

**SUBSTITUTE FOR
SENATE BILL NO. 119**

A bill to amend 1911 PA 163, entitled
"An act to provide for the election of inspectors of mines in
certain cases and the appointment of their deputies, for the
appointment of such inspectors of mines and their deputies until
the election and qualification of the first inspectors of mines, to
prescribe their powers and duties and to provide for their
compensation, and to repeal Act No. 213 of the Public Acts of
1887,"
by amending the title and sections 1, 3, 5, 6, and 11 (MCL 425.101,
425.103, 425.105, 425.106, and 425.111), section 1 as amended by
1984 PA 116; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 TITLE
2 An act to provide for the election **or appointment** of
3 inspectors of mines in certain cases and the appointment of their

deputies; ~~for the appointment of such inspectors of mines and their deputies until the election and qualification of the first inspectors of mines,~~ to prescribe their powers and duties; and to provide for their compensation. ~~and to repeal Act No. 213 of the Public Acts of 1887.~~

Sec. 1. **(1)** ~~There~~ **Subject to subsection (2), in a county of this state where a metallic mineral mine is located, an inspector of mines** shall be elected at the general election in the year 1968, and ~~at the general election held every fourth year thereafter an inspector of mines for the term of 4 years in any county within this state where there are iron or copper mines situated, some~~ **thereafter. The inspector of mines shall serve for a term of 4 years.**

(2) If, in a county described in subsection (1), a vacancy in the office of inspector of mines will occur because of the lack of a candidate for that office qualified under subsection (3) or (4), as applicable, the county board of commissioners may designate as inspector of mines for that county and term of office the elected inspector of mines of another county, subject to the approval of the county board of commissioners of that other county.

(3) Except as provided in subsection (4), in a county of this state where an operating metallic mineral mine is located, the inspector of mines must meet all of the following requirements:

(a) ~~Be suitable person who is a~~ citizen of this state. ~~who can~~

(b) **Be able to** read and write the English language. ~~and who has had~~

(c) **Have** at least 10 years' actual experience in mining, or a ~~person holding~~ **hold** the degree of mining engineer, or an equivalent

1 degree. ~~, and who shall have~~

2 (d) Have practiced ~~his or her the~~ profession as ~~a~~ of mining
3 engineer for at least 2 years. ~~Inspectors~~

4 (4) In a county of this state where, on the effective date of
5 the amendatory act that added this subsection, there was located an
6 abandoned, closed, or idled metallic mineral mine but no operating
7 metallic mineral mine, an inspector of mines must meet all of the
8 following requirements:

9 (a) Be a citizen of this state.

10 (b) Be able to read and write the English language.

11 (c) Have actual experience in mining, or hold the degree of
12 mining engineer, or an equivalent degree.

13 (d) Have practiced the profession of mining engineer for at
14 least 2 years.

15 (5) An inspector of mines shall not, during ~~their his or her~~
16 term of office, accept employment or be employed by ~~any a~~ mining
17 company or any subsidiary or affiliate thereof. ~~A person of a~~
18 mining company. An individual elected to any other public office
19 shall not be ~~is not~~ eligible for election ~~any of the following:~~

20 (a) Election as an inspector of mines.

21 (b) Except as provided in subsections (2) and (6), appointment
22 as an inspector of mines. ~~, nor for appointment~~

23 (c) Appointment as a deputy inspector of mines.

24 (6) If an inspector of mines vacates office, the county board
25 of commissioners may designate as inspector of mines for that
26 county, for the balance of the term, the inspector of mines for
27 another county, subject to the approval of the county board of
28 commissioners of that other county.

29 Sec. 3. The regular ~~terms of office of the inspectors of mines~~

~~to be so elected shall commence~~ **term of office of an inspector of mines commences** on the first day of January succeeding ~~their~~ **his or her** election **under section 1(1) or appointment under section 1(2).**

Sec. 5. ~~The~~ **Before assuming office as** inspector of mines, ~~when so elected shall give bonds~~ **an individual must execute and file with the county clerk a bond** in the sum of ~~5,000 dollars, with good and sufficient sureties to be approved by the circuit judge or judge of probate of the county in which such inspector shall be elected~~ **\$5,000.00** for the faithful performance of his **or her** duties. ~~which said~~ **The** bond shall be **issued by a surety company licensed to do business in this state and** payable to the people of this state. ~~and shall be filed with the clerk of the county where he is so elected.~~

Sec. 6. ~~The~~ **An** inspector of mines ~~when so elected may appoint 1 or more~~ **not more than 3** deputy inspectors, ~~not exceeding 3,~~ as, in his **or her** judgment, may be necessary ~~for the purpose of discharging to discharge~~ the duties ~~hereinafter prescribed in this act,~~ and may revoke ~~such the~~ appointments at his pleasure. ~~Any and all such deputy inspectors in any county shall be under the supervision of the inspector of mines, and their duties shall be prescribed by him. will.~~ **The inspector of mines shall prescribe the specific duties of and supervise each deputy inspector.**

Sec. 11. The salaries for the mine inspector ~~, and the assistants so elected and any deputy inspectors, and mileage at a rate determined by the county board of commissioners for distance traveled while on official business,~~ shall be paid out of the treasury of the county in which they serve on vouchers similar to those used by other county officials. ~~, and in addition thereto they shall be entitled to mileage at such rate as shall be~~

1 ~~determined by the board of supervisors for the actual distance~~
2 ~~traveled while on official business.~~

3 Enacting section 1. Section 2 of 1911 PA 163, MCL 425.102, is
4 repealed.