

without securing an amended permit, who mines coal by the open-pit mining method without furnishing the proper bond required by this subtitle, who knowingly or intentionally submits false information to the Department, OR KNOWINGLY FAILS TO MAKE ANY STATEMENT, REPRESENTATION, OR CERTIFICATION IN ANY DOCUMENT REQUIRED TO BE FILED WITH THE DEPARTMENT, or who does not fully comply with every provision and requirement of this subtitle or any rule, regulation, permit, notice or order issued pursuant thereto, is guilty of a misdemeanor, and upon conviction, is subject to a fine of not more than \$10,000 or by imprisonment for not more than 1 year or both.

SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 7-522 of Article - Natural Resources, of the Annotated Code of Maryland be renumbered to be Section(s) 7-524.

SECTION 3. AND BE IT FURTHER ENACTED, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article - Natural Resources

7-522.

(A) AN EMPLOYEE OF THE STATE OF MARYLAND WHO PERFORMS ANY FUNCTION OR DUTY UNDER THIS SUBTITLE MAY NOT HAVE A DIRECT OR INDIRECT FINANCIAL INTEREST IN ANY OPEN-PIT OR DEEP MINING OPERATION. FOR PURPOSES OF THIS SECTION, PROHIBITED FINANCIAL INTERESTS SHALL BE DETERMINED IN ACCORDANCE WITH FEDERAL REGULATIONS ADOPTED UNDER THE SURFACE MINING CONTROL AND RECLAMATION ACT OF 1977 (PUBLIC LAW 95-87).

(B) THIS SECTION IS INTENDED TO BE READ IN CONJUNCTION WITH AND TO SUPPLEMENT THE PROVISIONS OF ARTICLE 40A OF THE ANNOTATED CODE OF MARYLAND (PUBLIC ETHICS LAW), BUT IN THE EVENT OF ANY CONFLICT, THE REQUIREMENTS OF THIS SECTION SHALL PREVAIL.

(C) ANY PERSON WHO KNOWINGLY VIOLATES ANY PROVISION OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE OF NOT MORE THAN \$2,500 OR IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR BOTH.

7-523.

(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, ANY PERSON, AS DEFINED IN THIS SUBTITLE, WHO HAS AN INTEREST THAT IS OR MAY BE ADVERSELY AFFECTED MAY COMMENCE A CIVIL ACTION ON HIS OWN BEHALF TO COMPEL COMPLIANCE WITH THIS SUBTITLE:

- (1) AGAINST THE DEPARTMENT--+-