

CERTIFICATION OF ENROLLMENT

**ENGROSSED HOUSE BILL 1845**

Chapter 5, Laws of 2001

57th Legislature  
2001 1st Special Session

SURFACE MINING PERMITS

EFFECTIVE DATE: 7/1/01

Passed by the House May 8, 2001  
Yeas 75 Nays 9

FRANK CHOPP  
**Speaker of the House of Representatives**

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

Passed by the Senate May 24, 2001  
Yeas 42 Nays 9

BRAD OWEN  
**President of the Senate**

Approved June 11, 2001

GARY LOCKE  
**Governor of the State of Washington**

CERTIFICATE

We, Timothy A. Martin and Cynthia Zehnder, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED HOUSE BILL 1845** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN  
**Chief Clerk**

CYNTHIA ZEHNDER  
**Chief Clerk**

FILED

June 11, 2001 - 3:05 p.m.

**Secretary of State  
State of Washington**

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ENGROSSED HOUSE BILL 1845

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Passed Legislature - 2001 1st Special Session

State of Washington

57th Legislature

2001 Regular Session

By Representatives Sehlin and H. Sommers; by request of Department of Natural Resources

Read first time 02/06/2001. Referred to Committee on Appropriations.

1 AN ACT Relating to surface mining reclamation permit fees; amending  
2 RCW 78.44.085; creating a new section; providing an effective date; and  
3 declaring an emergency.

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

5 **Sec. 1.** RCW 78.44.085 and 1997 c 413 s 1 are each amended to read  
6 as follows:

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

11 (2) After June 30, ((1993)) 2001, each public or private permit  
12 holder shall pay an annual permit fee of ((~~six hundred fifty~~)) one  
13 thousand dollars. The annual permit fee shall be payable to the  
14 department on the first anniversary of the permit date and each year  
15 thereafter. Annual fees paid by a county for mines used exclusively  
16 for public works projects and having less than seven acres of disturbed  
17 area per mine shall not exceed one thousand dollars. Annual fees are  
18 waived for all mines used primarily for public works projects if the  
19 mines are owned and primarily operated by counties with 1993

1 populations of less than twenty thousand persons, and if each mine has  
2 less than seven acres of disturbed area.

3 (3) Appeals from any determination of the department shall not stay  
4 the requirement to pay any annual permit fee. Failure to pay the  
5 annual fee may constitute grounds for an order to suspend surface  
6 mining or cancellation of the reclamation permit as provided in this  
7 chapter.

8 (4) All fees collected by the department shall be deposited into  
9 the surface mining reclamation account.

10 (5) If the department delegates enforcement responsibilities to a  
11 county, city, or town, the department may allocate funds collected  
12 under this section to the county, city, or town.

13 (6) Within sixty days after receipt of a permit application, the  
14 department shall advise applicants of any information necessary to  
15 successfully complete the application.

16 NEW SECTION. Sec. 2. By January 1, 2003, the department of  
17 natural resources shall report to the appropriate policy and fiscal  
18 committees of the legislature regarding program deliverables and uses  
19 of the new fee revenue.

20 NEW SECTION. Sec. 3. This act is necessary for the immediate  
21 preservation of the public peace, health, or safety, or support of the  
22 state government and its existing public institutions, and takes effect  
23 July 1, 2001.

Passed the House May 8, 2001.

Passed the Senate May 24, 2001.

Approved by the Governor June 11, 2001.

Filed in Office of Secretary of State June 11, 2001.