

REFERENCE TITLE: mining advisory council; membership

State of Arizona
Senate
Fifty-first Legislature
First Regular Session
2013

SB 1464

Introduced by
Senators Griffin, Burges; Representatives Gowan, Stevens: Senators
McGuire, Melvin; Representatives Barton, Carter, Forese, Gray, Kavanagh,
Livingston, Orr, Petersen, Shope

AN ACT

AMENDING SECTION 41-4701, ARIZONA REVISED STATUTES; RELATING TO THE MINING
ADVISORY COUNCIL.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 41-4701, Arizona Revised Statutes, is amended to
3 read:

4 41-4701. Mining advisory council; definition

5 A. The mining advisory council is established consisting of the
6 following members:

7 1. The state mine inspector or the state mine inspector's designee.

8 2. One member who represents a small company that is actively engaged
9 in the mining industry and who is appointed by the speaker of the house of
10 representatives.

11 3. Two members who are actively engaged in the aggregate mining
12 industry and who are appointed by the speaker of the house of
13 representatives.

14 4. Two members who represent large companies that are actively engaged
15 in the mining industry and who are appointed by the president of the senate.

16 5. One member who represents a mining supplier company that is
17 actively engaged in the mining industry and who is appointed by the president
18 of the senate.

19 6. Two members of the public who have natural resources experience and
20 who are appointed by the governor.

21 7. ONE MEMBER OF THE SENATE WHO IS APPOINTED BY THE PRESIDENT OF THE
22 SENATE AND WHO SERVES AS AN ADVISORY MEMBER.

23 8. ONE MEMBER OF THE HOUSE OF REPRESENTATIVES WHO IS APPOINTED BY THE
24 SPEAKER OF THE HOUSE OF REPRESENTATIVES AND WHO SERVES AS AN ADVISORY MEMBER.

25 B. The initial members appointed pursuant to subsection A, paragraphs
26 2 through 6 shall assign themselves by lot to two, three, four and five years
27 in office. All subsequent members serve five year terms of office. A member
28 may continue to serve until the member's successor is appointed and assumes
29 office. A member may not be appointed to more than one full term plus
30 appointment to fill a vacancy for the remainder of an unexpired term.

31 C. The appointing authority may remove a member for cause. In
32 addition, a member is deemed to have vacated the member's office if the
33 member:

34 1. Ceases to engage in the member's qualifying occupation.

35 2. No longer resides in this state.

36 3. Is absent without excuse from three consecutive regular meetings of
37 the council.

38 4. Resigns, dies or becomes unable to perform the member's duties.

39 D. Members of the advisory council are not eligible to receive
40 compensation but are eligible for reimbursement of expenses pursuant to title
41 38, chapter 4, article 2. The advisory council is a public body for purposes
42 of title 38, chapter 3, article 3.1.

43 E. The advisory council functions include:

44 1. Selecting a chairperson and vice-chairperson from among its
45 members.

1 2. Holding meetings at the call of the chairperson or a majority of
2 its members.

3 3. Reviewing mining policy in this state as established by law and as
4 administered in all functional areas of state government.

5 4. Reviewing, advising and making recommendations to state agencies on
6 proposed rules and budget allocations affecting mining.

7 F. The advisory council may conduct periodic analyses of agency policy
8 affecting mining, including policy as reflected by decisions of
9 administrative law judges and agency directors.

10 G. In adopting administrative rules and budgets, each state agency may
11 include the comments of the advisory council in the official record. In
12 adopting rules affecting mining, each state agency may consider the
13 recommendations of the advisory council.

14 H. FOR THE PURPOSES OF THIS SECTION, "ADVISORY MEMBER" MEANS A MEMBER
15 WHO ADVISES THE OTHER MEMBERS OF THE COMMISSION AT MEETINGS OF THE COMMISSION
16 BUT WHO IS NOT ELIGIBLE TO VOTE AND IS NOT A MEMBER FOR PURPOSES OF
17 DETERMINING WHETHER A QUORUM IS PRESENT.

18 Sec. 2. Effective date

19 Section 41-4701, Arizona Revised Statutes, as amended by this act, is
20 effective from and after December 31, 2014.