

PROPOSED AMENDMENT

SENATE AMENDMENTS TO S.B. 1520

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 41-1711, Arizona Revised Statutes, is amended to
3 read:

4 41-1711. Department of public safety; purpose; location;
5 qualifications of director; responsibilities

6 A. There shall be a department of public safety ~~which~~ THAT is
7 responsible for creating and coordinating services for use by local law
8 enforcement agencies in protecting the public safety. The principal office
9 and headquarters of the department shall be in Phoenix.

10 B. The department shall formulate plans with a view to establishing
11 modern services for prevention of crime, apprehension of violators, training
12 of law enforcement personnel, and the promotion of public safety. The
13 department shall in no way preempt the authority and jurisdiction of
14 established agencies of political subdivisions of the state.

15 C. The director shall be selected on the basis of training and
16 experience with a minimum of five years' experience in the administration of
17 law enforcement.

18 D. The director shall be appointed by the governor pursuant to section
19 38-211 to serve for a term of five years and shall be subject to removal for
20 cause, including but not limited to malfeasance, misfeasance and nonfeasance
21 in office. The term shall expire on the third Monday in January of the
22 appropriate year. The director shall receive annual compensation as
23 determined pursuant to section 38-611.

24 E. The director shall be directly responsible to the governor for the
25 conduct and the administration of the department. If the director is unable
26 to act, the deputy director shall direct the activities of the department
27 during the period in which the director is unable to act. If the director

1 and deputy director are unable to act, the governor shall direct the
2 activities of the department during the period in which the director and
3 deputy director are unable to act.

4 F. The director shall prescribe procedures for use of department
5 personnel, facilities, equipment, supplies and other resources in assisting
6 search or rescue operations.

7 G. The director shall be responsible for the establishment, operation
8 and maintenance of the statewide emergency medical services communication
9 system prescribed by section 41-1835.

10 H. The director may purchase, lease, equip, staff and operate air
11 ambulances, including ambulance helicopters, pursuant to section 41-1834.

12 I. To limit the expenditures of monies derived from the state highway
13 fund established pursuant to article IX, section 14, Constitution of Arizona,
14 to traffic safety and traffic law enforcement purposes, the department of
15 public safety shall:

16 1. Maintain a strict account of all costs incurred by each function of
17 the department. Such costs shall be determined and allocated between traffic
18 safety or traffic law enforcement functions and all other departmental
19 functions and shall include such costs as wages or salaries, materials or
20 supplies and equipment or facility use.

21 2. Immediately following the determination of all such costs certify
22 to the office of strategic planning and budgeting the full amount of all such
23 costs relating to the various functions within the department.

24 J. The office of strategic planning and budgeting shall annually
25 submit a separate report to the legislature compiled from the department's
26 functional costs certification indicating the complete breakdown between
27 those costs which are related to traffic safety or traffic law enforcement
28 functions and the various other functions within the department. The
29 director of the department of administration shall include within the
30 director's annual report to the legislature a recommendation for a separate
31 appropriation to reimburse the state highway fund from the state general fund
32 for any expenditures from the state highway fund during the prior fiscal year

1 in excess of the total of all costs related to traffic safety or traffic law
2 enforcement functions of the department.

3 K. The director shall establish a special hazardous materials
4 emergency response organizational unit within the department to function as
5 the initial response element of the hazardous materials emergency management
6 program pursuant to section 26-305.02.

7 L. The department is designated as this state's recipient of federal
8 victims of crime act grants.

9 M. THE DEPARTMENT IS THE PRIMARY AGENCY RESPONSIBLE FOR TRAFFIC
10 CONTROL MANAGEMENT AND PUBLIC SAFETY IN ROAD CONSTRUCTION ZONES ON STATE
11 HIGHWAYS. ANY PERFORMANCE UNDER THIS RESPONSIBILITY IS SECONDARY EMPLOYMENT
12 AND SHALL BE REIMBURSED BY THE CONTRACTOR OR AGENCY THAT IS PERFORMING THE
13 CONSTRUCTION. THE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY WITH THE
14 CONCURRENCE OF THE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION SHALL SET THE
15 HOURLY FEE FOR A PATROL OFFICER AND VEHICLE. THE DEPARTMENT OF TRANSPORTATION
16 MAY USE AN OFFICER OTHER THAN A DEPARTMENT OF PUBLIC SAFETY OFFICER IF THE
17 DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY CONCURS.”

18 Amend title to conform

JOHN NELSON

2/9/12
3:24 PM
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