

surcharge for each ton of coal removed by the open-pit or strip method. 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 6 cents shall be remitted directly to the county in which the coal was removed.]

7-507.1

ON THE BASIS OF THE APPROVED ANNUAL AND MONTHLY PROGRESS REPORTS:

(1) THE DEPARTMENT SHALL ASSESS A 9 CENT MINE RECLAMATION SURCHARGE FOR EACH TON OF COAL REMOVED BY THE OPEN-PIT OR STRIP METHOD, WHICH AMOUNT SHALL BE DEPOSITED TO THE CREDIT OF THE BITUMINOUS COAL OPEN-PIT MINING RECLAMATION FUND; AND

(2) (1) IN ANY COUNTY IN WHICH COAL IS REMOVED, THE COUNTY FISCAL AUTHORITY SHALL ASSESS A 6 CENT MINE-RECLAMATION SURCHARGE FOR EACH TON OF COAL REMOVED FROM--THE--COUNTY BY THE OPEN-PIT OR STRIP METHOD, WHICH AMOUNT SHALL BE PAID DIRECTLY TO THE COUNTY FISCAL AUTHORITY ON A MONTHLY BASIS.

(ii) 1. TO THE EXTENT RECORDED WITH THE CLERK OF THE CIRCUIT COURT, ALL UNPAID COUNTY SURCHARGES COLLECTED UNDER THIS PARAGRAPH ARE, UNTIL PAID, A LIEN ON THE PERSONAL PROPERTY AND ON THE REAL PROPERTY OF THE OWNER OF THE PERSONAL PROPERTY IN THE SAME MANNER IN WHICH TAXES ON REAL PROPERTY ARE NOW LIENS ON THE REAL PROPERTY WITH RESPECT TO WHICH THEY ARE LEVIED IN ALL SUBDIVISIONS OF THE STATE.

2. THE LIEN WILL ATTACH TO THE REAL PROPERTY ONLY AFTER NOTICE THEREOF HAS BEEN DULY RECORDED AND INDEXED AMONG THE JUDGMENT RECORDS IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN THE COUNTY WHERE THE LAND LIES.

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