

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article - Natural Resources

7-502.

This subtitle is an exercise of the police powers of the State for the general welfare of the people, by providing for the protection and conservation of the natural resources of the State and the improvement of areas of land AND COMMUNITIES affected in the mining of bituminous coal by the open-pit, strip mining, or auger mining method. Its purpose is to aid in the protection of wildlife and restore these lands to productive purposes while decreasing soil erosion; to aid in preventing pollution of rivers and streams; prevent combustion of unmined coal; provide for reclamation of the stripped areas; [and] generally improve the use and enjoyment of these lands AND GENERALLY IMPROVE THE HEALTH, WELFARE, AND LIVING CONDITIONS IN THE COMMUNITIES AND COUNTIES IN WHICH COAL MINING IS AN IMPORTANT INDUSTRY.

7-507.1.

On the basis of the approved annual and monthly progress reports, the Department shall assess a 15-cent mine reclamation surcharge for each ton of coal removed by the open-pit or strip method. [The amounts collected shall be deposited to the credit of the Bituminous Coal Open-Pit Mining Reclamation Fund.] ~~SEVEN-AND-ONE-HALF NINE~~ CENTS OF THE AMOUNTS COLLECTED FROM EACH TON OF COAL REMOVED SHALL BE DEPOSITED TO THE CREDIT OF THE BITUMINOUS COAL OPEN-PIT MINING RECLAMATION FUND, AND ~~7-1/2~~ 6 CENTS SHALL BE REMITTED DIRECTLY TO THE COUNTY IN WHICH THE COAL WAS REMOVED.

7-514.

(a) Any funds that the Department receives AND RETAINS from license and special reclamation fees, mine reclamation surcharge, forfeiture of bonds, cash deposits, or securities shall be deposited to the credit of the State Treasurer in a bank he designates. The funds shall be maintained as a special fund on the books of the Comptroller of the Treasury in an account known as the "Bituminous Coal Open-Pit Mining Reclamation Fund." The Secretary shall use the funds to implement this subtitle and to backfill, grade, and plant areas affected by open-pit mining. However, funds received from the reclamation surcharge under § 7-507.1 of this article, EXCEPT FOR THOSE FUNDS TO BE REMITTED DIRECTLY TO THE COUNTY IN WHICH THE COAL WAS REMOVED, shall only be used by the Secretary for reclamation of land affected by open-pit or strip method mining in the county in which the surcharge is assessed and collected. However, funds received from forfeiture on bonds, cash, or securities shall be used to backfill, grade, and plant the area of land affected by the operation on which the liability was charged