

Legislative Analysis



MINING ADVISORY COMMITTEE

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<http://www.house.mi.gov/hfa>

House Bill 6220 as introduced

Sponsor: Rep. Sara Cambensy

Committee: Natural Resources and Outdoor Recreation

Complete to 9-27-22

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

SUMMARY:

House Bill 6220 would amend the Natural Resources and Environmental Protection Act (NREPA) to create an eight-member Mining Advisory Committee within the Department of Environment, Great Lakes, and Energy (EGLE).¹ The purpose of the advisory committee would be to advise the department on matters pertaining to *mining*, including the reclamation of mining areas.

As used in the bill, *mining* would mean mining as regulated by Part 631 (Ferrous Mineral Mining), Part 632 (Nonferrous Metallic Mineral Mining), or Part 634 (Small Native Copper Mines) of NREPA.

The director of EGLE would have to appoint the members of the committee, and the committee would have to consist of six individuals who have knowledge of mining and two individuals representing the general public.

The first members of the advisory committee would have to be appointed within 90 days after the effective date of the bill. Of the first members:

- Two would serve one-year terms.
- Two would serve two-year terms.
- Two would serve three-year terms.
- Two would serve four-year terms.

After these first members, an advisory committee member would serve a four-year term, or until a successor is appointed, whichever is later. Members would serve without compensation, but could be reimbursed for real and actual expenses incurred while serving on the committee. If a vacancy were to occur, the director of EGLE would have to appoint an individual to fill the vacancy for the balance of the term. The director could remove a member of the advisory committee for incompetence, dereliction of duty, malfeasance, misfeasance, or nonfeasance in office, or any other good cause.

The director of EGLE would call the first meeting of the advisory committee, at which the advisory committee would elect a member as a chairperson and could elect other officers that it considered appropriate. The advisory committee would then meet at least quarterly, or more frequently at the call of the chairperson or at the request of two or more members.

¹ Although the definition of “department” in Part 632 of NREPA says that term refers to the Department of Environmental Quality, that entity was merged into EGLE by [Executive Order 2019-2](#).

A majority of the members of the advisory committee would constitute a quorum for transacting business. A vote in favor by a majority of the members of the advisory committee serving would be required for any action of the advisory committee.

Advisory committee meetings would have to be held in accordance with the Open Meetings Act, and any writings prepared, owned, used, possessed, or retained by the advisory committee in performing an official function would be subject to the Freedom of Information Act.

Proposed MCL 324.63225

FISCAL IMPACT:

House Bill 6220 is unlikely to affect costs or revenues for the Department of Natural Resources or local governments.

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■ 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.