

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 2265*
Committee Substitute Favorable 6/26/90

Short Title: Mining Permit Fees.

(Public)

Sponsors:

Referred to:

June 1, 1990

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH FEES FOR PROCESSING APPLICATIONS FOR
3 MINING PERMITS AND APPLICATIONS FOR MODIFICATIONS AND
4 RENEWALS OF EXISTING MINING PERMITS.

5 The General Assembly of North Carolina enacts:

6 Section 1. Article 7 of Chapter 74 of the General Statutes is amended by
7 adding a new section to read:

8 **"§ 74-52.1. Permit fees.**

9 (a) The Commission may establish a fee schedule for the processing of permit
10 applications and permit renewals and modifications. The fees may vary on the basis of
11 the acreage, size, and nature of the proposed or permitted operations or modifications.
12 In establishing the fee schedule, the Commission shall consider the administrative and
13 personnel costs incurred by the Department for processing applications for permits and
14 permit renewals and modifications and for related compliance activities and safeguards
15 to prevent unusual fee assessments which would result in serious economic burden on
16 an individual applicant or class of applicants.

17 (b) The total amount of permit fees collected for any fiscal year may not exceed
18 one-third of the total personnel and administrative costs incurred by the Department for
19 processing applications for permits and permit renewals and modifications and for
20 related compliance costs in the prior fiscal year, but in no event may they exceed two
21 thousand five hundred dollars (\$2,500) for any application for a new permit or five
22 hundred dollars (\$500.00) for any application for a permit renewal or modification.

1 (c) A nonreverting fund is established within the Department. All fees collected
2 under this section shall be deposited in this account. This account shall be used to the
3 extent appropriated by the General Assembly to:

4 (1) Defray the expenses of any project or program, including education
5 programs, supporting the permitting and compliance activities under
6 this Article;

7 (2) Establish additional permanent positions, under Chapter 126 of the
8 General Statutes, to conduct permitting, compliance, and educational
9 activities under this Article; and

10 (3) Improve the efficiency of the permitting process by decreasing the
11 time required to issue a permit.

12 (d) The Department shall make an annual report to the Joint Legislative
13 Commission on Governmental Operations and the Director of the Fiscal Research
14 Division on the cost of the State's mining permit program. The report shall include the
15 fees established, collected, and disbursed under this section and any other information
16 requested by the General Assembly or the Commission."

17 Sec. 2. This act is effective upon ratification.