
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No.

329

Session of

1961

INTRODUCED BY MESSRS. PECHAN AND KROMER,
MARCH 6, 1961.

REFERRED TO COMMITTEE ON MINES & MINERAL
INDUSTRIES, MARCH 6, 1961.

AN ACT

Amending the act of May 31 1945 (P L 1198) entitled "An act providing for the conservation and improvement of land affected in connection with the mining of bituminous coal by the open pit mining method regulating such mining and providing penalties" providing that forfeitures for failure or refusal to comply with requirements for back-filling and planting shall upon request be made available to county commissioners for performance of such acts subject to rules and regulations of the Department of Mines and Mineral Industries

EXPLANATION—CAPITAL LETTERS indicate new matter added to bill. Matter struck-through is to be omitted from bill. Underlining indicates new matter added to existing law. [Brackets] indicate matter struck from existing law.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 18 act of May 31 1945 (P L 1198) known as the
1 "Bituminous Coal Open Pit Mining Conservation Act" amended August
2 19, 1953 (P L 1115) is amended to read-

3 Section 18 All funds received by the Secretary of Mines and Min-
4 eral Industries from registration fees and from forfeiture of bonds and
5 of cash deposits and securities shall be held by the State Treasurer in
6 a special fund separate and apart from all other moneys in the State
7 Treasury to be known as the "Bituminous Coal Open Pit Mining Re-
8 clamation Fund" and shall be used by the Secretary of Mines and Min-
9 eral Industries for the sole purpose of foresting or reclaiming land af-
10 fected by open pit mining of bituminous coal and for such purposes
11 are hereby specifically appropriated to the Department of Mines and and
12 Mineral Industries Funds received from the forfeiture of bonds and
13 collateral shall be expended by the Secretary of Mines and Mineral
14 Industries upon lands situated in the county in which the operation
15 upon which liability was charged on the bond is located for back-filling
16 or planting or shall be made available by the Secretary of Mines and
17

1 Mineral Industries to the county commissioners of said county as pro-
2 vided in section 18.3 of this act

3 Section 2 The act is amended by adding after section 18.2 a new
4 section to read

5 Section 18.3 (a) The Secretary of Mines and Mineral Industries
6 shall notify the county commissioners of each county in which a bond or
7 portion thereof or money or securities are hereafter forfeited by an
8 operator for failure or refusal to comply with the requirements of this
9 act as to land situated in that county The Secretary of Mines and Min-
10 eral Industries shall also so notify the county commissioners of any
11 such forfeitures heretofore made and upon which said department has
12 not undertaken restoration

13 (b) Upon the receipt of such notification with accompanying maps
14 indicating the location of the land the county commissioners may re-
15 quest the Secretary of Mines and Mineral Industries to make the pro-
16 ceeds from the forfeitures relating to such land available to them so
17 that the said county commissioners may arrange for and perform by use
18 of local labor equipment and material the backfilling and planting re-
19 quired by this act

1 (c) Upon the receipt of any such request by the county commis-
2 sioners the Secretary of Mines and Mineral Industries shall subject to
3 such rules and regulations relating to employes materials equipment
4 completion dates inspections accountings and other related matters as he
5 shall deem necessary make such forfeitures available to the county com-
6 missioners who shall then be responsible for the back-filling and planting
7 required by this act

We certify that this bill has passed the Senate and the House of
Representatives.

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Chief Clerk, Senate

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President pro tempore, Senate

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Speaker, House of Representatives

Approved The day of A. D. 1961.

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Governor