

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1468

Chapter 413, Laws of 1997

55th Legislature
1997 Regular Session

SURFACE MINING FEES--WAIVER FOR SMALL MINES--REMOVAL OF DEPARTMENT
OF NATURAL RESOURCES' AUTHORITY TO MODIFY

EFFECTIVE DATE: 7/27/97

Passed by the House April 19, 1997
Yeas 90 Nays 1

CLYDE BALLARD
**Speaker of the
House of Representatives**

Passed by the Senate April 14, 1997
Yeas 46 Nays 2

BRAD OWEN
President of the Senate

Approved May 19, 1997

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1468** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN
Chief Clerk

FILED

May 19, 1997 - 7:22 p.m.

**Secretary of State
State of Washington**

HOUSE BILL 1468

Passed Legislature - 1997 Regular Session

AS AMENDED BY THE SENATE

State of Washington 55th Legislature 1997 Regular Session

By Representatives Buck, Chandler, Grant, Sump, Sheldon, Hatfield,
Alexander, Delvin and Pennington

Read first time 01/28/97. Referred to Committee on Natural Resources.

1 AN ACT Relating to surface mining; and amending RCW 78.44.085.

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

3 **Sec. 1.** RCW 78.44.085 and 1996 c 70 s 1 are each amended to read
4 as follows:

5 (1) An applicant for a public or private reclamation permit shall
6 pay an application fee to the department before being granted a surface
7 mining permit. The amount of the application fee shall be six hundred
8 fifty dollars.

9 (2) After June 30, 1993, each public or private permit holder shall
10 pay an annual permit fee of six hundred fifty dollars. The annual
11 permit fee shall be payable to the department on the first anniversary
12 of the permit date and each year thereafter. Annual fees paid by a
13 county for mines used exclusively for public works projects and having
14 less than seven acres of disturbed area per mine shall not exceed one
15 thousand dollars. Annual fees are waived for all mines used primarily
16 for public works projects if the mines are owned and primarily operated
17 by counties with 1993 populations of less than twenty thousand persons,
18 and if each mine has less than seven acres of disturbed area.

1 (3) (~~After July 1, 1995, the department may modify annual permit~~
2 ~~fees by rule if:~~

3 ~~(a) The total annual permit fees are reasonably related to the~~
4 ~~approximate costs of administering the department's surface mining~~
5 ~~regulatory program;~~

6 ~~(b) The annual fee does not exceed five thousand dollars; and~~

7 ~~(c) The mines are small mines in remote areas that are used~~
8 ~~primarily for public service, then lower annual permit fees may be~~
9 ~~established.~~

10 ~~(4))~~ Appeals from any determination of the department shall not
11 stay the requirement to pay any annual permit fee. Failure to pay the
12 annual fee may constitute grounds for an order to suspend surface
13 mining or cancellation of the reclamation permit as provided in this
14 chapter.

15 ~~((5))~~ (4) All fees collected by the department shall be deposited
16 into the surface mining reclamation account.

17 ~~((6))~~ (5) If the department delegates enforcement
18 responsibilities to a county, city, or town, the department may
19 allocate funds collected under this section to the county, city, or
20 town.

Passed the House April 19, 1997.

Passed the Senate April 14, 1997.

Approved by the Governor May 19, 1997.

Filed in Office of Secretary of State May 19, 1997.