

No. 1981-127

## AN ACT

## HB 1519

Amending the act of August 23, 1961 (P.L.1068, No.484), entitled, as reenacted and amended, "An act to provide for the creation and administration of a Coal and Clay Mine Subsidence Insurance Fund within the Department of Environmental Resources for the insurance of compensation for damages to subscribers thereto; declaring false oaths by the subscribers to be misdemeanors; providing penalties for the violation thereof; and making an appropriation," allowing the excess of premiums over disbursements to be allocated to the cost of administering the fund.

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

Section 1. Section 10, act of August 23, 1961 (P.L.1068, No.484), entitled, as reenacted and amended, "An act to provide for the creation and administration of a Coal and Clay Mine Subsidence Insurance Fund within the Department of Environmental Resources for the insurance of compensation for damages to subscribers thereto; declaring false oaths by the subscribers to be misdemeanors; providing penalties for the violation thereof; and making an appropriation," reenacted and amended November 27, 1972 (P.L.1243, No.278), is amended to read:

Section 10. Disbursements from Fund.—(a) Moneys from the general appropriation of the Department of Environmental Resources are hereby made available for the expense of administering the fund including the purchase through the Department of **[Property and Supplies] General Services** of surety bonds for such officers or employes of the board as may be required to furnish them supplies, materials, motor vehicles, workmen's insurance covering the officers and employes of the board, and liability insurance covering vehicles operated by the officers and employes of the board.

(b) Moneys from the general appropriation of the Department of Environmental Resources shall also be available for payment, to the Insurance Department, of the cost incurred by that department in examining and auditing the fund in such amounts as the Insurance Department shall determine, and for payment, to the Treasury Department, of the cost of making disbursements out of the fund on behalf of the fund at such amounts as the Treasury Department, with the approval of the Executive Board, shall determine.

(c) The board shall keep an accurate account of the money paid in premiums by the subscribers and the disbursements on account of damages to the premises thereof, **[and on account of administering the fund,]** and if at the expiration of any year there shall be a balance remaining after deducting such disbursements, the unearned premiums on undetermined risks and the percentage of premiums paid or payable

to create or maintain the surplus provided herein, and after setting aside an adequate reserve, so much of the balance as the board may determine to be safely distributable [~~shall~~] *may either be allocated to the cost of administering the fund or* be distributed among the subscribers in proportion to the premiums paid by them and the proportionate share of such subscribers as shall remain subscribers to the fund shall be credited to the installment of premiums next due by them and the proportionate share of such subscribers as shall have ceased to be subscribers in the fund shall be refunded to them out of the fund in the manner hereinafter provided.

Section 2. This act shall take effect immediately.

APPROVED—The 20th day of November, A. D. 1981.

DICK THORNBURGH