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Senate Bill 119 (as introduced 2-10-21)
Sponsor: Senator Ed McBroom
Committee: Natural Resources

Date Completed: 2-16-21

CONTENT

The bill would amend Public Act 163 of 1911, which pertains to the election of mine inspectors, to do the following:

- **Require a mine inspector to be elected in any county where an operating metallic mineral mine was located.**
- **Prescribe the qualifications for a mine inspector elected in a county where only an abandoned, closed, or idled metallic mineral mine was situated.**
- **Allow a county to designate a mine inspector elected in another county to serve in the requesting county, if the requesting county's mine inspector were unable to serve out his or her term.**

Under the Act, in a county within Michigan where there are iron or copper mines situated, a mine inspector must be elected during each general election held every four years. A mine inspector serves for a four-year term. Under the bill, this would apply in a county where there is a metallic mine situated.

A mine inspector must meet all of the following requirements:

- Be a suitable individual who is a citizen of Michigan.
- Be able to read and write in English.
- Have at least 10 years' actual experience in mining or hold the degree of mining engineer or an equivalent degree.
- Have practiced as a mining engineer for at least two years.

Under the bill, in a county where there was only an abandoned, closed, or idled metallic mineral mine situated as of the bill's effective date, an elected mine inspector also would have to meet the qualifications listed above, except that he or she would have to have actual experience in mining or hold the degree of mining engineer, or an equivalent degree.

The bill specifies that if a mine inspector were unable to service to the completion of his or her term for any reason, the county in which the inspector served could designate a mine inspector elected to serve in another county, subject to the approval of the county board of commissioners in that other county, to serve as the mine inspector until the next election.

(The Michigan Election Law currently prescribes the manner in which a county office, including county mine inspector, would be filled if the office became vacant. Under Section 209 of the Law, if there is a vacancy in a county office (excluding the office of county clerk or prosecutor),

the presiding or senior probate judge, the county clerk, and the county prosecutor must appoint a suitable person to fill the vacancy until the next election.)

The bill also would repeal Section 2 of Public Act 163. (Section 2 prescribes procedures for appointed mine inspectors and deputy inspectors as counties transitioned to elected mine inspectors.)

MCL 425.101 et al.

Legislative Analyst: Dana Adams

FISCAL IMPACT

The bill would have no fiscal impact on the State and an indeterminate fiscal impact on local governments. For any county that has no iron or copper mines but has at least one other metallic mineral mine situated, there would be an added expense of holding elections for and paying an inspector of mines and his or her deputies. For any county that currently has an inspector of mines, but where only an abandoned, closed, or idled metallic mineral mines is situated, the requirements for the position would be reduced. The bill could allow a county in that situation to offer lower compensation for the position, which would reduce expenditures by the difference.

Fiscal Analyst: Ryan Bergan

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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.