

MINUTES
SENATE RESOURCES & ENVIRONMENT COMMITTEE

DATE: Monday, February 26, 2018

TIME: 1:30 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Bair, Vice Chairman Siddoway, Senators Brackett, Heider, Vick, Bayer, Johnson, Stennett, and Jordan

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Bair** called the meeting of the Senate Resources and Environment Committee (Committee) to order at 1:30 p.m.

MINUTES APPROVAL: **Senator Heider** moved to approve the Minutes of February 7, 2018. **Senator Stennett** seconded the motion. The motion carried by **voice vote**.

MINUTES APPROVAL: **Senator Brackett** moved to approve the Minutes of February 12, 2018. **Senator Vick** seconded the motion. The motion carried by **voice vote**.

MINUTES APPROVAL: **Senator Johnson** moved to approve the Minutes of February 14, 2018. **Senator Bayer** seconded the motion. The motion carried by **voice vote**.

Chairman Bair announced, if any of the Committee members had a particular subject they would like addressed or a specific presentation made, to let him know so arrangements could be made.

Chairman Bair welcomed Eric Wilson to present **H 374**.

H 374 **Mr. Wilson**, Resource Protection and Assistance Bureau Chief, Idaho Department of Lands (IDL), presented **H 374** regarding written mining exploration notifications. IDL administers both the Idaho Dredge and Placer Mining Protection Act, Idaho Code, Chapter 13, Title 47, and the Idaho Surface Mining Act, Idaho Code, Chapter 15, Title 47.

Mr. Wilson said this bill proposes minor changes to both chapters of Idaho Code. The purpose of the changes is to modify the requirement for mining exploration notifications, which currently allow for submission of notifications to IDL by certified mail only. The proposed requirement allows for any type of written notification, meaning submissions could be delivered in person, by regular or certified mail, email, or through a web-based interface.

IDL is actively working with contractors to develop and implement a new online system for all leases and permits in the Lands and Waterways Division. The new online system will include a secure, public interface for use by IDL's customers. Final implementation is scheduled for late 2019, if all necessary steps are completed in time.

Mr. Wilson said the first step for IDL is to make the proposed statutory changes to establish proper legal authority for written notifications. The next step is for IDL to conduct negotiated rulemaking this year to make similar changes and allow for written notifications in rule. If these statutory changes are approved, IDL anticipates pending rules will come before this Committee next year for review. Once these steps are finalized, IDL can implement the full functionality of the new system in late 2019. Mining operators would then have the ability to submit mining exploration and application information through a secure, web-based interface or through any other form of written submission.

Another minor change included in **H 374** is the renumbering of paragraphs in Idaho Code § 47-1506. These modifications were suggested by the Legislative Services office for clarification; the changes do not alter any requirements under the Act.

IDL consulted with the Idaho Mining Association on these changes and no concerns were identified.

The proposed changes will enhance IDL's customer service by allowing for full implementation of more efficient permitting processes, and in turn, simplifying the processes for mining operators.

Chairman Bair thanked Mr. Wilson for his explanation of **H 374**.

Senator Johnson asked for clarification regarding receipts now that certified mail will be eliminated. He inquired if all formats will be used or only electronic responses. **Mr. Wilson** stated there will be automatic electronic replies when the new system is implemented in late 2019.

MOTION: **Senator Siddoway** moved to send **H 374** to the floor with a **do pass** recommendation. **Senator Bayer** seconded the motion. The motion carried by **voice vote**. Senator Siddoway will be the floor sponsor.

H 549 **Representative Moyle** presented **H 549** and said this bill proposes to allow an individual to dispatch and salvage unprotected wildlife unintentionally killed on roadways by a vehicle. If the animal is severely injured, a person may immediately, in a safe and humane manner, dispatch and salvage the animal.

TESTIMONY: **Sharon Kiefer**, Deputy Director, Idaho Department of Fish and Game, said the bill provides for salvage of any animal struck on a roadway by a vehicle. It also allows any person to dispatch the animal in a safe and humane manner when the collision severely injures the animal. A person is not mandated to conduct dispatch; this bill is permissive. **Ms. Kiefer** stated the Fish and Game Commission has reviewed this bill and they support it.

TESTIMONY: **Burk Mantel**, a citizen of Eagle, Idaho, testified this bill solves a problem that sometimes arises when one is faced with a decision whether to dispatch severely injured wildlife. Usually, in the road or in the right-of-way, is a difficult decision and afterward the only consolation is knowing that one did the right thing. **Mr. Mantel** said he is glad Representative Moyle is attempting to solve the problem with this bill and urged the Committee to pass it.

TESTIMONY: **Brian Brooks**, representing the Idaho Wildlife Federation, asked for support for **H 549**. Sportsmen who spend enough time outdoors may come across an opportunity to do what is right and take care of an animal that is struggling to pass on. The Idaho Wildlife Federation hopes individuals would not be criminals for doing the right thing. He urged the Committee to pass this bill.

MOTION: **Senator Heider** moved to send **H 549** to the floor with a **do pass** recommendation. **Senator Jordan** seconded the motion. Senator Heider will be the floor sponsor.

ADJOURNED: There being no further business at this time, **Chairman Bair** adjourned the meeting at 1:50 p.m.

Senator Bair
Chair

Juanita Budell
Secretary