

**THE OFFICE OF THE GOVERNOR**

**EXECUTIVE DEPARTMENT  
STATE OF IDAHO  
BOISE**

**EXECUTIVE ORDER NO. 2016-03**

**CREATING THE OFFICE OF ENERGY AND MINERAL RESOURCES  
WITHIN THE OFFICE OF THE GOVERNOR  
REPEALING AND REPLACING EXECUTIVE ORDER 2012-08**

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*WHEREAS, energy production, generation, transmission and conservation are vital to Idaho; and*

*WHEREAS, mineral acquisition, production and exploration are key contributors to Idaho's economy; and*

*WHEREAS, stable, reliable and cost-competitive long-term energy supplies are critical to the well-being and future of Idaho; and*

*WHEREAS, it is the responsibility of State government to coordinate energy and mineral planning and policy development for Idaho; and*

*NOW, THEREFORE, I, C.L. "BUTCH" OTTER, Governor of the State of Idaho, by the authority vested in me by the Constitution and laws of the State of Idaho do hereby order:*

1. *Creation of the "Office of Energy and Mineral Resources" within the Office of the Governor.*
2. *The term "energy" as used in this Executive Order shall include, but is not limited to, electricity, oil, natural gas, bio-energy, nuclear energy, renewable energy and transportation fuels.*
3. *The term "mineral" as used in this Executive Order shall include, but is not limited to, naturally occurring, inorganic, metallic, non-metal or solid energy substances that are leasable, salable or locatable.*
4. *The Governor shall appoint an administrator ("Administrator") to lead the Office of Energy and Mineral Resources ("Office"). The Administrator shall serve at the pleasure of the Governor and shall be subject to confirmation by the Idaho Senate. The Administrator shall be the official in Idaho designated to oversee energy and mineral planning, policy and coordination, and to fulfill the duties provided in the Executive Order.*
5. *Employees of the Office shall be non-classified for the purpose of Chapter 53, Title 67 of the Idaho Code.*
6. *The duties, powers and authorities of the Office of Energy and Mineral Resources shall include:*
  - a. *Serve as Idaho's clearing house and first point of contact for energy and mineral information, including addressing policy inquires, and providing information regarding issues;*
  - b. *Coordinating the State's energy and mineral planning development efforts;*
  - c. *Advising the Governor, the Legislature and other public officials of the State's energy requirements, supply, transmission, management, conservation and efficiency efforts;*
  - d. *Coordinating and cooperating with federal and state agencies, departments and divisions and local governments on issues concerning the State's energy requirements, supply, transmission, management, conservation and efficiency efforts;*
  - e. *Pursuing and accepting federal delegation of responsibility and authority for matters that affect the energy supply, transmission, management, consumption and conservation by the citizens of Idaho other than energy codes and standards for buildings and those matters under the jurisdiction of the Idaho Public Utilities Commission;*
  - f. *Advising the Governor, the Legislature and other public officials of the State's mineral acquisition, exploration and production planning and policy development efforts;*
  - g. *Coordinating and cooperating with federal and state agencies, departments and divisions, and local governments on issues concerning the State's mineral supply and management;*
  - h. *Pursuing and accepting federal delegation of responsibility and authority for matters that affect the mineral supply, management, acquisition, exploration and development;*
  - i. *Coordinating, supporting and overseeing the Idaho Strategic Energy Alliance;*

- j. *Assisting State agencies, departments, divisions and local governments to secure funding where available for energy conservation projects and renewable energy resource opportunities;*
  - k. *Administering energy loan programs and other forms of financial assistance for eligible projects;*
  - l. *Entering into other agreements or contracts and do that which is necessary to carry out the provisions of this Executive Order and in the performance of other duties as may be directed by the Governor.*
7. *The Office may accept private contributions, state or federal funds, funds from other public agencies or any other sources. The money shall be expended solely for the purposes provided in the Executive Order and accounted for as provided by law.*
  8. *All orders, regulations, contracts and licenses which are in effect at the time of this Executive Order is signed shall continue in effect according to their terms until modified or terminated.*
  9. *The duties, responsibilities and authority of this Executive Order shall not alter any existing responsibilities, jurisdiction or planning functions of State agencies established by State or federal law; nothing in this Executive Order shall be construed to provide or imply any regulatory authority by the office over activities that are subject to the jurisdiction of another State agency including the Idaho Public Utilities Commission, the Idaho Department of Lands, the Idaho Department of Environmental Quality and the Idaho Department of Water Resources.*

*The Executive Order shall cease to be effective four years after its entry into force.*



*IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 18th day of October, in the year of our Lord two thousand and sixteen, and of the independence of the United States of America the two hundred forty-first and of the Statehood of Idaho the one hundred twenty-seventh.*

C.L. "BUTCH" OTTER  
GOVERNOR

LAWRENCE DENNEY  
SECRETARY OF STATE