

**SB**

**206**

<TARGET><BILL>SB 206</BILL><SUBJECT>SB  
206</SUBJECT><COMM>SSTA27</COMM></TARGET>

**SENATE COMMITTEE REPORT**  
**First Committee of Referral**

DATE: 2/21/12

FURTHER: Finance

Date of 5-Day Notice: 3/22/12  
 (in accordance with Uniform Rule 23)

DATE TURNED  
 IN TO OFFICE: 4/10/12

**State Affairs Committee** considered SENATE BILL NO. 206

SB 206-INTERSTATE MINING COMPACT & COMMISSION

"An Act enacting the Interstate Mining Compact and relating to the compact; relating to the Interstate Mining Commission; and providing for an effective date."

and recommends:

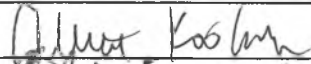
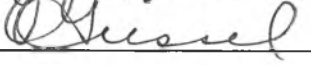
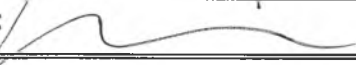
- be replaced with CS \_\_\_\_\_ (\_\_\_\_\_)  Same Title  New Title
- adopt previous CS \_\_\_\_\_ (\_\_\_\_\_)  Same Title  New Title
- attached amendment(s)
- adopt \_\_\_\_\_ Letter of Intent
- further referral to \_\_\_\_\_ Committee

Dept Abbr.	
ADM	LEG
CED	LAW
COR	LWF
CRT	MVA
EED	DNR
DEC	DPS
DFG	REV
GOV	DOT
DHS	UA

NEW FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #
DNR	✓			1

PREVIOUS FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	Kookesh	✓			
	Giessel	✓			
CHAIR: 	Wielechowski	✓			

# ALASKA STATE LEGISLATURE

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Anchorage AK 99501-2133  
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Fax: 907-269-0184



State Capitol  
Juneau AK 99801-1182  
907-465-4843  
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800-892-4843

## Senator Cathy Giessel Senate District P

### Senate Bill 206 Sponsor Statement

“An Act enacting the Interstate Mining Compact and relating to the compact; relating to the Interstate Mining Commission; and providing for an effective date.”

This act authorizes the State to join and participate in the Interstate Mining Compact Commission.

Alaska has a unique and important relationship with mining. It was the lure of gold that brought thousands of eager prospectors, and served as the founding purpose for many cities and communities. As the territory and later the State grew, zinc, lead, coal, sand, gravel, and other subsurface products all played roles in this all-important sector. Today, mining is Alaska’s second-largest industry, and it continues to thrive.

Alaska’s five operating mines – Ft. Knox, Greens Creek, Red Dog, Usibelli, and Pogo – employ more than 2,000 people combined. The mining industry also creates public revenue by paying both state and local taxes. Interest in Alaska’s mining potential continues to spur new exploration and investment in the subsurface minerals of the Last Frontier.

The Interstate Mining Compact Commission is a coalition of mining states that join together to represent the environmentally sound resource development interests of its members on a national level. Established in 1971, the IMCC recognizes the basic importance of the mining industry to the nation, and believes that the collective voice of mining states is an important aspect in preserving and advocating for states’ rights. IMCC regularly serves as the spokesperson for mining states in Washington D.C., and works to represent the member states efficiently and articulately to executive agencies.

Mining was foundational to Alaska’s statehood. It continues to be a major economic driver and will play an important role in the state’s future. Joining the IMCC gives Alaska the opportunity to build on our successes, share what works with others, work together to build a better mining industry, and foster a better understanding and constructive relationship with the federal agencies.

I urge your support of SB 206.

Senator\_Cathy\_Giessel@legis.state.ak.us

# FISCAL NOTE

**STATE OF ALASKA**  
**2012 LEGISLATIVE SESSION**

Bill Version SB206  
 Fiscal Note Number \_\_\_\_\_  
 () Publish Date \_\_\_\_\_

Identifier (file name) SB206-DNR-MLW-03-23-12 Dept. Affected Department of Natural Resources  
 Title Interstate Mining Compact & Commission Appropriation Land and Water Resources  
 Allocation Mining, Land and Water  
 Sponsor Sen. Giessel  
 Requester (S) STA OMB Component Number 3002

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates					
			FY13	FY14	FY15	FY16	FY17	FY18
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel	20.0		20.0	20.0	20.0	20.0	20.0	20.0
Services	40.0		40.0	40.0	40.0	40.0	40.0	40.0
Commodities								
Capital Outlay								
Grants, Benefits								
Miscellaneous								
<b>TOTAL OPERATING</b>	<b>60.0</b>	<b>0.0</b>	<b>60.0</b>	<b>60.0</b>	<b>60.0</b>	<b>60.0</b>	<b>60.0</b>	<b>60.0</b>

FUND SOURCE		(Thousands of Dollars)						
1002	Federal Receipts							
1003	GF Match							
1004	GF	60.0		60.0	60.0	60.0	60.0	60.0
1005	GF/Prgm (DGF)							
1037	GF/MH (UGF)							
1178	temp code (UGF)							
<b>TOTAL</b>		<b>60.0</b>	<b>0.0</b>	<b>60.0</b>	<b>60.0</b>	<b>60.0</b>	<b>60.0</b>	<b>60.0</b>

POSITIONS								
Full-time								
Part-time								
Temporary								

CHANGE IN REVENUES								

Estimated **SUPPLEMENTAL (FY12) operating costs** \_\_\_\_\_ (separate supplemental appropriation required)  
 (discuss reasons and fund source(s) in analysis section)

Estimated **CAPITAL (FY13) costs** \_\_\_\_\_ (separate capital appropriation required)  
 (discuss reasons and fund source(s) in analysis section)

**Why this fiscal note differs from previous version (if initial version, please note as such)**

Initial Version, not applicable

Prepared by Brent Goodrum, Director  
 Division Mining, Land & Water  
 Approved by Daniel S. Sullivan, Commissioner  
Department of Natural Resources

Phone 269-8501  
 Date/Time 3/23/12 4:00 PM  
 Date 3/23/2012

## FISCAL NOTE

STATE OF ALASKA  
2012 LEGISLATIVE SESSION

BILL NO. SB206

### Analysis

This bill would authorize Alaska to join and participate in the Interstate Mining Compact.

This fiscal note has two components, annual membership and travel.

#### **Membership Dues:**

Membership in the commission requires annual dues paid by each party state. The amount of dues to be paid by each party state is covered under Article VII of the Compact and Bylaws. There are currently 19 member states, Alaska's addition would bring that total to 20.

Specifically; each party state is required to pay one half of the commission's annual budget, in equal shares. With Alaska as a member, Alaska's portion would be 1/20th of half the annual budget. The other half of the annual budget is also paid by the member states but is paid in proportion to the value of the minerals, ores and other solid matter mined in each member state.

DNR estimates that Alaska's share for dues in the first membership-year will be approximately \$40.0. This amount will fluctuate in future years based on the amount of the commission's annual budget and the value of the minerals, ores and other solid matter mined in Alaska annually. This value is based on national valuation reports prepared by federal agencies to insure impartial uniformity assessment of mining data. If the annual dues are significantly higher than \$40.0, DNR may request supplemental funding in that year.

#### **Travel costs:**

Membership and participation in the Interstate Mining Compact Commission will require two or more trips per year by Commissioner, department staff, and possibly other representatives of the Governor's office. The department estimates \$20.0 per year for this expense.

# SB 206 – Interstate Mining Compact & Commission

## Sectional Analysis

Passage of SB 206 would elevate Alaska from associate membership to full membership in the Interstate Mining Compact Commission, allowing the Governor to be an active, voting member.

**Section 1:** Amends AS 27 by adding:

- Sec. 27.08.010, which contains and enacts into law the Interstate Mining Compact, which includes the following articles:
  - **Article 1:** Findings and Purpose – finds the importance of mining to the state and proposes to support environmentally sound mining,
  - **Article 2:** Definitions – defines “mining” and “state”,
  - **Article 3:** State Programs – ensures a member state has adequate mining regulations, which Alaska does,
  - **Article 4:** Powers – specifies the power of the Commission to study, make recommendations, and gather and disseminate information on mining-related issues,
  - **Article 5:** The Commission – creates the Commission,
  - **Article 6:** Allows the Commission to establish Advisory, Technical, and Regional Committees,
  - **Article 7:** Finance – details how the Commission’s finances are to be handled,
  - **Article 8:** Entry Into Force and Withdrawal – describes that states must enact the compact to participate and must repeal the act to withdraw,
  - **Article 9:** Effects on Other Laws – maintains that the compact does not limit, repeal, or supersede any state laws,
  - **Article 10:** Construction and Severability – Provides that all phrases, clauses, sentences and provisions are severable;
- Sec. 27.08.020, which provides for an alternate; and
- Sec. 27.08.030, which requires the Interstate Mining Compact Commission to file its bylaws and amendments with the Department of Natural Resources.

**Section 2:** Provides for an immediate effective date.

**MEMORANDUM OF UNDERSTANDING**  
**BETWEEN THE**  
**UNITED STATES DEPARTMENT OF LABOR,**  
**MINE SAFETY AND HEALTH ADMINISTRATION**  
**AND THE**  
**INTERSTATE MINING COMPACT COMMISSION**

**I. Introduction**

In this Memorandum of Understanding (MOU or Agreement), the U.S. Department of Labor, Mine Safety and Health Administration (MSHA) agrees with the Interstate Mining Compact Commission (IMCC) to facilitate coordinated and timely communications that promote and protect the mining industry's most precious resource, miners.

As part of the Department of Labor (DOL), MSHA administers the Federal Mine Safety and Health Act of 1977 (Mine Act) as amended by the Mine Improvement and New Emergency Response Act of 2006 (MINER Act), Pub. L. 109-236, and regulations to enforce compliance with mandatory safety and health standards as a means to eliminate fatal accidents; to reduce the frequency and severity of nonfatal accidents; to minimize health hazards; and to promote improved safety and health conditions in the Nation's mines. MSHA's first priority is the miner's health and safety.

The IMCC is an organization composed of the Governors of its member states concerning mining regulatory matters. The Commission provides a forum for interstate action and communication on issues concerning mining and related issues. This interstate action stimulates the development and production of each member State's mineral wealth through an effective cooperative regulatory effort that insures the health and safety of our Nation's miners and is protective of human health and the environment. In September of 1996, the Chairman, by way of a resolution adopted by the Commission, established the Mine Safety and Health Committee as an official standing Committee to serve as a liaison between MSHA and IMCC on issues concerning the health and safety of miners. The resolution provided that "[t]he Committee is tasked with responsibility for monitoring issues, policies, regulations and statutes that would impact the states; and for establishing a meaningful state/federal relationship with MSHA that will ensure effective communication and cooperation on matters of mutual concern and interest."

## **II. Purposes**

- A. The objectives of this MOU are to set forth an understanding between MSHA and the member states of the IMCC to consult, coordinate, and cooperate effectively and efficiently in carrying out their respective duties concerning miners' health and safety and:
  - 1. To minimize duplication of efforts;
  - 2. To reduce the potential for conflicting standards and procedures; and
  - 3. To provide consistent enforcement of standards.
  
- B. It is in the best interest of the Federal and State governments as well as the public that a coordinated federal-state effort should be conducted to:
  - 1. Encourage a culture of safety in the mining industry.
  - 2. Encourage mine operators to live up to their legal and moral responsibility to provide a safe and healthful workplace for all miners.
  - 3. Encourage mine operators to fully comply with state and federal regulations.
  - 4. Encourage mine operators to provide effective training for their miners.
  
- C. By working together, member States of the IMCC and MSHA intend to increase governmental efficiency and provide for an enhanced health and safety environment in our Nation's mines through more effective training and improved intergovernmental communications and coordination.

## **III. Authorities**

The authorities for this MOU are the following:

- A. The Federal Mine Safety and Health Act of 1977, as amended, 30 U.S.C. § 801 *et seq.*;
- B. 30 U.S.C. § 962;
- C. Title 30 of the Code of Federal Regulations (C.F.R.) parts 1-199;
- D. Section 204(b) of the Unfunded Mandates Reform Act of 1995, 2 U.S.C. § 1534; and
- E. Exec. Order No. 13132 "Federalism" (Aug. 10, 1999).

## **IV. Consultation and Coordination**

- A. To realize the maximum benefit of a cooperative relationship, taking into account the mission of MSHA and the member States of the IMCC, it is necessary to maintain regular communication. This regular communication should be at the District offices and Headquarter levels of MSHA with the respective agencies of the member States of the IMCC.

- B. This communication should include the exchange of information and discussion of common issues of concern. The member States of the IMCC and MSHA commit to work toward an effective working relationship on key issues that impact both State and Federal governments in the area of miner health and safety in order to:
1. Achieve a higher level of communication and coordination on key governmental functions;
  2. Provide meaningful sharing of information on Federal rules and policies that may impact State mine safety and health regulatory programs and proposed State rules, regulations, and policies;
  3. Establish the practice of sharing of information on unsafe mining practices or willful conduct to violate mine safety and health laws;
  4. Insure effective training of miners through state-administered programs;
  5. Increase governmental efficiency and effectiveness;
  6. Encourage a culture of safety in the mining industry;
  7. Encourage mine operators to live up to their legal and moral responsibility to provide a safe and healthful workplace for all miners; and
  8. Enhance the health and safety of the Nation's miners.
- C. To promote open and effective communication, MSHA intends to meet with the member States of the IMCC on a regular basis, at least annually. The parties may conduct these meetings through online conferencing or other available electronic resources.
- D. MSHA, through its Coal Mine Safety and Health Administrator, will provide a contact person within MSHA for the member States of IMCC to resolve differences between the States and MSHA that may arise in the field or at the local level.
- E. To achieve a higher level of coordination on key governmental functions, the member States of the IMCC and MSHA may enter into supplemental memoranda of understanding at the District or Headquarters levels. These key governmental functions may include, but are not limited to:
1. Accident investigation and reporting,
  2. Emergency notification and response,
  3. Mine rescue teams and training,
  4. Certification, decertification, and qualification of key miner positions--foreman, examiners, blasters and electricians,
  5. Coal waste impoundment safety;
  6. Underground mine mapping;
  7. Mine plan approvals; and
  8. Liaisons with family members and the public following mine accidents.

## **V. Administrative**

- A. This agreement creates no private right of action against the Federal Government, IMCC, or the member States of IMCC. This agreement creates no rights in any third parties.
- B. This agreement is subject to the availability of funds. This agreement will not be construed as obligating funds. Any work that requires the expending or obligating of funds will be accomplished through a separate agreement. Nothing in this agreement obligates MSHA to expend appropriations or enter into any contract or other obligations.
- C. Nothing in this agreement shall be interpreted as limiting, superseding, or otherwise affecting MSHA's, IMCC's, or the IMCC member States' normal operations or decisions in carrying out their statutory or regulatory duties. This agreement does not limit or restrict the parties from participating in similar activities or arrangements with other entities. This agreement also does not limit or restrict the parties from taking any other action necessary.
- D. Any modification to this agreement must be signed by both parties. Before MSHA may modify this MOU, it must comply with the Department of Labor Manual Series 3-1700 procedures.
- E. A party may terminate its participation under this agreement upon at least 30 days written notice to the other party.
- F. This Agreement constitutes the entire agreement between the parties concerning the subject matter and supersedes any prior understanding, written or oral.

## **VI. Points of Contact**

For MSHA:

Name: Kevin G .Stricklin

Title: Administrator for Coal Mine Safety and Health

Address: 1100 Wilson Blvd., Suite 2424

Arlington, VA 22209

Telephone: (202) 693-9502

E-mail: stricklin.kevin@dol.gov

For IMCC:

Name: Gregory E. Conrad

Title: Executive Director

Address: 445-A Carlisle Drive

Herndon, VA 20170

Telephone: (703) 709-8654  
E-mail: gconrad@imcc.isa.us

**VII. Public Information Coordination**

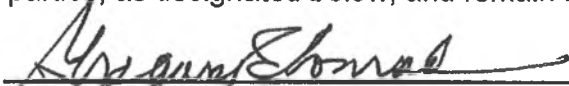
Public disclosure of information regarding activities conducted under this MOU will be subject to the Freedom of Information Act (5 U.S.C. § 552) and the public information and disclosure laws of IMCC and its member states. Prior to disclosure of requested information, the parties may consult regarding any proposed disclosure.

**VIII. Resolution of Issues**

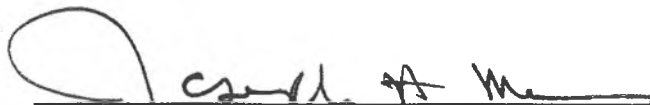
The Parties should refer conflicts arising under this MOU to their respective points of contact for resolution. If a satisfactory resolution cannot be achieved at this level, the responsible points of contact must refer the matter to the Assistant Secretary of Labor for Mine Safety and Health and the Chairman of the IMCC Mine Safety and Health Committee.

**IX. Period of Agreement**

This MOU will become effective upon the date of final signature of both parties, as designated below, and remain in effect for three years.

  
\_\_\_\_\_  
Gregory E. Conrad  
Executive Director  
Interstate Mining Compact Commission

May 11, 2011  
Date

  
\_\_\_\_\_  
Joseph A. Main  
Assistant Secretary of Labor for Mine Safety and Health  
MSHA, U.S. Dept. of Labor

May 11, 2011  
Date

# Interstate Mining Compact Commission

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**What We Do**

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**COALEX Topical List**

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## Interstate Mining Compact Background

The mining industry is one of the most basic and important in the Nation. Our manufacturing activities, transportation systems, and the comfort of our homes depend on the products of mining. Yet it is also true that generations of mining operations have had their effect on the surface of our land and on the condition of other resources. There is an urgent need to find improved means of turning mined lands to their most useful functions and to find ways of reducing the undesirable effects of mining operations on other property and resources. The necessary programs should be undertaken with due regard for the interests of all land and other resource users, including homeowners, mining and other industries, recreationists, conservationists, and the general public.

Governmental action to assist mining industries in their efforts to become more efficient in their methods, thereby increasing yields at lower costs, also is in the public interest. Such activities can and should go hand in hand with programs aimed at improving the usefulness of the surface of mined land.

Individual states have the power to establish and maintain programs of land and other resource development, restoration and regulation appropriate to cope with the surface effects of mining. The Interstate Mining Compact would not shift responsibility for such programs. On the other hand, states acting singly without reference to actions in other jurisdictions labor under serious handicaps in mounting desirable programs. While physiographic, climatic and regional differences in density of population and varying availability of recreational facilities make the application of rigid, single standards inappropriate, fundamental equity would be served by making it possible for individual states to construct their programs in such a way that those mining operations which actually are similarly situated be afforded similar types of assistance and be subjected to comparable regulatory patterns. There is much that an interstate agency like the Interstate Mining Commission established by this compact could do to develop and pool experience in dealing with mining problems.

The Interstate Mining Compact could do much to overcome the limitations just outlined. The Interstate Compact to Conserve Oil and Gas (in successful operation for about thirty-five years and now participated in by virtually every oil and gas producing jurisdiction of the United States), suggests some of the accomplishments that might result from interstate efforts in the field of the mining of solid substances. "The form statute for the conservation of oil and gas," and the many other suggestions of the Interstate Oil Compact Commission, have brought an increasing degree of comparability into state programs affecting the production of oil and natural gas. Also, that Commission serves as a forum for the exchange of useful information in its field of interest. While the focus of an Interstate Mining Compact as here envisaged would be somewhat different from that of the Oil and Gas Compact, and while its format bears only slight resemblance to the Oil and Gas Compact, its basic approach is the same. By adopting the compact, states would obligate themselves to undertake and maintain certain types of programs. In addition, an Interstate body with roots in each of the party states and an ability to facilitate the sharing of knowledge would be placed in operation.

The Interstate Mining Compact had its beginnings in 1964. In April of that year in Roanoke, Virginia, the Council of State Governments held a conference on surface mining, attended by state and federal legislative and administrative officials, by mining industry representatives, and by conservationists. In the aftermath of this meeting, the Southern Governors' Conference, that Fall, called on the Council of State Governments to assist the states in developing one or more compacts to deal with surface mining problems. These initiatives led to the subsequent adoption in many states of strengthened laws and programs for regulating surface mining; and to supplement these intra-state activities, the Interstate Mining Compact was drafted and became available for their consideration in the legislative sessions of 1996.

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## Member States

Alabama  
Arkansas  
Illinois  
Indiana  
Kentucky  
Louisiana  
Maryland  
Missouri  
New York  
North Carolina  
North Dakota  
Ohio  
Oklahoma  
Pennsylvania  
South Carolina  
Tennessee  
Texas  
Virginia  
West Virginia

## Associate Member States

Alaska  
Colorado  
New Mexico  
Utah  
Wyoming

## Member State Contact Information

The IMCC Membership Directory with state contact information can be accessed here: [Membership Directory](#)

## Benefits of Membership

Quarterly newsletter - "The Compact"  
Annual National Reclamation Awards Program  
Annual National Mineral Education Awards Program  
Special Informational Studies and Reports  
Annual Reports of activities  
Membership Directory  
Annual and Mid-Winter Meetings  
Interaction opportunities with other states and federal government officials

# Interstate Mining Compact Commission

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## Welcome

The Interstate Mining Compact Commission is a multi-state governmental agency / organization that represents the natural resource interests of its member states. First envisioned in 1964, the Commission came into existence in 1970 with the entry of its first four states. Since that time, 19 additional states have enacted legislation bringing them into the Compact, and 5 additional states have become associate members as they pursue enactment of legislation which will make them full members. The Commission established its headquarters in the Northern Virginia suburbs of Washington, D.C. in 1988. The states are officially represented by their Governors who serve as Commissioners. The Commission operates through several committees composed of duly appointed representatives of the Governors from their respective Departments of Natural Resources or Environmental Protection.

## IMCC Staff

- Gregory E. Conrad - Executive Director
- Beth A. Botsis - Director of Programs
- Phyllis Plummer - Bookkeeper



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# Interstate Mining Compact Commission

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## What We Do

The Commission exercises several powers on behalf of the states, all of which are of a study, recommendatory or consultative nature. The Commission does not possess regulatory powers, as some Compacts do. The Commission provides a forum for interstate action and communication on issues of concern to the member states. It is the potential to stimulate the development and production of each state's mineral wealth through effective regulatory programs that draws many of the states together in the prosecution of the Commission's work. Given the environmental sensitivities associated with this objective, a significant portion of the Commission's work is dedicated to the environmental protection issues naturally associated with this mineral development. It is the significant value and clout that comes from "compacting" together and speaking with a strong, united voice that can make a difference in each state's efforts to implement effective regulatory programs that will conserve natural resources and secure a vibrant state (and thus national) mineral economy.

## Initiatives

- Liaison with Federal government and Congress
- Monitoring of regulatory and legislative developments
- Development and communication of State positions and recommendations on Federal rulemakings and national legislation
- Information gathering and dissemination
- Coalition building with related State organizations
- Interaction with environmental and industry groups
- Public mining and minerals education outreaches

## Issues pursued by IMCC

- Mine waste regulation under the Resources Conservation and Recovery Act (RCRA)
- Regulatory implementation issues arising under the Surface Mining Control and Reclamation Act (SMCRA) such as: primacy, federal oversight, enforcement, the Applicant/Violator System, bonding, citizen participation, acid mine drainage, single source coal reporting, national technology transfer, and environmental protection standards
- Reform of the 1872 Mining Law
- Groundwater and stormwater regulations
- Inactive and abandoned mine reclamation
- Underground Mine Mapping
- Mine Placement of Coal Combustion Wastes
- Mine Safety and Health Issues
- Zoning and other land use restrictions

## Committees

- Abandoned Mine Lands (AML) and Reauthorization of the AML Program under SMCRA
- Awards
- Education Work Group
- Finance & Administrative
- Environmental Affairs, Coal Section

- Environmental Affairs, Noncoal Section
- Mine Safety and Health
- Resolutions

**Photos of Active Mining and Reclamation of one site:**



*Russ & Sons, Inc.  
Russ and Sons  
No.1 Mine,  
Sebastian  
County,  
Greenwood,  
Arkansas  
(Active  
Mining).  
April 18, 1990*



*Russ & Sons, Inc.  
Russ and Sons  
No.1 Mine,  
Sebastian  
County,  
Greenwood,  
Arkansas  
(Reclamation).  
June 15, 1993*

[See More Photos...](#)



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Council of  
**Alaska Producers**

**Comments on SB206: Interstate Mining Compact and  
Commission**

March 29, 2012

Senator Bill Wielechowski  
Chair, Senate State Affairs Committee  
Capitol Building  
Juneau, AK 99811

Dear Senator Wielechowski,

The Council of Alaska Producers (CAP) appreciates the opportunity to comment on SB206, the bill that would allow Alaska to join the Interstate Mining Compact and Commission (IMCC) as a full member.

CAP is a non-profit trade association formed in 1992 and serves as a spokesperson for the large metal mines and major metal developmental projects in the state. The Council brings together mining companies with interest in Alaska to represent and inform members on legislative and regulatory issues, to support and advance the mining industry, to provide education to members, the media, and the general public on mining related issues, and to promote economic opportunity and environmentally sound mining practices.

The Council fully supports SB206 and we believe that full membership within the IMCC will solidify the State as a leader in permitting and regulation of the mining industry.

CAP has always supported a permitting and regulatory process that is rigorous, science based, transparent, and predictable. We believe Alaska is a leader in this arena, however as mining technologies advance and our understanding of the environment continues to grow, our permitting agencies must continue to learn and adapt as well.

Full membership within the IMCC will allow our resource agencies to have a dedicated forum to collaborate with their peers in other mining states. Within the IMCC they will be able to freely exchange information and best practice in regard to permitting, regulatory and reclamation issues and be able to apply these lessons learned to Alaska.

Historically the IMCC has consisted mainly of coal producing states in the eastern and southern portions of the country. With the resurgence of interest in metal mining throughout the west, including Alaska, it is important that the western states become part of the IMCC to ensure they are part of the collective discussion on issues raised by the development of mining opportunities. By being one of the first western states to join as a full member, Alaska can show true leadership in its efforts to responsibly develop our mineral resources.



Council of

## Alaska Producers

Finally, CAP supports this bill as it allows us to join in with other mining states in working with the federal government on state primacy of permitting and regulatory issues. This is best supported by the following statement from the IMCC website:

*"The IMCC was founded on the premise that the mining industry is one of the most basic and important to the Nation. Our manufacturing activities, transportation systems, and the comfort of our homes depend on the products of mining. At the same time, it is essential that an appropriate balance be struck between the need for minerals and the protection of the environment. We recognize that individual states have the power to establish and maintain programs of land and other resource development, restoration and regulation appropriate to cope with the surface effects of mining. The IMCC would not shift responsibility for such programs. On the other hand, our member states believe a united position in dealing with the federal government affords us a decided advantage. Our commission feels strongly that the collective voice of many is important in our efforts to preserve and advocate states' rights."*

We thank the committee for taking up SB206 and we urge you to move this bill out of committee in an expeditious manner.

Thank you for your consideration,

Michael Satre  
Executive Director  
Council of Alaska Producers  
PO Box 33499  
Juneau, Alaska 99803  
907-957-2149

### Interstate Compacts and Commissions in Alaska Statute

Agreement	Citation	Year of Joinder	Alaska Designees
Western Regional Education Compact	AS § 14.44.010-040	1955	Diane Barrans, Executive Director, Alaska Commission on Postsecondary Education
Compact on Mental Health	AS § 47.30.880	1957	Melissa Stone, Director, Dept. of Health and Social Services (DHSS), Division of Behavioral Health
Interstate Compact for Juveniles	AS § 47.15.010-080	1960	Barbara Murray, Program Officer, DHSS Office of Youth Corrections
Western Corrections Compact	AS § 33.36.060-100	1961	Joe Schimdt, Commissioner, Dept. of Corrections (DOC)
Pacific Marine Fisheries Compact	AS § 16.45.010-040	1962	Cora Campbell, Commissioner, Dept. of Fish and Game
National Guard Mutual Assistance Compact	AS § 26.25.010-030	1968	Governor Sean Parnell
Western Interstate Energy Compact	AS § 41.98.110-150	1969	Unclear
Agreement on Qualifications of Educational Personnel	AS § 14.20.620-650	1970	Mike Hanley, Commissioner, Dept. of Education and Early Development (DEED)
Multistate Tax Compact	AS § 43.19.010-050	1970	Bryan Butcher, Commissioner, Dept. of Revenue
Compact on Placement of Children	AS § 47.70.010-080	1976	Christy Lawton, Director, DHSS Office of Children's Services
Civil Defense and Disaster Compact	AS § 26.23.120	1977	Repealed
Compact for Education	AS § 14.44.050-060	1980	Esther Cox, President, State Board of Education; Senator Bettye Davis; Representative Carl Gatto; Mike Hanly, Commissioner DEED; Governor Sean Parnell; Carl Rose, President, Association of Alaska School Boards; and Karl Wing, Student Body President, University of Alaska Anchorage

### Interstate Compacts and Commissions in Alaska Statute (continued)

Agreement	Citation	Year of Joinder	Alaska Designees
Interstate Compact to Conserve Oil and Gas	AS § 46.04.100	1980	Daniel Seamount, Jr., Alaska Oil and Gas Conservation Commission
Agreement on Detainers	AS § 33.35.010	1981	Joe Schimdt, Commissioner, DOC
Northwest Compact on Low-Level Radioactive Waste Management	AS § 46.45.010-020	1983	Douglas Dasher, Radiation Program Manager, Dept. of Environmental Conservation
Interstate Corrections Compact	AS § 33.36.010-040	1984	Joe Schimdt, Commissioner, DOC
Driver License Compact	AS § 28.37.010-190	1986	Whitney Brewster, Director, Division of Motor Vehicles, Dept. of Administration
Interstate Compact on Adoption and Medical Assistance	AS § 47.05.090	1998	KariLee Pietz, Program Officer, DHSS Office of Children's Services
National Crime Prevention and Privacy Compact	AS § 12.64.010	2001	Kathryn Monfreda, Chief, Criminal Records and Identification Bureau, Dept. of Public Safety
Emergency Management Assistance Compact	AS § 26.23.135-136	2002	John Madden, Director, Division of Homeland Security and Emergency Management, Dept. of Military and Veterans Affairs
Interstate Compact for Adult Offender Supervision	AS § 33.36.010-040	2002	Ronald Taylor, Director, DOC Division of Probation and Parole
Interstate Insurance Product Regulation Compact	AS § 21.42.700-705	2007	Linda Hall, Director, Division of Insurance, Dept. of Commerce, Community, and Economic Development
Interstate Compact on Educational Opportunity for Military Children	AS § 14.34.010	2009	Mike Hanley, Commissioner, Dept. of Education and Early Development
<p><b>Notes:</b> Although we believe our research to be thorough, there may be additional interstate compacts and commissions to which Alaska is a party that we were unable to locate through our efforts.</p> <p><b>Source:</b> Alaska Statutes, Internet searches, and the National Center for Interstate Compacts (<a href="http://apps.csg.org/ncic/Default.aspx">http://apps.csg.org/ncic/Default.aspx</a>).</p>			