

Chapter 112

(House Bill 210)

AN ACT concerning

Environment – Mining – Acid Mine Drainage Abatement and Treatment Fund

FOR the purpose of conforming State law to federal law as it relates to the percentage of funding available for certain acid mine drainage activities; and generally relating to the Acid Mine Drainage Abatement and Treatment Fund.

BY repealing and reenacting, with amendments,
Article – Environment
Section 15–1103
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

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

Article – Environment

15–1103.

(a) 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, together with any other funds appropriated for the purposes of this subtitle, 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, 2011.

Approved by the Governor, April 12, 2011.