

# SENATE BILL REPORT

## HB 2022

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As Reported By Senate Committee On:  
Natural Resources, March 31, 1995

**Title:** An act relating to the fees, fees in lieu of assessment work or labor requirements, affidavits, or oaths that are necessary to secure mining claims.

**Brief Description:** Making mining claims.

**Sponsors:** Representative Fuhrman.

**Brief History:**

**Committee Activity:** Natural Resources: 3/24/95, 3/31/95 [DP].

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### SENATE COMMITTEE ON NATURAL RESOURCES

**Majority Report:** Do pass.

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

**Staff:** Vic Moon (786-7469)

**Background:** Early federal mining laws encouraged mining by providing for ways for interested parties to claim federal land for mining purposes. However, the federal government wanted to discourage the holding of claims without development. Since 1872, as a continuing incentive for claim development, the federal government has required that not less than \$100 worth of labor be performed or improvements made each year in order to keep claims active. In recent years, changes to federal mining law allow in some circumstances the payment of a \$100 claim maintenance fee in lieu of the requirement for labor or improvements.

State law also requires a claim holder to be "diligently engaged in the search for minerals." A person must perform not less than \$100 worth of annual assessment work on or for the benefit of the claim in such year or years as required under federal law.

**Summary of Bill:** State law regarding claims is changed to mirror the changes in federal mining laws regarding claims. "Diligently engaged" in state law may also mean that a person has paid a fee in lieu of assessment work. When the time arrives each year for a person to show that he or she performed labor or made improvements to the claim, the person may show an affidavit of labor performed, or an affidavit or oath of fee or fees paid to the federal government in lieu of the annual labor requirement. If the federal government waives both fee and labor requirements, the affidavit contains a statement to that effect, and the state does not require labor to be performed.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** This bill brings state law into conformity with federal law and will benefit the mining industry, especially small mine operations.

**Testimony Against:** None.

**Testified:** John Woodring, NW Mining Assn.