
By: **Senator Hafer**

Introduced and read first time: March 1, 2005

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, March 4, 2005

Committee Report: Favorable

Senate action: Adopted

Read second time: March 24, 2005

CHAPTER _____

1 AN ACT concerning

2 **Mining - Bond Supplement Reserve - Payments and Assessments**

3 FOR the purpose of altering the amount of money needed in a certain bond
4 supplement reserve to temporarily end a certain payment, to temporarily end a
5 certain assessment, and to resume a certain assessment; and generally relating
6 to payments and assessments for a bond supplement reserve in the Bituminous
7 Coal Open-Pit Reclamation Fund.

8 BY repealing and reenacting, with amendments,
9 Article - Environment
10 Section 15-517
11 Annotated Code of Maryland
12 (1996 Replacement Volume and 2004 Supplement)

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

15 **Article - Environment**

16 15-517.

17 (a) The Secretary shall establish within the Bituminous Coal Open-Pit
18 Mining Reclamation Fund a bond supplement reserve to be used if funds received
19 from the forfeiture of bonds under § 15-514 of this subtitle are not sufficient:

20 (1) To reclaim the land affected by the operation on which the liability
21 was charged on the bond; and

1 (2) To perform:

2 (i) The requirements of this subtitle;

3 (ii) The requirements of regulations adopted under this subtitle;
4 and

5 (iii) Any permit condition that the operator has failed to perform.

6 (b) The Secretary shall deposit to the credit of the bond supplement reserve
7 the following funds:

8 (1) A portion of the assessment under § 15-509(b)(1) of this subtitle
9 equal to 2 cents for each ton of coal produced for the month;

10 (2) The amount of the assessment under § 15-509(b)(2) of this subtitle;
11 and

12 (3) The amount of the assessment under § 15-509(d) of this subtitle.

13 (c) When the amount of money in the bond supplement reserve equals or
14 exceeds [\$300,000] \$750,000 at the end of the month, deposits into the reserve of the
15 amounts provided in subsection (b)(1) and (2) of this section shall end temporarily.

16 (d) The assessment under § 15-509(d) of this subtitle shall end temporarily for
17 any month when:

18 (1) The amount of money in the bond supplement reserve equals or
19 exceeds [\$300,000] \$750,000 at the end of the month;

20 (2) An amount equal to the amount paid to the bond supplement reserve
21 under subsection (b)(1) of this section from the assessment under § 15-509(d) of this
22 subtitle has been credited to the Bituminous Coal Open-Pit Mining Reclamation
23 Fund; and

24 (3) An amount equal to the amount paid to the bond supplement reserve
25 under subsection (b)(2) of this section from the assessment under § 15-509(d) of this
26 subtitle has been remitted to the fiscal authority of the county in which the coal was
27 removed.

28 (e) At the end of any month when the amount of money in the bond
29 supplement reserve is reduced below [\$200,000] \$500,000:

30 (1) The assessment under § 15-509(d) of this subtitle shall resume; and

31 (2) Deposits into the bond supplement reserve of the amounts in
32 subsection (b)(1), (2), and (3) of this section shall resume.

33 (f) The Secretary shall notify each county when remitting or suspending the
34 remittance of the amount under § 15-509(b)(2) of this subtitle.

1 (g) The Secretary shall meet and confer with the Land Reclamation
2 Committee at least 30 days before procuring any services for which funds from the
3 bond supplement reserve will be used, and shall provide the Committee an
4 opportunity to submit comments and recommendations about the proposed
5 expenditure.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2005.