

CERTIFICATION OF ENROLLMENT

SENATE BILL 5669

Chapter 170, Laws of 1997

55th Legislature
1997 Regular Session

METALS MINING AND MILLING FEE--COLLECTION

EFFECTIVE DATE: 7/1/97

Passed by the Senate March 12, 1997
YEAS 43 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House April 14, 1997
YEAS 77 NAYS 15

CLYDE BALLARD

**Speaker of the
House of Representatives**

Approved April 23, 1997

GARY LOCKE

Governor of the State of Washington

CERTIFICATE

I, Mike O Connell, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5669** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MIKE O'CONNELL

Secretary

FILED

April 23, 1997 - 4:40 p.m.

**Secretary of State
State of Washington**

SENATE BILL 5669

Passed Legislature - 1997 Regular Session

State of Washington 55th Legislature 1997 Regular Session

By Senator Morton; by request of Department of Revenue

Read first time 02/06/97. Referred to Committee on Agriculture & Environment.

1 AN ACT Relating to the collection of the metals mining and milling
2 fee; amending RCW 78.56.080; providing an effective date; and declaring
3 an emergency.

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

5 **Sec. 1.** RCW 78.56.080 and 1994 c 232 s 8 are each amended to read
6 as follows:

7 (1) The metals mining account is created in the state treasury.
8 Expenditures from this account are subject to appropriation.
9 Expenditures from this account may only be used for: (a) The
10 additional inspections of metals mining and milling operations required
11 by RCW 78.56.070 and (b) the metals mining coordinator established in
12 RCW 78.56.060.

13 (2)(a) As part of its normal budget development process and in
14 consultation with the metals mining industry, the department of ecology
15 shall estimate the costs required for the department to meet its
16 obligations for the additional inspections of metals mining and milling
17 operations required by chapter 232, Laws of 1994. The department shall
18 also estimate the cost of employing the metals mining coordinator
19 established in RCW 78.56.060.

1 (b) As part of its normal budget development process and in
2 consultation with the metals mining industry, the department of natural
3 resources shall estimate the costs required for the department to meet
4 its obligations for the additional inspections of metals mining and
5 milling operations required by chapter 232, Laws of 1994.

6 (3) Based on the cost estimates generated by the department of
7 ecology and the department of natural resources, the department of
8 ~~((revenue))~~ ecology shall establish the amount of a fee to be paid by
9 each active metals mining and milling operation regulated under this
10 chapter. The fee shall be established at a level to fully recover the
11 direct and indirect costs of the agency responsibilities identified in
12 subsection (2) of this section. The amount of the fee for each
13 operation shall be proportional to the number of visits required per
14 site. Each applicant for a metals mining and milling operation shall
15 also be assessed the fee based on the same criterion. The department
16 of ~~((revenue))~~ ecology may adjust the fees established in this
17 subsection if unanticipated activity in the industry increases or
18 decreases the amount of funding necessary to meet agencies' inspection
19 responsibilities.

20 (4) The department of ~~((revenue))~~ ecology shall collect the fees
21 established in subsection (3) of this section. ~~((Chapter 82.32 RCW,~~
22 ~~insofar as applicable, applies to the fees imposed under this~~
23 ~~section.))~~ All moneys ~~((paid to the department of revenue))~~ from these
24 fees shall be deposited into the metals mining account.

25 ~~((5) This section shall take effect July 1, 1995, unless the~~
26 ~~legislature adopts an alternative approach based on the recommendations~~
27 ~~of the metals mining advisory group established in section 27, chapter~~
28 ~~232, Laws of 1994.))~~

29 NEW SECTION. Sec. 2. This act is necessary for the immediate
30 preservation of the public peace, health, or safety, or support of the
31 state government and its existing public institutions, and takes effect
32 July 1, 1997.

Passed the Senate March 12, 1997.

Passed the House April 14, 1997.

Approved by the Governor April 23, 1997.

Filed in Office of Secretary of State April 23, 1997.