

BY repealing and reenacting, with amendments,

Article - Natural Resources
Section 7-514(a) and 7-519
Annotated Code of Maryland
(1983 Replacement Volume and 1987 Supplement)

BY adding to

Article - Natural Resources
Section 7-514.1
Annotated Code of Maryland
(1983 Replacement Volume and 1987 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Natural Resources

7-505.

(e) In addition to any fee required in this subtitle, each applicant for a permit to mine coal by open-pit or strip method shall pay to the Department, before the permit is issued, a special reclamation fee of \$75 for each acre of land affected. The fee shall be paid only when an acre is initially permitted. This fee shall be deposited in the Bituminous Coal Open-Pit Mining Reclamation Fund. The payment shall be based on the same number of acres as that for which a bond is required. Notwithstanding the provisions of § 7-514 of this subtitle, the Secretary shall use the funds produced by the fee under this subsection to backfill, grade, and plant areas affected by open-pit mining where the funds received from forfeiture on bonds, cash, securities, and other collateral are not sufficient to do the necessary backfilling, grading, and planting. However, if at any time the money produced by this fee and at that time in the Bituminous Coal Open-Pit Mining Reclamation Fund exceed the sum of \$750,000, then the Secretary may use this excess money in accordance with the provisions of § 7-514 of this subtitle.

7-514.

(a) (1) 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.