

Representative Golick of the 34th et al move to amend HB 98 by striking line 14 of page 1 and inserting in lieu thereof the following:

"Fund; to amend Code Section 50-13-2 of the Official Code of Georgia Annotated, relating to definitions relative to Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' so as to redefine a term; to provide for related matters; to provide an effective date; to repeal conflicting laws;"

By striking line 22 of page 13 and inserting in lieu thereof the following:

"regulations as it may deem advisable to implement the terms of this chapter: provided, however, that for purposes of this chapter the authority shall be an agency subject to the provisions of Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.' The".

By redesignating Sections 3 and 4 as Sections 4 and 5, respectively.

By inserting between lines 26 and 27 of page 14 the following:

"SECTION 3.

Code Section 50-13-2 of the Official Code of Georgia Annotated, relating to definitions relative to Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' is amended by striking paragraph (1) and inserting in lieu thereof the following:

'(1) "Agency" means each state board, bureau, commission, department, activity, or officer authorized by law expressly to make rules and regulations or to determine contested cases, except the General Assembly; the judiciary; the Governor; the State Board of Pardons and Paroles; the State Financing and Investment Commission; the State Properties Commission; the Board of Bar Examiners; the Board of Corrections and its penal institutions; the State Board of Workers' Compensation; all public authorities except as otherwise expressly provided by law; the State Personnel Board (Merit System); the Department of Administrative Services or commissioner of administrative services; the Department of Technical and Adult Education; the Department of Revenue when conducting hearings relating to alcoholic beverages; the Georgia Tobacco Community Development Board; the Georgia Higher Education Savings Plan; any school, college, hospital, or other such educational, eleemosynary, or charitable institution; or any agency when its action is concerned with the military or naval affairs of this state. The term "agency" shall include the State Board of Education and Department of Education, subject to the following qualifications:

(A) Subject to the limitations of subparagraph (B) of this paragraph, all otherwise valid rules adopted by the State Board of Education and Department of Education prior to January 1, 1990, are ratified and validated and shall be effective until January 1, 1991,

whether or not such rules were adopted in compliance with the requirements of this chapter; and

(B) Effective January 1, 1991, any rule of the State Board of Education or Department of Education which has not been proposed, submitted, and adopted in accordance with the requirements of this chapter shall be void and of no effect.' ''.

\$\$AM 25 0794\$\$