

Article - Natural Resources

7-902.

It is the intention of the General Assembly to promote the reclamation of mined areas left without adequate reclamation which continue to degrade the quality of the environment, prevent or damage the beneficial use of land or water resources, or endanger use of land or water resources, or endanger the health or safety of the public. To accomplish these objectives, the Department is hereby authorized to administer an abandoned mine reclamation program consistent with the requirements of the federal Surface Mining Control and Reclamation Act.

7-903.

(A) [Any] EXCEPT FOR FUNDS DEPOSITED IN THE ACID MINE DRAINAGE ABATEMENT AND TREATMENT FUND UNDER SUBSECTION (B) OF THIS SECTION, ANY funds the Department receives pursuant to Title IV of the federal Surface Mining Control and Reclamation Act of 1977 shall be deposited [to the credit of the State Treasurer. These funds], together with any other funds appropriated for the purposes of this subtitle, [shall be maintained] in a special fund on the books of the Comptroller of the Treasury in an account known as the "Federal-State Reclamation Fund". The Department shall use the funds to accomplish the purposes of this subtitle in accordance with the provisions of this subtitle. The provisions of this subtitle shall apply only to the "Federal-State Reclamation Fund".

(B) (1) THERE IS AN ACID MINE DRAINAGE ABATEMENT AND TREATMENT FUND IN THE DEPARTMENT.

(2) FUNDS GRANTED TO THE DEPARTMENT FOR ACID MINE DRAINAGE ABATEMENT AND TREATMENT UNDER TITLE IV OF THE FEDERAL SURFACE MINING CONTROL AND RECLAMATION ACT OF 1977, AS AMENDED THROUGH OCTOBER 1, 1992, MAY BE DEPOSITED BY THE DEPARTMENT INTO THE ACID MINE DRAINAGE ABATEMENT AND TREATMENT FUND.

(3) FUNDS DEPOSITED INTO THE ACID MINE DRAINAGE ABATEMENT AND TREATMENT FUND, TOGETHER WITH ALL INTEREST EARNED ON THOSE FUNDS, SHALL REMAIN AVAILABLE UNTIL EXPENDED AND MAY NOT REVERT TO THE GENERAL FUND.

(4) THE DEPARTMENT MAY EXPEND FUNDS DEPOSITED INTO THE ACID MINE DRAINAGE ABATEMENT AND TREATMENT FUND AND ANY INTEREST ACCRUED ONLY TO ABATE AND TREAT ACID MINE DRAINAGE IN ACCORDANCE WITH THE PROVISIONS OF TITLE IV OF THE FEDERAL SURFACE MINING CONTROL AND RECLAMATION ACT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1992.

Approved May 26, 1992.