

AN ACT concerning

Open-Pit Mining on State Land

FOR the purpose of authorizing the Secretary of Natural Resources to issue, extend, or renew an open-pit mining permit on land the State owns if the mining would be in conjunction with the reclamation of an abandoned mine.

BY repealing and reenacting, with amendments,

Article - Natural Resources
Section 7-505(b)
Annotated Code of Maryland
(1974 Volume and 1975 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 7-505(b) of Article - Natural Resources, of the Annotated Code of Maryland (1974 Volume and 1975 Supplement) be and it is hereby repealed and reenacted, with amendments, to read as follows:

Article - Natural Resources

7-505.

(b) 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, EXCEPT WHEN THE SECRETARY, WITH THE RECOMMENDATION OF THE LAND RECLAMATION COMMITTEE AND THE APPROVAL OF THE BOARD OF PUBLIC WORKS, DETERMINES THAT AN ABANDONED MINE ON STATE LAND WILL BE RECLAIMED IN CONJUNCTION WITH THE PROPOSED MINING. 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 Program Open Space to purchase or otherwise pay for the property rights.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1976.

Approved May 17, 1976.