

The House Committee on State Planning and Community Affairs offers the following substitute to SB 196:

A BILL TO BE ENTITLED
AN ACT

1 To amend numerous and various provisions of the Official Code of Georgia Annotated,
2 relating to certain authorities, advisory boards, councils, commissions, and committees, so
3 as to provide for the abolishment of the Franklin D. Roosevelt Warm Springs Pools and
4 Springs Site Commission, the Upper Savannah River Development Authority, the Resources
5 Advisory Board of the Southeast River Basins, the Georgia Forest Research Council, the
6 Georgia Hazardous Waste Management Authority, the advisory board of the Georgia
7 Education Leadership Academy, the Environmental Education Council, the board of
8 directors of the Georgia Education Trust, the Council on the Deaf, the Workers'
9 Compensation Advisory Council, the Board of Boiler and Pressure Vessel Rules, the
10 Advisory Board on Amusement Ride Safety, the Advisory Board on Carnival Ride Safety,
11 the Georgia Hall of Fame Commission, and the Awards Committee of the Georgia
12 Suggestion System; to provide for related matters; to repeal conflicting laws; and for other
13 purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

15 Article 6 of Chapter 3 of Title 12 of the Official Code of Georgia Annotated, relating to
16 memorials, is amended by repealing and reserving Part 1 thereof, relating to the Franklin D.
17 Roosevelt Warm Springs Pools and Springs Site Commission and related matters.
18

SECTION 2.

19 Article 7 of Chapter 3 of Title 12 of the Official Code of Georgia Annotated, relating to
20 public authorities, is amended by repealing and reserving Part 6 thereof, known as the "Upper
21 Savannah River Development Authority Act."
22

SECTION 3.

Article 5 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to rivers and river basins, is amended by striking in its entirety Code Section 12-5-330, relating to the Resources Advisory Board, Southeast River Basins, and related matters, and inserting in its place the following:

"12-5-330.

Reserved."

SECTION 4.

Chapter 6 of Title 12 of the Official Code of Georgia Annotated, relating to forest resources and other plant life, is amended by repealing Code Sections 12-6-113, relating to the creation of the Georgia Forest Research Council; 12-6-114, relating to the appointment of members to the Georgia Forest Research Council; 12-6-115, relating to removal of members of the Georgia Forest Research Council; 12-6-116, relating to the election of the chairman of the Georgia Forest Research Council; 12-6-117, relating to the establishment of a quorum for the Georgia Forest Research Council; and 12-6-118, relating to meetings with the director of the State Forestry Commission and related matters.

SECTION 5.

Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to waste management, is amended by repealing and reserving Article 4 thereof, known as the "Georgia Hazardous Waste Management Authority Act."

SECTION 6.

Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to quality basic education, is amended by striking in its entirety Code Section 20-2-231, relating to the Georgia Education Leadership Academy and related matters, and inserting in its place the following:

"20-2-231.

(a) The State Board of Education is authorized and directed to establish the Georgia Education Leadership Academy whose full-time personnel shall be employees of the Department of Education. The purpose of the Georgia Education Leadership Academy shall be to provide opportunities for public school leadership personnel to update and expand their leadership knowledge and skills.

~~(b) The Georgia Education Leadership Academy shall have an advisory board. Members of the advisory board shall consist of two representatives from each of the following categories:~~

1 (b) Seven members of the council shall constitute a quorum.

2 (c) Vacancies shall be filled by the applicable appointing authority. All appointed
3 members shall serve at the pleasure of the appointing authority.

4 (d) The Governor shall appoint one member to serve as chairman. The chairman shall
5 appoint one member to serve as secretary-treasurer.

6 (e) The members of the council shall serve without compensation but shall be entitled to
7 receive the travel allowance provided in Code Section 50-19-7 for travel in furtherance of
8 this Code section. The Department of Education shall provide the council with such
9 facilities and clerical and professional assistance as the department deems appropriate. All
10 such expenses, facilities, and assistance shall be provided from funds appropriated to the
11 department and shall be subject to the availability of such funding.

12 (f) The council shall have the power and the duty to solicit and accept private funds and
13 receive state funds to be used for grants to local school systems for programs and projects
14 designed to enhance awareness of environmental issues among the kindergarten and
15 primary and secondary education students in the state.

16 (g) The council shall award the grants referred to in subsection (f) of this Code section
17 pursuant to criteria established by rule or regulation; provided, however, that any such
18 grant awarded shall be conditioned upon the recipient's providing matching funds in an
19 amount equaling at least 20 percent of the amount of the grant. Such matching funds may
20 consist in whole or in part of local private funds or in-kind donations.

21 (h) The council shall advise the Governor, the State School Superintendent, and the
22 Department of Education on curriculum materials and resource guides for environmental
23 education, recycling, and composting awareness programs for kindergarten through grade
24 12, on the programs and projects utilized by the schools designed to enhance awareness of
25 environmental education, and on changes that the council deems advisable to improve and
26 enhance environmental education in Georgia.

27 (i) All funds received by the council shall be deposited in a banking institution in this state
28 in a federally insured account. At the close of each fiscal year, the Department of
29 Education shall cause an audit of all such funds to be conducted and shall provide copies
30 of such audit to the state auditor and the Governor."

31 **SECTION 8.**

32 Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to postsecondary
33 education, is amended by striking in their entirety Code Sections 20-3-603, relating to
34 definitions, 20-3-604, relating to the creation of the Georgia Education Trust, and 20-3-609,
35 relating to the membership of the board of directors of the Georgia Education Trust and
36 related matters, and inserting in their respective places the following:

1 "20-3-603.

2 As used in this article, the term:

3 (1) 'Advance tuition payment contract' means a contract entered into by the trust and a
4 purchaser pursuant to this article to provide for the higher education of a qualified
5 beneficiary.

6 (2) 'Board' means the board of ~~directors of the Georgia Education Trust described in~~
7 ~~Code Section 20-3-609~~ commissioners of the Georgia Student Finance Commission
8 described Code Section 20-3-234.

9 (3) 'Fund' means the advance tuition payment fund created within the Georgia Education
10 Trust as provided in Code Section 20-3-608.

11 (4) 'Purchaser' means a person who makes or is obligated to make advance tuition
12 payments pursuant to an advance tuition payment contract.

13 (5) 'Qualified beneficiary' means any resident of this state.

14 (6) 'State institution of higher education' means any four-year college or university
15 within the University System of Georgia.

16 (7) 'Trust' or 'trust fund' means the Georgia Education Trust created in Code Section
17 20-3-604.

18 (8) 'Weighted average tuition cost of state institutions of higher education' means the
19 tuition cost arrived at by adding the products of the annual undergraduate in-state tuition
20 cost at each state institution of higher education and its total number of undergraduate
21 fiscal year equated students and then dividing the gross total of this cumulation by the
22 total number of undergraduate fiscal year equated students attending state institutions of
23 higher education.

24 20-3-604.

25 (a) There is created a public body corporate and politic to be known as the Georgia
26 Education Trust. The trust shall be within the Georgia Student Finance Commission.

27 (b) The purposes, powers, and duties of the trust are vested in and shall be exercised by
28 a board of ~~directors~~ commissioners as described in Code Section ~~20-3-609~~ 20-3-234."

29 "20-3-609.

30 ~~(a) The board of directors of the Georgia Education Trust shall consist of the executive~~
31 ~~director of the Georgia Student Finance Commission and six other members with~~
32 ~~knowledge, skill, and experience in the academic, business, or financial field, who shall be~~
33 ~~appointed by the Governor and confirmed by the Senate. Members of the board other than~~
34 ~~the executive director of the Georgia Student Finance Commission shall be appointed for~~
35 ~~terms of four years, the initial appointments, however, being two for four-year terms, two~~

1 ~~for three-year terms, and two for two-year terms. State officers or employees may be~~
 2 ~~appointed to the board unless otherwise prohibited by law; provided, however, that at least~~
 3 ~~three members of the board shall be citizens from the state at large.~~

4 ~~(b) In the event of death, resignation, disqualification, or removal for any reason of any~~
 5 ~~member of the board, the vacancy shall be filled in the same manner as the original~~
 6 ~~appointment and the successor shall serve for the unexpired term.~~

7 ~~(c) The initial terms for all members shall begin September 1, 1990.~~

8 ~~(d) The Governor shall designate a chairperson of the board from among the members,~~
 9 ~~which chairperson shall serve in that position at the pleasure of the Governor. The board~~
 10 ~~shall elect a vice-chairperson and may elect such other officers and committees as it~~
 11 ~~considers appropriate.~~

12 ~~(e) Members of the board shall serve without compensation but shall receive the same~~
 13 ~~expense allowance per day as that received by a member of the General Assembly for each~~
 14 ~~day such member of the board is in attendance at a meeting of such board, plus either~~
 15 ~~reimbursement for actual transportation costs while traveling by public carrier or the same~~
 16 ~~mileage allowance as members of the General Assembly receive. Expense allowances and~~
 17 ~~other costs authorized in this Code section shall be paid from moneys in the advance tuition~~
 18 ~~payment fund.~~

19 ~~(f) The board may delegate to its chairperson, vice-chairperson, or others such functions~~
 20 ~~and authority as the board considers necessary or appropriate. These functions may~~
 21 ~~include, but are not limited to, the oversight and supervision of employees of the trust.~~

22 ~~(g) A majority of the members of the board serving shall constitute a quorum for the~~
 23 ~~transaction of business at a meeting of the board or the exercise of a power or function of~~
 24 ~~the trust, notwithstanding the existence of one or more vacancies. Voting upon action~~
 25 ~~taken by the board shall be conducted by majority vote of the members present in person~~
 26 ~~at a meeting of the board, and, if authorized by the bylaws of the board and when a quorum~~
 27 ~~is present in person at the meeting, by use of amplified telephonic equipment. The board~~
 28 ~~shall meet at the call of the chairperson and as may be provided in the bylaws of the trust.~~
 29 ~~Meetings of the board may be held anywhere within the state.~~

30 ~~(h)(a) The business which the board may perform shall be conducted at a public meeting~~
 31 ~~of the board held in compliance with Chapter 14 of Title 50. Public notice of the time, date,~~
 32 ~~and place of the meeting shall be given in the manner required by subsection (e) of Code~~
 33 ~~Section 50-14-1.~~

34 ~~(i)(b) A writing prepared, owned, used, in the possession of, or retained by the board in~~
 35 ~~the performance of an official function shall be made available to the public if required by~~
 36 ~~Article 3 or 4 of Chapter 18 of Title 50."~~

SECTION 9.

Chapter 1 of Title 30 of the Official Code of Georgia Annotated, relating to general provisions regarding handicapped persons, is amended by striking in its entirety Code Section 30-1-4, relating to the Council on the Deaf and related matters, and inserting in its place the following:

"30-1-4.

Reserved."

SECTION 10.

Chapter 9 of Title 34 of the Official Code of Georgia Annotated, relating to workers' compensation, is amended by repealing Code Section 34-9-40.1, relating to a Workers' Compensation Advisory Council and related matters, which reads as follows:

"34-9-40.1.

(a) There is created and established a Workers' Compensation Advisory Council to be composed of ten members as provided in this subsection. The Governor shall appoint three members from the general public, one of whom shall represent the interests of labor, one of whom shall represent the interests of management, and one member who shall not represent any particular interest. The members appointed by the Governor shall serve for terms of four years beginning January 1, 1993. The Speaker of the House of Representatives shall appoint three members of the House of Representatives to serve on the advisory council for terms running concurrently with their terms of office. The Lieutenant Governor shall appoint three members of the Senate to serve on the advisory council for terms running concurrently with their terms of office. The chairman of the State Board of Workers' Compensation shall serve as an ex officio member of the advisory council.

(b) The members of the advisory council shall elect a member other than the chairman of the State Board of Workers' Compensation to serve as chairman of the council. The advisory council shall aid the members of the State Board of Workers' Compensation in formulating policies and discussing problems related to the administration and operation of this chapter.

(c) The members of the advisory council shall serve without compensation."

SECTION 11.

Chapter 11 of Title 34 of the Official Code of Georgia Annotated, known as the "Boiler and Pressure Vessel Safety Act," is amended by striking in its entirety paragraph (1) of Code Section 34-11-2, relating to definitions, and inserting in its place the following:

"(1) Reserved."

SECTION 12.

Said chapter is further amended by striking in its entirety Code Section 34-11-3, relating to the Board of Boiler and Pressure Vessel Rules and related matters, and inserting in its place the following:

"34-11-3.

~~(a) There is created within the Department of Labor a Board of Boiler and Pressure Vessel Rules which shall be referred to in this chapter as the board. The board shall consist of and be the Governor's Employment and Training Council provided for in Code Section 34-14-1.~~

(b) The ~~board or the~~ Commissioner shall be authorized to consult with persons knowledgeable in the areas of construction, use, or safety of boilers and pressure vessels and to create committees composed of such consultants ~~and members of the board~~ to assist the ~~board and~~ Commissioner in carrying out ~~their~~ his or her duties under this chapter."

SECTION 13.

Said chapter is further amended by striking in its entirety subsection (a) of Code Section 34-11-4, relating to definitions, rules, and regulations for safe construction, installation, inspection, maintenance, and repair of boilers and pressure vessels and related matters, and inserting in its place the following:

"(a)(1) The Department of Labor, ~~with the advice of the board,~~ shall formulate definitions, rules, and regulations for the safe construction, installation, inspection, maintenance, and repair of boilers and pressure vessels in this state.

(2) The definitions, rules, and regulations so formulated for new construction shall be based upon and at all times follow the generally accepted nation-wide engineering standards, formulas, and practices established and pertaining to boiler and pressure vessel construction and safety; and the Department of Labor, ~~with the advice of the board,~~ may adopt an existing published codification thereof, known as the Boiler and Pressure Vessel Code of the American Society of Mechanical Engineers, with the amendments and interpretations thereto made and approved by the council of the society, and may likewise adopt the amendments and interpretations subsequently made and published by the same authority. When so adopted, the same shall be deemed to be incorporated into and shall constitute a part of the whole of the definitions, rules, and regulations of the Department of Labor. Amendments and interpretations to the code so adopted shall be effective immediately upon being promulgated, to the end that the definitions, rules, and regulations shall at all times follow the generally accepted nation-wide engineering standards.

1 (3) The Department of Labor, ~~with the advice of the board~~, shall formulate the rules and
 2 regulations for the inspection, maintenance, and repair of boilers and pressure vessels
 3 which were in use in this state prior to the date upon which the first rules and regulations
 4 under this chapter pertaining to existing installations become effective or during the 12
 5 month period immediately thereafter. The rules and regulations so formulated shall be
 6 based upon and at all times follow generally accepted nation-wide engineering standards
 7 and practices and may adopt sections of the Inspection Code of the National Board of
 8 Boiler and Pressure Vessel Inspectors or API 510 of the American Petroleum Institute,
 9 as applicable."

10 SECTION 14.

11 Said chapter is further amended by striking in its entirety subsection (c) of Code Section
 12 34-11-6, relating to maximum allowable working pressure and related matters, and inserting
 13 in its place the following:

14 "(c) This chapter shall not be construed as in any way preventing the use, sale, or
 15 reinstallation of a boiler or pressure vessel referred to in this Code section, provided it has
 16 been made to conform to the rules and regulations of the ~~board~~ department governing
 17 existing installations and provided, further, that it has not been found upon inspection to
 18 be in an unsafe condition."

19 SECTION 15.

20 Said chapter is further amended by striking in its entirety Code Section 34-11-12, relating
 21 to suspension and revocation of inspector's certificate of competency and related matters,
 22 and inserting in its place the following:

23 "34-11-12.

24 (a) An inspector's certificate of competency may be suspended by the Commissioner after
 25 due investigation and recommendation by the ~~board~~ department for the incompetence or
 26 untrustworthiness of the holder thereof or for willful falsification of any matter or statement
 27 contained in his or her application or in a report of any inspection made by him or her.
 28 Written notice of any such suspension shall be given by the Commissioner within not more
 29 than ten days thereof to the inspector and his or her employer. A person whose certificate
 30 of competency has been suspended shall be entitled to an appeal ~~to the board~~ as provided
 31 in Code Section 34-11-19 and to be present in person and to be represented by counsel at
 32 the hearing of the appeal.

33 (b) If the ~~board~~ department has reason to believe that an inspector is no longer qualified
 34 to hold his or her certificate of competency, the ~~board~~ department shall, ~~upon not less than~~
 35 ~~ten days~~ provide written notice to the inspector and his or her employer, of the

1 department's determination and the right to an appeal as provided in Code Section
 2 34-11-19. ~~hold a hearing at which such inspector and his employer shall have an~~
 3 ~~opportunity to be heard.~~ If, as a result of such hearing, the board shall find that such
 4 inspector is has been determined to be no longer qualified to hold his or her certificate of
 5 competency, ~~the board shall recommend to the Commissioner that such certificate of~~
 6 ~~competency be revoked and the Commissioner shall thereupon revoke such certificate of~~
 7 competency forthwith.

8 (c) A person whose certificate of competency has been suspended shall be entitled to
 9 apply, after 90 days from the date of such suspension, for reinstatement of such certificate
 10 of competency."

11 **SECTION 16.**

12 Said chapter is further amended by striking in its entirety subsection (c) of Code Section
 13 34-11-15, relating to filing and maintenance of special investigator's report and related
 14 matters, and inserting in its place the following:

15 "(c) If the report filed pursuant to subsection (a) of this Code section shows that a boiler
 16 or pressure vessel is found to comply with the rules and regulations of the ~~board~~
 17 department, the chief inspector, or his or her duly authorized representative, shall issue to
 18 such owner or user an inspection certificate bearing the date of inspection and specifying
 19 the maximum pressure under which the boiler or pressure vessel may be operated. Such
 20 inspection certificate shall be valid for not more than 14 months from its date in the case
 21 of power boilers, 26 months in the case of heating and hot water supply boilers, and 38
 22 months in the case of pressure vessels. In the case of those boilers and pressure vessels
 23 covered by subparagraphs (b)(1)(A) through (D) of Code Section 34-11-14, for which the
 24 department has established or extended the operating period between required inspections
 25 pursuant to the provisions of paragraphs (3) and (4) of subsection (b) of Code Section
 26 34-11-14, the certificate shall be valid for a period of not more than two months beyond
 27 the period set by the ~~board~~ department. Certificates for boilers shall be posted under glass,
 28 or similarly protected, in the room containing the boiler. Pressure vessel certificates shall
 29 be posted in like manner, if convenient, or filed where they will be readily accessible for
 30 examination."

31 **SECTION 17.**

32 Said chapter is further amended by striking in its entirety Code Section 34-11-19, relating
 33 to appeals to the board, judicial review, and related matters, and inserting in its place the
 34 following:

1 "34-11-19.

2 (a) Any person aggrieved by an order or an act of the Commissioner or the chief inspector
3 under this chapter may, within 15 days of notice thereof, request a hearing before an
4 administrative law judge of the Office of State Administrative Hearings, as provided by
5 Code Section 50-13-41 appeal from such order or act to the board which shall, within 30
6 days thereafter, issue an appropriate order either approving or disapproving said order or
7 act. A copy of such order by the board shall be given to all interested parties.

8 (b) ~~Within 30 days after any order or act of the board, any Any person aggrieved by a~~
9 ~~decision of an administrative law judge may file an appeal pursuant to Chapter 13 of Title~~
10 ~~50, the 'Georgia Administrative Procedure Act.' thereby may file a petition in the Superior~~
11 ~~Court of Fulton County for a review thereof. The court shall summarily hear the petition~~
12 ~~and may make any appropriate order or decree."~~

13 SECTION 18.

14 Chapter 12 of Title 34 of the Official Code of Georgia Annotated, known as the "Amusement
15 Ride Safety Act," is amended by striking in their entirety paragraphs (1) and (6) of Code
16 Section 34-12-2, relating to definitions, and inserting in their respective places the following:

17 "(1) 'Advisory board' means the ~~Advisory Board on Amusement Ride Safety created by~~
18 ~~this chapter~~ Reserved."

19 "(6) 'Department' means the Department of Labor, which is designated to enforce the
20 provisions of this chapter; and to formulate and enforce standards and regulations ~~for the~~
21 ~~approval of the advisory board, and to enforce the standards and regulations."~~

22 SECTION 19.

23 Said chapter is further amended by striking in their entirety Code Sections 34-12-3, relating
24 to the creation of an Advisory Board on Amusement Ride Safety and related matters, and
25 34-12-4, relating to the powers of the advisory board, and inserting in their respective places
26 the following:

27 "34-12-3.

28 (a) ~~There is created the Advisory Board on Amusement Ride Safety which shall be~~
29 ~~referred to in this chapter as the advisory board. The advisory board shall consist of and be~~
30 ~~the Governor's Employment and Training Council provided for in Code Section 34-14-1.~~

31 (b) ~~The advisory board or the Commissioner shall be authorized to consult with persons~~
32 ~~knowledgeable in the area of the amusement ride industry and to create committees~~
33 ~~composed of such consultants and members of the advisory board to assist the advisory~~
34 ~~board and Commissioner in carrying out their his or her duties under this chapter.~~

1 34-12-4.

2 ~~The advisory board is empowered to study any aspect of the 'Amusement Ride Safety Act'~~
 3 ~~and the standards and regulations adopted thereunder and to make recommendations to the~~
 4 ~~department on any matter relating to the proper conduct and improvement of the chapter,~~
 5 ~~including its administrative, engineering, and technical aspects Reserved.~~"

6 **SECTION 20.**

7 Said chapter is further amended by striking in its entirety subsection (a) of Code Section
 8 34-12-5, relating to departmental standards and regulations, and inserting in its place, the
 9 following:

10 "(a) The department, ~~after consultation with the advisory board,~~ shall formulate standards
 11 and regulations, or changes to such standards and regulations, for the safe assembly,
 12 disassembly, repair, maintenance, use, operation, and inspection of all amusement rides.
 13 The standards and regulations shall be reasonable and based upon generally accepted
 14 engineering standards, formulas, and practices pertinent to the industry. Formulation and
 15 promulgation of such standards and regulations shall be subject to Chapter 13 of Title 50,
 16 the 'Georgia Administrative Procedure Act.' It is recognized that risks presented to the
 17 general public by amusement rides which are frequently assembled and disassembled are
 18 different from those presented by amusement rides which are not frequently assembled and
 19 disassembled. Accordingly, the department is authorized to formulate different standards
 20 and regulations with regard to such differing classes of amusement rides."

21 **SECTION 21.**

22 Said chapter is further amended by striking in its entirety Code Section 34-12-13, relating
 23 to accident reports, and inserting in its place the following:

24 "34-12-13.

25 The owner of the amusement ride shall report to the department any accident resulting in
 26 a fatality or an injury requiring immediate inpatient overnight hospitalization incurred
 27 during the operation of any amusement ride. The report shall be in writing, shall describe
 28 the nature of the occurrence and injury, and shall be mailed by first-class mail no later than
 29 the close of the next business day following the accident. Accidents resulting in a fatality
 30 shall also be reported immediately to the department in person or by phone in accordance
 31 with regulations adopted by the ~~advisory board~~ department."

SECTION 22.

Chapter 13 of Title 34 of the Official Code of Georgia Annotated, known as the "Carnival Ride Safety Act," is amended by striking in their entirety paragraphs (1) and (6) of Code Section 34-13-2, relating to definitions, and inserting in their respective places the following:

"(1) '~~Advisory board~~' means the ~~Advisory Board on Carnival Ride Safety created by this chapter~~ Reserved."

"(6) 'Department' means the Department of Labor, which is designated to enforce the provisions of this chapter; and to formulate and enforce standards and regulations ~~for the approval of the advisory board, and to enforce the standards and regulations.~~"

SECTION 23.

Said chapter is further amended by striking in their entirety Code Sections 34-13-3, relating to the creation of an Advisory Board on Carnival Ride Safety and related matters, and 34-13-4, relating to powers of the advisory board, and inserting in their respective places the following:

"34-13-3.

(a) ~~There is created the Advisory Board on Carnival Ride Safety which shall be referred to in this chapter as the advisory board. The advisory board shall consist of and be the Governor's Employment and Training Council provided for in Code Section 34-14-1.~~

(b) ~~The advisory board or the Commissioner shall be authorized to consult with persons knowledgeable in the area of the carnival ride industry and to create committees composed of such consultants and members of the advisory board to assist the advisory board and Commissioner in carrying out their~~ his or her duties under this chapter.

34-13-4.

~~The advisory board is empowered to study any aspect of the 'Carnival Ride Safety Act' and the standards and regulations adopted thereunder and to make recommendations to the department on any matter relating to the proper conduct and improvement of the chapter, including its administrative, engineering, and technical aspects~~ Reserved."

SECTION 24.

Said chapter is further amended by striking in its entirety subsection (a) of Code Section 34-13-5, relating to safety standards and regulations, and inserting in its place the following:

"(a) The department, ~~after consultation with the advisory board,~~ shall formulate standards and regulations, or changes to such standards and regulations, for the safe assembly, disassembly, repair, maintenance, use, operation, and inspection of all carnival rides. The standards and regulations shall be reasonable and based upon generally accepted

1 engineering standards, formulas, and practices pertinent to the industry. Formulation and
2 promulgation of such standards and regulations shall be subject to Chapter 13 of Title 50,
3 the 'Georgia Administrative Procedure Act.' No rule, regulation, or standard promulgated
4 or adopted pursuant to this chapter shall become effective prior to January 1, 1987."

5 **SECTION 25.**

6 Said chapter is further amended by striking in its entirety Code Section 34-13-13, relating
7 to accident reports, and inserting in its place the following:

8 "34-13-13.

9 The owner of the carnival ride shall report to the department any accident incurred during
10 the operation of any carnival ride resulting in a fatality or an injury requiring medical
11 attention from a licensed medical facility. The report shall be in writing, shall describe the
12 nature of the occurrence and injury, and shall be delivered in person or mailed by first-class
13 mail no later than the close of the next business day following the accident. Accidents
14 resulting in a fatality shall also be reported immediately to the department in person or by
15 phone in accordance with regulations adopted by the ~~advisory board~~ department."

16 **SECTION 26.**

17 Chapter 12 of Title 50 of the Official Code of Georgia Annotated, relating to state
18 commissions and other agencies, is amended by repealing and reserving Article 7 thereof,
19 relating to the Georgia Hall of Fame Commission and related matters.

20 **SECTION 27.**

21 Said title is further amended by repealing and reserving Chapter 31 thereof, known as the
22 "Georgia Suggestion System Act."

23 **SECTION 28.**

24 All laws and parts of laws in conflict with this Act are repealed.