



Senate Fiscal Agency
P.O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986

House Bill 4227 (Substitute H-3 as passed by the House)
Sponsor: Representative Sara Cambensy
House Committee: Natural Resources and Outdoor Recreation
Senate Committee: Natural Resources

Date Completed: 5-21-19

CONTENT

The bill would enact a new law to do the following:

- **Create the "Committee on Michigan's Mining Future" within the Department of Environment, Great Lakes, and Energy (DEGLE).**
- **Require the Committee to consist of ten members appointed by the Governor; one member from the State Senate and one member from the State House of Representatives; and the Directors of the Michigan Economic Development Corporation, Department of Natural Resources, and DEGLE, or their respective designees.**
- **Require the Committee to evaluate government policies that affect the mining and minerals industry and recommend actions to strengthen and develop a sustainable, more diversified mining and minerals industry while protecting the State's environment and natural resources.**
- **Require the Committee to submit a report on its work to the Governor, the Legislature, the State's United States Senators, and members of the State's United States congressional delegation.**
- **Dissolve the Committee 60 days after the report was submitted.**
- **Repeal the law 90 days after the deadline for the submission of the report.**

The bill would take effect 90 days after its enactment.

Committee Membership

The Committee would consist of the following ten members appointed by the Governor:

- A member of a local chapter of an international steel workers union representing workers at an ongoing or idled ferrous mining operation in the State.
- A member representing a ferrous mining operation in the State
- A member representing a metallic nonferrous mining operation in the State
- A member representing an aggregate mining operation in the State.
- Two members, each representing an environmental nonprofit organization in the State, with expertise in mining.
- Two current or former research faculty members at a university in the State who held a master's or doctorate degree in mining or geology.
- A member representing a municipality in the State where a ferrous, metallic nonferrous, or aggregate mining operation was located.

- A resident of the State who was a member of a Federally recognized Indian tribe that had trust lands in the State.

In addition, the Committee would consist of the directors of the following, or their designees:

- The Michigan Economic Development Corporation.
- The Department of Natural Resources.
- The Department of Environment, Great Lakes, and Energy.

The Committee also would consist of each of the following:

- The State Senator for the Senate district with the highest production from metallic mineral mines in the State in the calendar year preceding the year in which the appointment was made.
- The State Representative for the House district with the highest production from metallic mineral mines in the State in the calendar year preceding the year in which the appointment was made.

The members first appointed to the Committee by the Governor would have to be appointed within 30 days after the bill's effective date. If a vacancy occurred on the Committee for a position appointed by the Governor or a designee of a State legislator, it would have to be filled in the same manner as the original appointment. The Governor could remove a member of the Committee appointed by the Governor for incompetence, dereliction of duty, malfeasance, misfeasance, or nonfeasance in office, or any other good cause.

Committee members would have to serve without compensation; however, members could be reimbursed for their actual and necessary expenses incurred in the performance of their official duties.

Committee Meetings

The Director of DEGLE would have to call the first meeting of the Committee. At that meeting, the Committee would have to elect a chairperson and other officers as it considered necessary or appropriate. The Committee then 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 Committee's membership would constitute a quorum for the transaction of business. A majority of those present and serving would be required for official action. The Committee would be subject to the Open Meetings Act and the Freedom of Information Act.

Committee Duties & Responsibilities

The Committee would have to do all of the following:

- Recommend actions to strengthen and develop a sustainable, more diversified mining and minerals industry in the State while protecting the State's environment and natural resources.
- 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 mining and mineral processing technology, including 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.

Dissolution of the Committee

Within two years after the bill's effective date, the Committee would have to submit a report on its work to the Governor, the Legislature, the State's United States Senators, and members of the State's United States congressional delegation.

The committee would be dissolved 60 days after the report was submitted. The proposed law would be repealed 90 days after the deadline for the submission of the report.

Legislative Analyst: Nathan Leaman

FISCAL IMPACT

The bill would have a small, but likely negative, fiscal impact on the Department of Environment, Great Lakes, and Energy (DEGLE) and no fiscal impact on local units of government. Under the bill, members of the Committee on Michigan's Mining Future could be reimbursed for costs incurred while carrying out their official duties. The extent of increased costs would depend upon the amount of administrative and technical support needed for the Committee to carry out its duties. Absent additional appropriations, existing DEGLE staff resources would bear these expenses.

Fiscal Analyst: Abbey Frazier

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.