

CERTIFICATION OF ENROLLMENT

**ENGROSSED SENATE BILL 6635**

54th Legislature  
1996 Regular Session

Passed by the Senate February 13, 1996  
YEAS 48 NAYS 0

---

**President of the Senate**

Passed by the House February 28, 1996  
YEAS 96 NAYS 0

---

**Speaker of the  
House of Representatives**

Approved

---

**Governor of the State of Washington**

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SENATE BILL 6635** as passed by the Senate and the House of Representatives on the dates hereon set forth.

---

**Secretary**

FILED

**Secretary of State  
State of Washington**

---

ENGROSSED SENATE BILL 6635

---

Passed Legislature - 1996 Regular Session

State of Washington                      54th Legislature                      1996 Regular Session

By Senators Morton and Drew

Read first time 01/22/96. Referred to Committee on Natural Resources.

1            AN ACT Relating to application fees for mines used primarily for  
2 public works projects in counties with 1993 populations of less than  
3 twenty thousand; and amending RCW 78.44.085.

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

5            **Sec. 1.** RCW 78.44.085 and 1993 c 518 s 14 are each amended to read  
6 as follows:

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

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

1 public works projects if the mines are owned and primarily operated by  
2 counties with 1993 populations of less than twenty thousand persons.

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

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

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

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

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

17 (5) All fees collected by the department shall be deposited into  
18 the surface mining reclamation account.

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

--- END ---