

SENATE BILL REPORT

ESHB 1574

As Reported By Senate Committee On:
Natural Resources, March 23, 1995

Title: An act relating to clarifying the existing authority of the department of ecology and the department of natural resources to require performance security for metals mining and milling operations.

Brief Description: Clarifying the existing authority of the department of ecology and the department of natural resources to require performance security for metals mining and milling operations.

Sponsors: House Committee on Natural Resources (originally sponsored by Representatives Elliot, Sheldon, Fuhrman, Valle, McMorris, Schoesler and Radcliff).

Brief History:

Committee Activity: Natural Resources: 3/21/95, 3/23/95 [DPA].

SENATE COMMITTEE ON NATURAL RESOURCES

Majority Report: Do pass as amended.

Signed by Senators Drew, Chair; Spanel, Vice Chair; A. Anderson, Hargrove, Haugen, Morton, Oke, Owen, Snyder, Strannigan and Swecker.

Staff: Vic Moon (786-7469)

Background: In 1994, the Legislature enacted legislation regulating metals mining and milling operations. As part of this legislation, the Legislature created the Metals Mining Advisory Group and assigned to this group a number of tasks. The Metals Mining Advisory Group comprises members representing the metals mining industry, county commissioners of affected counties, the environmental community, and the Departments of Ecology, Fish and Wildlife, and Natural Resources.

The advisory group has worked through its assigned tasks, including the task of identifying fee-eligible costs and costs which are required but not funded. The major unfunded cost identified by the advisory group is the performance security rule-making requirement imposed on the Department of Ecology. To address this unfunded cost, the advisory group recommends separating the performance security provisions of the Department of Ecology and the Department of Natural Resources, and making Ecology's performance security rule-making discretionary instead of mandatory.

Summary of Amended Bill: A single performance security may be used by the Department of Ecology when the performance security is acceptable to both the Department of Ecology and the Department of Natural Resources.

Amended Bill Compared to Substitute Bill: All references to the Surface Mining Act are deleted.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This is needed to simplify bonding requirements.

Testimony Against: None.

Testified: Mark Triplett, Aggregate Concrete Assn. (pro); Brant Hinze, Battle Mountain Gold (pro); Judy Turpin, WEC (pro).