

CERTIFICATION OF ENROLLMENT

ENGROSSED SENATE BILL 6635

Chapter 70, Laws of 1996

54th Legislature
1996 Regular Session

MINES--APPLICATION FEES FOR THOSE USED PRIMARILY FOR
PUBLIC WORKS IN SMALLER COUNTIES

EFFECTIVE DATE: 6/6/96

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

JOEL PRITCHARD

President of the Senate

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

CLYDE BALLARD

**Speaker of the
House of Representatives**

Approved March 13, 1996

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.

MARTY BROWN

Secretary

FILED

March 13, 1996 - 1:39 p.m.

MIKE LOWRY

Governor of the State of Washington

**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.

Passed the Senate February 13, 1996.

Passed the House February 28, 1996.

Approved by the Governor March 13, 1996.

Filed in Office of Secretary of State March 13, 1996.