

Senate Engrossed

FILED
KEN BENNETT
SECRETARY OF STATE

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

CHAPTER 169

SENATE BILL 1464

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~~ IS AN EMPLOYEE OF a small company that is
9 actively engaged in the mining industry IN THIS STATE and who is appointed by
10 the speaker of the house of representatives.

11 3. Two members who are EMPLOYEES OF COMPANIES THAT ARE actively
12 engaged in the aggregate mining industry IN THIS STATE and who are appointed
13 by the speaker of the house of representatives.

14 4. Two members who ~~represent~~ ARE EMPLOYEES OF large companies that are
15 actively engaged in the mining industry IN THIS STATE and who are appointed
16 by the president of the senate.

17 5. One member who ~~represents~~ IS AN EMPLOYEE OF a mining supplier
18 company that is actively engaged in the mining industry IN THIS STATE and who
19 is appointed by the president of the senate.

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

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

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

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

32 C. IN ORDER TO BE ELIGIBLE TO SERVE, MEMBERS OF THE MINING ADVISORY
33 COUNCIL SHALL BE LAWFULLY PRESENT IN THE UNITED STATES.

34 ~~C.~~ D. The appointing authority may remove a member for cause. In
35 addition, a member is deemed to have vacated the member's office if the
36 member:

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

38 2. No longer resides in this state.

39 3. Is absent without excuse from three consecutive regular meetings of
40 the council.

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

42 ~~D.~~ E. Members of the advisory council are not eligible to receive
43 compensation but are eligible for reimbursement of expenses pursuant to title
44 38, chapter 4, article 2. The advisory council is a public body for purposes
45 of title 38, chapter 3, article 3.1.

1 E. F. The advisory council functions include:

2 1. Selecting a chairperson and vice-chairperson from among its
3 members.

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

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

8 ~~4.~~ 3. Reviewing, advising and making recommendations to state
9 agencies on proposed rules and budget allocations affecting mining.

10 ~~F. The advisory council may conduct periodic analyses of agency policy
11 affecting mining, including policy as reflected by decisions of
12 administrative law judges and agency directors.~~

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

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

APPROVED BY THE GOVERNOR APRIL 30, 2013.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 1, 2013.

Passed the House April 18, 2013,

Passed the Senate February 28, 2013,

by the following vote: 52 Ayes,

by the following vote: 27 Ayes,

4 Nays, 4 Not Voting

0 Nays, 3 Not Voting

[Signature]
Speaker of the House

[Signature]
President of the Senate

Cheryl Laube
Chief Clerk of the House

Charmine Bellington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

30 day of April, 2013,

at 9:27 o'clock A M.

Mikhaila Howard
Secretary to the Governor

Approved this 30th day of

April, 2013,

at 2:19 o'clock P. M.

Janice K. Brewer
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 1st day of May, 2013,

at 9:02 o'clock a M.

[Signature]
acting Secretary of State

S.B. 1464