Senate Engrossed

FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
Senate
Forty-ninth Legislature
First Regular Session
2009

CHAPTER 64

SENATE BILL 1259

AN ACT

AMENDING SECTION 27-1226, ARIZONA REVISED STATUTES; RELATING TO AGGREGATE MINED LAND RECLAMATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

Section 1. Section 27-1226, Arizona Revised Statutes, is amended to read:

27-1226. Initiation, extension and completion of reclamation

A. Beginning January 1, 2007, if a surface disturbance cannot be practicably reclaimed concurrently with an exploration operation or at an aggregate mining unit, reclamation shall be initiated:

1. Within one year after completing the exploration operation or aggregate mining unit.

2. Within one year after cessation of aggregate mining activity.

3. As required by applicable federal law.

B. The state mine inspector shall extend the period in which to initiate reclamation under subsection A, with up to three subsequent five year extensions, if the owner or operator of an exploration operation or aggregate mining unit demonstrates a reasonable likelihood that the project or operation will resume, based on a consideration of factors, including:

1. The presence of additional aggregate being mined or other commodities in commerce.

2. Historical fluctuations in the value of the commodity being mined or other commodities present if they can be mined using the same disturbances.

3. CHANGING MARKET CONDITIONS AND DEMAND FOR THE COMMODITY BEING MINED.

~~3.~~ 4. The design life of any process components existing at an aggregate mining unit.

C. Once initiated, the final reclamation measures shall be performed as stated in the approved reclamation plan unless the exploration operation or aggregate mining unit is reactivated.

APPROVED BY THE GOVERNOR JULY 10, 2009.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JULY 10, 2009.

Passed the House June 26, 20 09,

by the following vote: 36 Ayes,

14 Nays, 10 Not Voting

Speaker of the House

Pro Tempore

Chief Clerk of the House

Passed the Senate June 22, 20 09,

by the following vote: 17 Ayes,

11 Nays, 2 Not Voting

President of the Senate

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

1st day of July, 20 09

at 8:53 o'clock A. M.

Secretary to the Governor

Approved this 10th day of

July, 20 09,

at 9:54 o'clock A M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 10 day of July, 20 09,

at 12:30 o'clock PM M.

Secretary of State

S.B. 1259