

**40-6-4 Board of Oil, Gas, and Mining created -- Functions -- Appointment of members -- Terms -- Chair -- Quorum -- Expenses.**

- (1)
  - (a) There is created within the Department of Natural Resources the Board of Oil, Gas, and Mining.
  - (b) The board shall be the policy making body for the Division of Oil, Gas, and Mining.
- (2)
  - (a) The board shall consist of seven members appointed by the governor with the consent of the Senate.
  - (b) No more than four members shall be from the same political party.
  - (c) In accordance with the requirements of Section 79-2-203, the members appointed under Subsection (2)(a) shall include the following:
    - (i) two members who are knowledgeable in mining matters;
    - (ii) two members who are knowledgeable in oil and gas matters;
    - (iii) one member who is knowledgeable in ecological and environmental matters;
    - (iv) one member who:
      - (A) is a private land owner;
      - (B) owns a mineral or royalty interest; and
      - (C) is knowledgeable in mineral or royalty interests; and
    - (v) one member who is knowledgeable in geological matters.
- (3)
  - (a) Except as required by Subsection (3)(b), as terms of current board members expire, the governor shall appoint each new member or reappointed member to a four-year term.
  - (b) Notwithstanding the requirements of Subsection (3)(a), the governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of board members are staggered so that approximately half of the board is appointed every two years.
  - (c) A member shall hold office until the expiration of the member's term and until the member's successor is appointed, but not more than 90 days after the expiration of the member's term.
- (4)
  - (a) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the unexpired term by the governor with the consent of the Senate.
  - (b) The person appointed shall have the same qualifications as the person's predecessor.
- (5)
  - (a) The board shall appoint its chair from the membership.
  - (b) Four members of the board shall constitute a quorum for the transaction of business and the holding of hearings.
- (6) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:
  - (a) Section 63A-3-106;
  - (b) Section 63A-3-107; and
  - (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

Amended by Chapter 243, 2013 General Session