoming law.