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SENATE BILL 5669

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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.

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