

---

**SUBSTITUTE HOUSE BILL 1483**

---

**State of Washington**

**53rd Legislature**

**1993 Regular Session**

**By** House Committee on Natural Resources & Parks (originally sponsored by Representatives Pruitt, R. Johnson and Kremen; by request of Office of Financial Management)

Read first time 02/26/93.

1 AN ACT Relating to mines; adding new sections to chapter 78.44 RCW;  
2 repealing RCW 78.44.110; and declaring an emergency.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 78.44 RCW  
5 to read as follows:

6 The surface mining reclamation account is created in the state  
7 treasury. Annual mining fees, funds received by the department for  
8 reclamation or mine regulatory research, and fines collected pursuant  
9 to this chapter shall be deposited into this account.

10 The department may use funds in the surface mining reclamation  
11 account to:

- 12 (1) Administer the regulatory program required by this chapter;  
13 (2) Undertake research relating to surface mining reclamation,  
14 regulation, and related issues; and  
15 (3) Cover costs arising from appeals and determinations of the  
16 department pursuant to this chapter.

17 The account is subject to chapter 43.88 RCW. Expenditure of funds  
18 from this account may only occur after appropriation.

1        NEW SECTION.    **Sec. 2.**    A new section is added to chapter 78.44 RCW  
2 to read as follows:

3        (1) An applicant for a new surface mining permit shall pay an  
4 application fee to the department before being granted a surface mining  
5 permit.    The amount of the application fee is six hundred fifty  
6 dollars.

7        (2) Between June 30, 1993, and June 30, 1994, each operator shall  
8 pay an annual permit fee of six hundred fifty dollars.    The annual  
9 permit fee is payable to the department on the first anniversary of the  
10 permit date and each year thereafter.

11        (3) Appeals from a determination of the department shall not stay  
12 the requirement to pay an annual permit fee.    Failure to pay the annual  
13 fee may constitute grounds for an order to suspend surface mining or  
14 cancellation of the permit as provided in this chapter.    However, the  
15 department shall develop by rule a procedure for owners of inactive  
16 surface mines to petition the department for an exemption from the  
17 annual fee.    The department shall develop criteria on which to base  
18 exemption decisions.    Owners seeking a fee exemption shall provide the  
19 department with any necessary information the department requires  
20 regarding the surface mining operation.

21        (4) All fees collected by the department under this section shall  
22 be deposited into the surface mining reclamation account.

23        (5) Beginning July 1, 1994, the department shall annually adjust  
24 fees in accordance with changes in the implicit price deflator for  
25 personal consumption expenditures published by the United States  
26 department of commerce.

27        NEW SECTION.    **Sec. 3.**    RCW 78.44.110 and 1987 c 258 s 2, 1984 c 215  
28 s 4, & 1970 ex.s. c 64 s 12 are each repealed.

29        NEW SECTION.    **Sec. 4.**    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 shall take  
32 effect immediately.

--- END ---