

670. *Forfeiture of Bond or Deposit.*

If the operator fails or refuses to comply with the requirements of the subheading in any respect for which liability has been charged on the bond, the Director shall declare this bond forfeited, and he shall certify the case to the Attorney General, who shall proceed to sue out and collect the amount of liability forfeited thereon; and if the operator had deposited cash or securities in lieu of bond the Director shall declare that portion of the deposit forfeited, and he shall direct the State Treasurer to pay the funds into the Bituminous Coal Open Pit Mining Reclamation Fund or to proceed to sell the securities to the extent forfeited and to pay the proceeds thereby into the Bituminous Coal Open Pit Mining Reclamation Fund.

671. *Penalty for Failure to Obtain Permit.*

Any operator who mines coal by the open pit mining method without having received a permit, as herein provided, or who mines coal by the open pit mining method without securing an amended permit, or who mines coal by the open pit mining method without having furnished the proper bond, as herein provided, or who has knowingly or intentionally filed false information in the application for a permit, or who has not fully complied with all the provisions and requirements of this permit, is guilty of a misdemeanor, and upon conviction he is subject to a fine of not less than five hundred dollars (\$500.00) or not exceeding five thousand dollars (\$5,000.00). The fines shall be paid into and held by the State Treasurer in the Bituminous Coal Open Pit Mining Reclamation Fund, provided for in Section 673 of this subheading and shall be used by the Director of the Bureau of Mines for the sole purpose of foresting or reclaiming land affected by open pit mining of bituminous coal.

672. *Prospecting for Coal.*

The provisions of this subheading do not apply to any person engaged in prospecting for coal if no coal is marketed. Any person or operator failing to backfill prospected area within a reasonable time in accordance with the regulations of the Bureau of Mines upon conviction thereof shall be fined not less than two hundred dollars (\$200.00) or more than five hundred dollars (\$500.00).

673. *Disposition of Funds.*

(a) All funds received by the Director from ~~registration~~ LICENSE fees and from the 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 the State Treasury, DEPOSITED TO THE CREDIT OF THE STATE TREASURER IN SUCH BANK OR BANKS AS HE MAY DESIGNATE, AND SHALL BE MAINTAINED AS A SPECIAL FUND ON THE BOOKS OF THE COMPTROLLER OF THE TREASURY IN AN ACCOUNT, to be known as the "Bituminous Coal Open Pit Mining Reclamation Fund," to be used by the Director of the Bureau of Mines for backfilling, grading, and planting the area of land affected by the operation upon which liability was charged on the bond. Any funds received from a forfeiture in excess of the amount which is required for backfilling, grading, and planting the area of land affected by the operation upon which liability was charged, and funds received from forfeitures relating to land where backfilling, grading and planting is