

No. 1982-322

AN ACT

SB 849

Amending the act of January 19, 1968 (1967 P.L.996, No.443), entitled "An act authorizing the creation of indebtedness of five hundred million dollars for the conservation and reclamation of land and water resources; defining the powers and duties of certain offices, agencies and political subdivisions; providing for the allotment of proceeds hereunder including Commonwealth grants; prescribing standards and making appropriations," granting the Secretary of Environmental Resources the right to enter certain premises for the purpose of conserving and reclaiming land and water resources; providing for the liens upon such land; providing for the promulgation of rules and regulations and providing for rights of recovery for abatement of emergency conditions; establishing an account to receive and disburse Federal funds; and reappropriating lapsed funds.

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

Section 1. The first paragraph of clause (1) of subsection (a) of section 16, act of January 19, 1968 (1967 P.L.996, No.443), known as "The Land and Water Conservation and Reclamation Act," amended October 10, 1980 (P.L.921, No.158), is amended to read:

Section 16. Allotment of Moneys.—(a) The moneys received by the Commonwealth from the issuance and sale of bonds and notes pursuant to this act when appropriated by the General Assembly from the development fund shall be allotted for the following specific purposes:

(1) To the Department of Environmental Resources the sum of two hundred million dollars (\$200,000,000) for the elimination of land and water scars created by past mining practices, **[one hundred thirty million dollars (\$130,000,000)]** *one hundred twenty million dollars (\$120,000,000)* of which shall be used for the prevention, control and elimination of stream pollution from mine drainage, the restoration of abandoned strip mine areas, or the elimination or control of abandoned mine conditions detrimental to public health and safety, twenty million dollars (\$20,000,000) of which shall be used for the prevention, control and elimination of air pollution from abandoned burning coal refuse banks provided such land and bank material is publicly owned, and **[fifty million dollars (\$50,000,000)]** *sixty million dollars (\$60,000,000)* of which shall be used for the prevention of surface subsidence and elimination of subsidence hazards above abandoned mine operations, for the sealing of abandoned deep mines, for the control and extinguishment of surface and underground fires from abandoned mines and for administration expenses attendant thereto.

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Section 2. Subsection (e) of section 20 of the act, added October 10, 1980 (P.L.921, No.158), is amended to read:

Section 20. Appropriations.—***

(e) All moneys lapsed under clause (1) of subsection (a) of section 16 are hereby appropriated for four fiscal years beginning July 1, 1979, to the Department of Environmental Resources for the purposes specified in clause (1) of subsection (a) of section 16. Expenditures from such appropriation shall not be subject to the limitation set forth in subsection (c) of section 16. The balance of the foregoing appropriation *together with such other appropriations made for the purpose of clause (1) of subsection (a) of section 16* which remains unexpended, unencumbered or uncommitted after June 30, 1983, shall ~~[lapse]~~ *not lapse but shall remain to the credit of the Department of Environmental Resources until expended in accordance with the provisions of this appropriation.*

Section 3. This act shall take effect immediately.

APPROVED—The 17th day of December, A. D. 1982.

DICK THORNBURGH