

1 On page 1 of the printed bill, delete lines 4 through 28 and

2 **SECTION 1.** ORS 517.125 is amended to read:

3
4 517.125. [*Any rule pertaining to recreational or small scale mining adopted*
5 *after June 28, 1999, shall be adopted in consultation with affected parties.*]

6 **(1) (a) For purposes of this section, consultation means one or more meetings to**
7 **discuss potential changes in rules or orders with a written response provided by the**
8 **agency to the affected parties addressing comments or questions raised in those**
9 **meetings of agreement or disagreement to the affected parties.**

10 **(1) (b) Agencies, as defined in ORS 183.310, that adopt rules [~~or issue orders~~]**
11 **described in this section [~~shall~~] may appoint an advisory committee**
12 **as described in ORS 183.333.**

13 **(2)(a) In order to clarify issues and attempt to resolve disputes between agencies and**
14 **[to address the rights of] parties that engage in recreational or small scale mining, an**
15 **agency shall, at least 30 days before releasing for public comment and before giving**
16 **notice of its intended action pursuant**
17 **to ORS 183.335 to adopt, amend or repeal any rule pertaining to**
18 **recreational or small scale mining:**

19 **“(A) Consult with the following regarding the intended action:**

20 **“(i) Parties identified by the agency as likely to be [~~affected by~~] subject to the**
21 **rule.**

22 **(ii) Persons on the advisory committee appointed pursuant to**
23 **subsection (1) of this section.**

24 **(B) Consider all reasonably available and relevant scientific studies.**

25 **(C) The department shall make reasonable efforts to notify persons likely to be**
26 **subject to the rule to inform them of the meeting(s) and to share a copy of the draft**
27 **permit prior to the meeting(s).**

28 **(b) A rule described in this subsection is not valid if the agency**
29 **has not complied with the requirements described in paragraph (a) of**

1 this subsection prior to giving notice of its intended action under ORS
2 183.335.

3 **(3)(a)** In order to clarify issues and attempt to resolve disputes between agencies and
4 ~~{to address the rights of}~~ parties that engage in recreational or small scale mining, at
5 least 30 days before releasing for public comment and before giving notice of its
6 intended action to issue an order pursuant to ORS 468B.050 pertaining to
7 recreational or small scale mining, the department shall meet in consultation with
8 persons likely to be subject to the order to discuss the terms and conditions of the
9 draft permit.

10 **(b)** Consider all reasonably available and relevant scientific studies.

11 **(c)** The department shall make reasonable efforts to notify persons likely to be
12 subject to the order to inform them of the meeting(s) and to share a copy of the
13 draft permit prior to the meeting(s).

14 **(d)** An order described in this subsection is not valid if the agency
15 has not complied with the requirements described in paragraph (a) of
16 this subsection.

MINER'S NOTE: We are not
locked in on the use of the words
"parties" or "persons" will accept