

COMMITTEE ON MICHIGAN'S MINING FUTURE

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4227 as introduced

Sponsor: Rep. Sara Cambensy

Committee: Natural Resources and Outdoor Recreation

Complete to 3-17-19

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4227 proposes a new act to create the Committee on Michigan's Mining Future within the Department of Environmental Quality (DEQ). The committee would operate for two years.

Committee duties

The committee would do all of the following:

- Recommend actions to strengthen and develop sustainable, more diversified mining and minerals in Michigan.
- Evaluate government policies that affect the mining and minerals industry.
- Recommend public policy strategies to enhance the growth of the mining and minerals industry, especially for research and development in pellet production for the next generation of mining.
- Advise on the development of partnerships between industries, institutions, environmental groups, funding groups, and state and federal resources and other entities.

Committee members

The committee would consist of the following 15 members:

- Ten members appointed by the governor within 30 days after the effective date of the act, as follows:
 - A member of the local chapter of an international steel workers union representing workers from an ongoing or idled ferrous mining operation in Michigan.
 - A member representing a ferrous mining operation in Michigan.
 - A member representing a metallic nonferrous mining operation in Michigan.
 - A member representing an aggregate mining operation in Michigan.
 - Two members, each representing an environmental nonprofit organization in Michigan, with expertise in mining.
 - Two current or former research faculty members at a Michigan university who hold a master's or doctorate degree in mining or geology.
 - An individual with other relevant experience.
 - A member of a federally recognized tribe who is a resident of Michigan.¹
- The directors of the following three entities (or their designees):
 - DEQ.
 - Michigan Economic Development Corporation (MEDC).
 - Department of Natural Resources (DNR).

¹ As written, this could be a member of any of the roughly 573 federally recognized tribes in the United States. The member would not be required to represent, or be from, one of the 12 federally recognized tribes located in Michigan.

- Two members respectively designated by the state senator and the state representative for the senate district and house district with the highest production from metallic mineral mines in the calendar year preceding the year in which the appointment is made.

A vacancy occurring on the committee for any of the 12 positions designated or appointed by the state senator, the state representative, or the governor would be filled in the same manner as the original designation or appointment. The governor also could remove any of those 12 committee members for incompetence, dereliction of duty, malfeasance, misfeasance, or nonfeasance in office, or any other good cause.

Although committee members would serve without compensation, they could be reimbursed for their actual and necessary expenses incurred in performing their official duties.

Committee meetings

The first meeting of the committee would be called by the director of DEQ or his or her designee. At the first meeting, the committee would have to elect from among its members a chairperson and other officers as it considered necessary or appropriate.

The committee would have to meet at least quarterly, or more frequently at the call of the chairperson or if requested by three or more members. A majority of the members of the committee would constitute a quorum and would be required for official action of the committee. The business performed by the committee would be conducted at public meetings held in compliance with the Open Meetings Act, and any writings prepared, owned, used, possessed, or retained by the committee in the performance of an official function would be subject to the Freedom of Information Act.

Committee dissolution

The committee would be dissolved two years after the act takes effect.

Within 60 days after dissolution of the committee, the Oil, Gas, and Minerals Division within DEQ (or a successor division) would have to submit a report on the committee's work to the governor, the legislature, and Michigan's United States congressional delegation.

Ninety days after dissolution of the committee, the act would be repealed.

FISCAL IMPACT:

House Bill 4227 is likely to increase costs for DEQ; the magnitude of this cost increase is unclear. The bill authorizes the reimbursement of committee member costs incurred in course of conducting committee business. These costs are likely to vary with travel expenses, among other variables. The bill also creates reporting costs by requiring the department to submit a report on the committee's activities at the conclusion of the committee's tenure. These reporting costs are likely to be modest, as DEQ regularly produces legislative reports. The bill is unlikely to affect departmental revenues or local government costs or revenues.

Legislative Analyst: Emily S. Smith
Fiscal Analyst: Austin Scott

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.