
SENATE BILL 5822

State of Washington **53rd Legislature** **1993 Regular Session**

By Senator Fraser; by request of Office of Financial Management

Read first time 02/16/93. Referred to Committee on Natural Resources.

1 AN ACT Relating to mines; adding new sections to chapter 78.44 RCW;
2 repealing RCW 78.44.110; and declaring an emergency.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 78.44 RCW
5 to read as follows:

6 The surface mining reclamation account is created in the state
7 treasury. Annual mining fees, funds received by the department for
8 reclamation or mine regulatory research, and fines collected pursuant
9 to this chapter shall be deposited into this account.

10 The department may use funds in the surface mining reclamation
11 account to:

- 12 (1) Administer the regulatory program required by this chapter;
13 (2) Undertake research relating to surface mining reclamation,
14 regulation, and related issues; and
15 (3) Cover costs arising from appeals and determinations of the
16 department pursuant to this chapter.

17 The account is subject to chapter 43.88 RCW. Expenditure of funds
18 from this account may only occur after appropriation.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 78.44 RCW
2 to read as follows:

3 (1) An applicant for a new surface mining permit shall pay an
4 application fee to the department before being granted a surface mining
5 permit. The amount of the application fee is six hundred fifty
6 dollars.

7 (2) After June 30, 1993, each operator shall pay an annual permit
8 fee of six hundred fifty dollars. The annual permit fee is payable to
9 the department on the first anniversary of the permit date and each
10 year thereafter.

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

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

17 (5) Beginning July 1, 1994, fees shall be adjusted annually in
18 accordance with the implicit price deflator.

19 NEW SECTION. **Sec. 3.** RCW 78.44.110 and 1987 c 258 s 2, 1984 c 215
20 s 4, & 1970 ex.s. c 64 s 12 are each repealed.

21 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
22 preservation of the public peace, health, or safety, or support of the
23 state government and its existing public institutions, and shall take
24 effect immediately.

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