

DIRECTOR MAY NOT ISSUE OR RENEW THE LICENSE IF HE FINDS THAT ANY OFFICER, DIRECTOR, OR PRINCIPAL OWNER OF THE CORPORATION, PARTNERSHIP, OR ASSOCIATION, HAS PREVIOUSLY FAILED AND CONTINUES TO FAIL TO COMPLY WITH ANY OF THE PROVISIONS OF THIS SUBTITLE, OR IF ANY OFFICER, DIRECTOR, OR PRINCIPAL OWNER IS OR HAS BEEN AN OFFICER, DIRECTOR, OR PRINCIPAL OWNER OF ANY OTHER CORPORATION, PARTNERSHIP, OR ASSOCIATION, WHICH HAS PREVIOUSLY FAILED AND CONTINUES TO FAIL TO COMPLY WITH ANY OF THE PROVISIONS OF THIS SUBTITLE. THE DIRECTOR MAY NOT ISSUE OR RENEW ANY LICENSE TO ANY PERSON OR OPERATOR WHO HAS FORFEITED ANY BOND POSTED IN CONNECTION WITH STRIP-MINING ACTIVITY IN ANY STATE. IF THE APPLICANT IS A CORPORATION, PARTNERSHIP, OR ASSOCIATION, THE DIRECTOR MAY NOT ISSUE OR RENEW THE LICENSE IF HE FINDS THAT ANY OFFICER, DIRECTOR, OR PRINCIPAL OWNER OF THE CORPORATION, PARTNERSHIP, OR ASSOCIATION, HAS PREVIOUSLY FORFEITED ANY BOND POSTED IN CONNECTION WITH STRIP-MINING ACTIVITY IN ANY STATE.

REVISOR'S NOTE: This subsection presently appears as Article 66C, section 661(c) of the Code. The only changes made are in style.

7-505. OPEN-PIT MINING PERMIT; ACQUISITION PRIOR TO OPERATION.

(A) APPLICATION.—BEFORE ANY PERSON LICENSED AS AN OPEN-PIT MINING OPERATOR PROCEEDS TO MINE COAL BY THE OPEN-PIT METHOD, HE SHALL APPLY FOR A PERMIT ON A FORM FURNISHED BY THE BUREAU FOR EACH SEPARATE OPERATION. THE PERMIT IS VALID UNTIL THE OPERATION IS COMPLETED OR ABANDONED, UNLESS THE DIRECTOR OF THE BUREAU SUSPENDS IT PRIOR TO THAT TIME.

REVISOR'S NOTE: This subsection presently appears as Article 66C, section 662(a) of the Code. The only changes made are in style.

(E) BUREAU PROHIBITED TO ISSUE, EXTEND OR RENEW PERMIT FOR STATE OWNED LAND.—THE BUREAU MAY NOT ISSUE, EXTEND OR RENEW ANY PERMIT TO MINE COAL BY THE OPEN-PIT OR STRIP METHOD ON ANY LAND THE STATE OWNS WHETHER OR NOT THE OWNERSHIP INCLUDES MINERAL RIGHTS INCIDENT TO THE LAND. IF THE BUREAU'S FAILURE TO ISSUE, EXTEND OR RENEW A PERMIT INVOLVES TAKING A PROPERTY RIGHT WITHOUT JUST COMPENSATION IN VIOLATION OF THE CONSTITUTION OF THE UNITED STATES OR THE CONSTITUTION OF MARYLAND AND THE GENERAL ASSEMBLY HAS NOT APPROPRIATED SUFFICIENT FUNDS TO PAY THE COMPENSATION, THE STATE MAY USE AVAILABLE FUNDS UNDER