

authority based upon such testimony, and a copy of all decisions and orders made by the said officer in the proceedings. The case shall be heard upon the record certified to the court as aforesaid. No additional testimony shall be taken before the court, but the court may, in proper cases, remit the record to the respondent for the taking of further testimony and from the record, the court may review, modify or affirm or make new findings of fact as well as decide the law applicable.

648N. If the operator fails or refuses to comply with the requirements of the sub-title in any respect for which liability has been charged on the bond, the Director shall declare such portion of the bond forfeited, and shall certify the same to the Attorney General, who shall proceed to sue out and collect the amount of liability forfeited thereon, and where the operator had deposited cash or securities in lieu of bond, the Director shall declare such portion of said deposit forfeited, and shall direct the State Treasurer to pay said funds into the Bituminous Coal Open Pit Mining Reclamation Fund, or to proceed to sell said securities to the extent forfeited and pay the proceeds thereof into the Bituminous Coal Open Pit Mining Reclamation Fund. Any operator aggrieved by reason of forfeiting the bond or selling securities, as herein provided, shall have a right to contest such action and appeal as provided in Section 648N of this sub-title.

648-O. Any operator who proceeds to mine bituminous coal by the open pit mining method without having registered, as herein provided, shall be guilty of a misdemeanor, and upon conviction, shall be sentenced to pay a fine of not less than Five Thousand Dollars (\$5,000.00) nor more than Ten Thousand Dollars (\$10,000.00). The fine shall be payable to the county in which the violation occurs.

648P. The provisions of this sub-title shall not apply to any person, partnership or corporation who does not mine in excess of two hundred and fifty (250) tons of coal in any period of twelve successive calendar months.

648Q. All funds received by the Director from registration fees, and from forfeiture of bonds, and of cash deposits and securities, shall be held by the State Treasurer in a special fund, separate and apart from all other moneys in the State Treasury, to be known as the "Bituminous Coal Open Pit Mining Reclamation Fund", and shall be used by the Director of the ~~Department of Forests and Parks~~ BUREAU OF MINES for the sole purpose of foresting or reclaiming land affected by open pit mining of bituminous coal, and for such purposes are hereby specifically appropriated to the ~~Department of Forests and Parks~~ BUREAU OF MINES, funds received from the forfeiture of bonds and cash deposited in lieu of bonds, which shall be expended by the Director of the ~~Department of Forests and Parks~~ BUREAU OF MINES upon lands situated in the county in which the operation ~~upon~~ OCCURRED FOR which liability was charged on the bond ~~is located, and the OTHER~~ money in said fund ~~to~~ SHALL be spent at the discretion of the Director of the ~~Department of Forests and Parks~~ BUREAU OF MINES for back-filling or planting.

648R. The provisions of this sub-title shall apply to Allegany and Garrett Counties only.