

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 1864

Chapter 337, Laws of 1991

52nd Legislature
1991 Regular Session

SAND AND GRAVEL REMOVAL--NO CHARGE WHEN USED FOR PUBLIC PURPOSES

EFFECTIVE DATE: 7/28/91

Passed by the House March 20, 1991
Yeas 98 Nays 0

JOE KING
**Speaker of the
House of Representatives**

Passed by the Senate April 11, 1991
Yeas 41 Nays 2

JOEL PRITCHARD
President of the Senate

Approved May 21, 1991

BOOTH GARDNER
Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1864** as passed by the House of Representatives and the Senate on the dates hereon set forth.

ALAN THOMPSON
Chief Clerk

FILED

May 21, 1991 - 11:05 a.m.

Secretary of State
State of Washington

ENGROSSED SUBSTITUTE HOUSE BILL 1864

Passed Legislature - 1991 Regular Session

State of Washington 52nd Legislature 1991 Regular Session

By House Committee on Natural Resources & Parks (originally sponsored by Representatives Kremen, Haugen, Wilson, Roland, Braddock, Spanel, Rayburn, Rasmussen, Leonard, Bowman, R. Johnson, P. Johnson and Sheldon).

Read first time March 6, 1991.

1 AN ACT Relating to removal of sand and gravel; amending RCW
2 79.90.150; and repealing RCW 79.90.140.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 79.90.150 and 1982 1st ex.s. c 21 s 21 are each
5 amended to read as follows:

6 When gravel, rock, sand, silt or other material from any aquatic
7 lands is removed by any public agency or under public contract for
8 channel or harbor improvement, or flood control, use of such material
9 may be authorized by the department of natural resources for a public
10 purpose on land owned or leased by the state or any municipality,
11 county, or public corporation: PROVIDED, That when no public land site
12 is available for deposit of such material, its deposit on private land
13 with the landowner's permission is authorized and may be designated by
14 the department of natural resources to be for a public purpose. Prior
15 to removal and use, the state agency, municipality, county, or public

1 corporation contemplating or arranging such use shall first obtain
2 written permission from the department of natural resources. No
3 payment of royalty shall be required for such gravel, rock, sand, silt,
4 or other material used for such public purpose, but a charge will be
5 made if such material is subsequently sold or used for some other
6 purpose: PROVIDED, That the department may authorize such public
7 agency or private landowner to dispose of such material without charge
8 when necessary to implement disposal of material. No charge shall be
9 required for any use of the material obtained under the provisions of
10 this chapter when used solely on an authorized site. No charge shall
11 be required for any use of the material obtained under the provisions
12 of this chapter if the material is used for public purposes by local
13 governments. Public purposes include, but are not limited to,
14 construction and maintenance of roads, dikes, and levies. Nothing in
15 this section shall repeal or modify the provisions of RCW 75.20.100 or
16 eliminate the necessity of obtaining a permit for such removal from
17 other state or federal agencies as otherwise required by law.

18 NEW SECTION. Sec. 2. RCW 79.90.140 and 1982 1st ex.s. c 21 s
19 20 are each repealed.

Passed the House March 20, 1991.

Passed the Senate April 11, 1991.

Approved by the Governor May 21, 1991.

Filed in Office of Secretary of State May 21, 1991.