

(3) DISLOCATED AS THE RESULT OF ADVERSE EFFECTS OF COAL MINING PRACTICES WHICH CONSTITUTE AN EMERGENCY SITUATION ENDANGERING THE PUBLIC HEALTH, SAFETY, OR GENERAL WELFARE; OR

(4) DISLOCATED AS THE RESULT OF NATURAL DISASTERS OR CATASTROPHIC FAILURES FROM ANY CAUSE.

LAND TRANSFERRED PURSUANT TO THIS SUBSECTION NEED NOT BE AT FAIR MARKET VALUE; PROVIDED THAT NO PROFIT SHALL ACCRUE TO ANY ENTITY DUE TO THE DIFFERENCE BETWEEN FAIR MARKET VALUE AND THE PRICE REQUIRED BY THE DEPARTMENT. NO PART OF ANY MONEYS AVAILABLE UNDER THIS SUBTITLE MAY BE USED TO PAY ACTUAL CONSTRUCTION COSTS OF HOUSING.

(F) ANY AND ALL PURCHASE, SALE, OR TRANSFER OF LAND PURSUANT TO THIS SUBTITLE SHALL BE BY ACTION OF THE BOARD. ALL FUNDS RECEIVED BY THE STATE FROM THE SALE OF LAND SHALL BE CREDITED TO THE FEDERAL-STATE RECLAMATION FUND.

(G) IN ALL CASES WHERE LAND IS ACQUIRED PURSUANT TO THIS SUBTITLE, THE DEPARTMENT SHALL HOLD A PUBLIC HEARING IN THE COUNTY IN WHICH THE LAND IS LOCATED, FOR THE PURPOSE AND AT A TIME WHICH WILL ENSURE THAT LOCAL CITIZENS AND GOVERNMENTS MAY PARTICIPATE IN THE DECISION CONCERNING THE PROPER USE OR DISPOSITION OF THE LAND AFTER RESTORATION.

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THE DEPARTMENT SHALL HAVE THE RIGHT TO ENTER UPON ANY PROPERTY WHERE THERE IS NO REASONABLE EXPECTATION OF PRIVACY FOR THE PURPOSE OF CONDUCTING STUDIES OR EXPLORATORY WORK TO DETERMINE THE EXISTENCE OF ADVERSE EFFECTS OF PAST COAL MINING PRACTICES AND TO DETERMINE THE FEASIBILITY OF RESTORATION, RECLAMATION, ABATEMENT, CONTROL, OR PREVENTION OF SUCH ADVERSE EFFECTS. SUCH ENTRY SHALL BE CONSTRUED AS AN EXERCISE OF THE POLICE POWER FOR THE PROTECTION OF PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE AND SHALL NOT BE CONSTRUED AS AN ACT OF CONDEMNATION OF PROPERTY OR TRESPASS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 1979.

Approved May 14, 1979.

CHAPTER 400

(House Bill 1587)

AN ACT concerning

Property Taxes - Circuit Breaker Applications