

Department of Legislative Services
Maryland General Assembly
2011 Session

FISCAL AND POLICY NOTE

House Bill 108
Economic Matters

(Delegate Feldman)

Finance

**Business Regulation - State Amusement Ride Safety Advisory Board -
Membership**

This bill requires that one member of the State Amusement Ride Safety Advisory Board represent amusement ride rental operators. To maintain the current level of board membership, the bill reduces the number of consumer members from four to three. The bill also requires that the composition of the board reflect the racial and gender composition of the State.

Fiscal Summary

State Effect: None. Altering the board’s composition does not affect governmental finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law/Background: An “amusement ride” is defined as a device intended to give amusement, excitement, pleasure, or thrills to passengers whom the device carries along or around a fixed or restricted course or within a defined area.

The State Amusement Ride Safety Advisory Board is responsible for advising and consulting with the Commissioner of Labor and Industry on amusement ride safety regulations. The board may hold hearings to receive information from the public on which to base recommendations to the commissioner.

The board consists of nine members appointed by the Governor with the advice and consent of the Senate. One member must be a mechanical engineer, one must represent owners of carnivals, one must represent the State fair and county fairs, two must represent owners of amusement parks, and four must be consumers. In choosing the members of the board, the Governor must make every effort to ensure that each region of the State is represented. A chairman is designated by the Governor from among the consumer members of the board, and members serve staggered, four-year terms. At the end of a term, a member continues to serve until a successor is appointed and qualifies.

According to the U.S. Census Bureau and as of 2009, the State's population is 63% white, 29.7% African American, and 51.5% female. The census statistics indicate that, under the bill, the board is required to have roughly six white members, two African American members, and one Asian or Native American member. Additionally, roughly five of the board's nine members must be women. The board currently has six white male members, one white female member, one African American female member, and one African American male member. According to the Department of Labor, Licensing, and Regulation (DLLR), the board has been more successful in attracting minority representation for the board's consumer member positions than for the industry positions. Currently, two of the four consumer members are minorities.

The composition of the State Board of Professional Counselors and Therapists must reflect the race and gender of the population of the State. To the extent practicable, the Governor's Workforce Investment Board is subject to the same requirement.

Additional Comments: Given that the board's consumer member positions are currently filled, DLLR anticipates that, if the bill is enacted, a representative of the amusement ride rental operators will succeed the first consumer member after the scheduled expiration of that member's term. Similarly, it is expected that the board will come into compliance with the bill's provisions regarding board composition in the coming years as the terms of current board members expire.

Additional Information

Prior Introductions: SB 7 of 2010, as amended, passed the Senate but received an unfavorable report from the House Economic Matters Committee.

Cross File: SB 108 (Senator Garagiola) - Finance.

Information Source(s): Department of Labor, Licensing, and Regulation; Department of Legislative Services

Fiscal Note History: First Reader - January 26, 2011
ncs/mcr

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