
HOUSE BILL 1515

State of Washington 58th Legislature 2003 Regular Session

By Representatives Cooper, Upthegrove, Rockefeller and Simpson

Read first time 01/29/2003. Referred to Committee on Fisheries,
Ecology & Parks.

1 AN ACT Relating to hydraulic project approvals applications;
2 amending RCW 77.12.170 and 43.135.055; and adding a new section to
3 chapter 77.55 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 77.55 RCW
6 to read as follows:

7 (1) The department may charge a fee for processing and issuing
8 decisions on hydraulic project approvals applications. The fee must be
9 based on the scale and complexity of the project. By July 31, 2004,
10 the commission, in collaboration with interested and affected parties,
11 must adopt rules that set forth the fee criteria and amount for these
12 various categories of approvals. The criteria and amounts must be
13 based on a workload analysis conducted by the department as part of the
14 rule development process. The fee criteria may include the capital
15 cost of the project.

16 (2) Habitat enhancement projects conducted pursuant to RCW
17 77.55.290 are exempted from fees.

18 (3) Revenue generated by these fees must be dedicated to fund

1 hydraulic project approvals processing and issuing decisions conducted
2 by the department.

3 (4) A fee established under this section is exempt from the fee
4 restriction provisions found under RCW 43.135.055.

5 **Sec. 2.** RCW 77.12.170 and 2001 c 253 s 15 are each amended to read
6 as follows:

7 (1) There is established in the state treasury the state wildlife
8 fund which consists of moneys received from:

9 (a) Rentals or concessions of the department;

10 (b) The sale of real or personal property held for department
11 purposes;

12 (c) The sale of licenses, permits, tags, and stamps required by
13 chapter 77.32 RCW and RCW 77.65.490, except annual resident adult
14 saltwater and all shellfish licenses, which shall be deposited into the
15 state general fund;

16 (d) Fees for informational materials published by the department;

17 (e) Fees for personalized vehicle license plates as provided in
18 chapter 46.16 RCW;

19 (f) Articles or wildlife sold by the director under this title;

20 (g) Compensation for damage to department property or wildlife
21 losses or contributions, gifts, or grants received under RCW 77.12.320
22 or 77.32.380;

23 (h) Excise tax on anadromous game fish collected under chapter
24 82.27 RCW;

25 (i) The sale of personal property seized by the department for
26 fish, shellfish, or wildlife violations; (~~and~~)

27 (j) The department's share of revenues from auctions and raffles
28 authorized by the commission; and

29 (k) Fees for processing and issuing decisions for hydraulic project
30 approvals conducted under chapter 77.55 RCW.

31 (2) State and county officers receiving any moneys listed in
32 subsection (1) of this section shall deposit them in the state treasury
33 to be credited to the state wildlife fund.

34 **Sec. 3.** RCW 43.135.055 and 2001 c 314 s 19 are each amended to
35 read as follows:

1 (1) No fee may increase in any fiscal year by a percentage in
2 excess of the fiscal growth factor for that fiscal year without prior
3 legislative approval.

4 (2) This section does not apply to an assessment made by an
5 agricultural commodity commission or board created by state statute or
6 created under a marketing agreement or order under chapter 15.65 or
7 15.66 RCW, or to the forest products commission, if the assessment is
8 approved by referendum in accordance with the provisions of the
9 statutes creating the commission or board or chapter 15.65 or 15.66 RCW
10 for approving such assessments.

11 (3) This section does not apply to fees charged by the department
12 of fish and wildlife to process hydraulic project approvals
13 applications under section 1 of this act.

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