

Department of Legislative Services
Maryland General Assembly
2010 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 7

(Senator Garagiola)

Finance

Economic Matters

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

This bill requires that the composition of the State Amusement Ride Safety Advisory Board reflect the racial and gender composition of the population of the State. The bill also requires that the board have three consumer members – instead of four – and that one member of the board represent amusement ride rental operators.

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: 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.

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.

Background: According to the U.S. Census Bureau and as of 2008, the State’s population is 63.4% white, 29.4% African American, and 51.6% female. These statistics indicate that, under the bill, the board should have six white members, two African American members, and one Asian or Native American member. Additionally, five of the board’s nine members must be women.

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, the Department of Labor, Licensing, and Regulation 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: None.

Cross File: None.

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

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