

duct of persons licensed by the board, and to enforce licensing sanctions for failure to implement such procedures.

Sec. 5. Minnesota Statutes 1982, section 626.849, is amended to read:
626.849 SCHEDULE OF SUBJECT MATERIAL.

The superintendent of the bureau of criminal apprehension shall prepare not later than August 1 each year a written schedule of subject material to be taught in each training course, the scheduled instructors for each subject and the time and place for each subject presentation. This material shall be presented to the board. The subject material, instructors and schedules may be approved or disapproved by a majority vote of the board before September 1 each year and if disapproved, the proposal shall be revised and re-presented to the board for their review in like manner.

Upon request of the board to the bureau of criminal apprehension, the subject matter of at least one training course shall include instruction in the development of procedures by a law enforcement agency to investigate and resolve allegations of misconduct by persons licensed by the board and employed by a law enforcement agency.

Sec. 6. **EFFECTIVE DATE.**

This act is effective the day following final enactment. Section 2 applies to all releases or discharges occurring before, on, or after that date.

Approved June 6, 1983

CHAPTER 270 — S.F.No. 238

An act relating to mining; including peat within the provisions of mineland reclamation laws; requiring adoption of certain reclamation rules prior to issuance of metallic mining permits; amending Minnesota Statutes 1982, sections 93.44; 93.46, subdivisions 2 and 6; and 93.481, by adding a subdivision; proposing new law coded in Minnesota Statutes, chapter 93.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1982, section 93.44, is amended to read:
93.44 DECLARATION OF POLICY.

In recognition of the effects of mining upon the environment, it is hereby declared to be the policy of this state to provide for the reclamation of certain lands hereafter subjected to the mining of metallic minerals or peat where such reclamation is necessary, both in the interest of the general welfare and as an

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exercise of the police power of the state, to control possible adverse environmental effects of mining, to preserve the natural resources, and to encourage the planning of future land utilization, while at the same time promoting the orderly development of mining, the encouragement of good mining practices, and the recognition and identification of the beneficial aspects of mining.

Sec. 2. Minnesota Statutes 1982, section 93.46, subdivision 2, is amended to read:

Subd. 2. "Mining area" or "Area subjected to mining" means any area of land from which material is hereafter removed in connection with the production or extraction of metallic minerals or peat, the lands upon which material from such mining is hereafter deposited, the lands upon which beneficial plants and auxiliary facilities are hereafter located, the lands upon which the water reservoirs used in the mining process are hereafter located, and auxiliary lands which are hereafter used or intended to be used in a particular mining operation.

Sec. 3. Minnesota Statutes 1982, section 93.46, subdivision 6, is amended to read:

Subd. 6. "Operator" means any owner or lessee of mineral rights or peat rights engaged in or preparing to engage in mining operations with respect thereto.

Sec. 4. **[93.461] PEAT INCLUDED IN MINELAND RECLAMATION.**

Sections 93.46 to 93.51 apply to peat in the same manner as to metallic minerals, to the greatest extent practicable, with the following exceptions:

(a) For the purposes of sections 93.46 to 93.51, "peat mining" means the removal of peat for commercial purposes, including activities associated with the removal. "Peat mining" does not include removal of peat which is incidental to the harvesting of an agricultural or horticultural crop, or to mining of a metallic mineral that is subject to a mineland reclamation rule and a permit to mine.

(b) No permit to mine peat is required under section 93.481 until 180 days after the effective date of rules promulgated to regulate peat mining and reclamation. The rules shall be adopted by July 1, 1985.

(c) No permit is required for a peat mining operation of 40 acres or less, unless the commissioner determines that there is potential for significant environmental effects which may result from the peat mining operation. A person intending to engage in or carry on a peat mining operation of 40 acres or less, if the intended operation involves removal of more than 1,000 tons of air-dried peat per year, shall notify the commissioner in writing before beginning any mining, specifying the legal description of the tract to be mined and the mining methods to be used. Within 20 days after receipt of written notice of intent to mine such

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a tract, or after receiving additional information requested, the commissioner shall notify the person of his decision to require, or not to require, a permit.

Sec. 5. Minnesota Statutes 1982, section 93.481, is amended by adding a subdivision to read:

Subd. 6. RECLAMATION RULES REQUIRED BEFORE ISSUANCE OF A PERMIT TO MINE. Except for taconite and iron ore mining permits, no permit to mine metallic minerals may be issued by the commissioner until rules relating to reclamation of metallic mineral minelands have been amended, or new rules adopted, under sections 93.44 to 93.51 and in the manner provided in chapter 14, for the reclamation of minelands of the class for which the permit application is submitted. This section does not apply to metallic minerals which are mined incidentally to the mining of a mineral included in any mineland reclamation rule and covered by the permit to mine which has been issued for the mining project.

Sec. 6. **EFFECTIVE DATE.**

This act is effective the day following final enactment.

Approved June 6, 1983

CHAPTER 271 — S.F.No. 253

An act relating to public welfare; retroactively exempting certain health maintenance organizations from the four percent medical assistance payment reduction.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **EXEMPTION.**

The commissioner of public welfare shall not apply the provisions of Laws 1982, Third Special Session chapter 1, article II, section 2, subdivision 4, clause (a)(4), to any medical assistance vendor that has a risk-based contract with the commissioner, in effect at any time between January 1, 1983, and June 30, 1983, under which payment is made on a prospective capitation basis.

Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective the day following final enactment and applies retroactively and prospectively to payments for the period January 1 to June 30, 1983, to vendors described in section 1.

Approved June 6, 1983

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