

Sec. 4. [144.804] Standards. Subdivision 1. No publicly or privately owned ambulance service shall be operated in the state of Minnesota unless the drivers and any attendants possess a current advanced American Red Cross first aid certificate or an advanced first aid certificate issued by the United States bureau of mines or other first aid certificate issued by the state board of health.

Subd. 2. Every ambulance, when in service, shall be equipped with and carry the minimal equipment recommended by the American College of Surgeons.

Subd. 3. All ambulances offering emergency service, whether publicly or privately owned, shall offer ambulance service 24 hours per day every day of the year.

Subd. 4. Nothing in this act shall prevent operation of a police emergency vehicle by one person nor affect any statute or regulatory authority vested in the department of highways concerning automotive equipment and safety requirements.

Sec. 5. [144.805] Chauffeurs licenses. Any person driving an ambulance shall have a valid Minnesota driver's license. A chauffeur's license issued under Minnesota Statutes, Sections 168.39 to 168.44 is not required to drive an ambulance in Minnesota except that any person other than a fireman or law enforcement officer shall be required to possess a chauffeur's license to drive an ambulance based within a city of the first class.

Sec. 6. [144.806] Penalties. Any person who violates a provision of this act is guilty of a misdemeanor.

Sec. 7. Effective date. This act is effective on July 1, 1970.

Approved May 27, 1969

CHAPTER 774—H. F. No. 1207

[Coded]

An act relating to mining; establishing an iron range trail; granting the commissioner of conservation certain powers and duties in regard to mineland reclamation; providing penalties; appropriating money.

Be it enacted by the Legislature of the State of Minnesota:

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Section 1. [93.44] Conservation; mining; land reclamation; 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 where such reclamation is necessary, both in the interest of the general welfare and as an 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. [93.45] Iron range trail: establishment, commissioner's duties. Subdivision 1. In recognition of the unique combination of cultural, geological, industrial, historical, recreational, and scenic characteristics of Minnesota's iron ranges, an "Iron Range Trail" is hereby established on the Vermilion, Mesabi, and Cuyuna iron ranges and at related points on Lake Superior. The commissioner of conservation shall establish, develop, and maintain the trail, and related places of interest under his jurisdiction and control, for the purposes specified in this subdivision. The trail need not be continuous between or within ranges and related points, but shall be developed as a coordinated unit and for multiple use. The commissioner, in cooperation with other state agencies, local governments, and private organizations and individuals shall mark and, where necessary, interpret places of cultural, geological, industrial, historical, recreational, and scenic interest. In cooperation with state and local road authorities, local governments, and private organizations and individuals, the commissioner also shall mark access, where available, to these places of interest from public roads and highways.

Subd. 2. The commissioner may acquire by gift or purchase necessary trail easements and related interest in and across lands not under his jurisdiction and control. The commissioner also may enter into contracts, leases, or other agreements with the operator or the owner of active or inactive mine areas and with the person having the right of possession thereof for the use and development of these areas for iron range trail purposes. The commissioner may develop, maintain, and operate such areas or may enter into contracts with third parties for the development, maintenance, or operation of the areas. If the commissioner enters into such a contract with a third party, the contract shall provide that the operator, owner and any person entitled to possession or control of the area shall be held harmless and indemnified by the third party from and against any

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and all claims for injuries or damage to person or property, from such use or development. Nothing in this section prohibits a person from asserting any claim for alleged damages which may be presented to the state claims commission pursuant to Minnesota Statutes, Sections 3.66 to 3.84.

Sec. 3. [93.46] Definitions. Subdivision 1. For the purposes of sections 3 to 8, the terms defined in this section have the meanings given to them.

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, the lands upon which material from such mining is hereafter deposited, the lands upon which beneficiating 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.

Subd. 3. "Tailings basin" means that area of land upon which is hereafter deposited by hydraulic means the material which is separated from the mineral product in the beneficiation of metallic minerals including any surrounding dikes constructed to contain said material.

Subd. 4. "Stockpile" means any material including, but not limited to surface, rock, or lean ore, which in the process of mining and beneficiation has been removed from the earth and stored elsewhere on the surface thereof.

Subd. 5. "Department" means the department of conservation.

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

Subd. 7. "Person" includes firms, partnerships, corporations, and other groups.

Subd. 8. "Commissioner" means the commissioner of conservation.

Sec. 4. [93.47] Duties and authority of commissioner. Subdivision 1. The commissioner shall conduct a comprehensive study and survey in order to determine, consistent with the declared policy of this act, the extent to which regulation of mining areas is necessary in the interest of the general welfare.

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Subd. 2. In determining the extent and type of regulation required, the commissioner shall give due consideration to the effects of mining upon the following: (a) environment; (b) the future utilization of the land upon completion of mining; and (c) the wise utilization and protection of the natural resources including but not limited to the control of erosion, the prevention of land or rock slides, and air and water pollution. The commissioner also shall give due consideration to (a) the future and economic effect of such regulations upon the mine operators and landowners, the surrounding communities, and the state of Minnesota; (b) the effect upon employment in the state; (c) the effect upon the future mining and development of metallic minerals owned by the state of Minnesota and others, and the revenues received therefrom; and (d) the practical problems of the mine operators and mineral owners:

Subd. 3. Upon completion of his study and survey and consistent with the declared policy of this act, the commissioner, pursuant to Minnesota Statutes, Chapter 15, may adopt rules and regulations pertaining to that portion of mining operations conducted subsequent to the effective date of such rules and regulations and subject to the provisions of any rights existing pursuant to any permit, license, lease or other valid existing authorization issued by the commissioner, the Pollution Control Agency or any other governmental entity, or their predecessors in office, and subject to any applicable mine safety laws or regulations now existing or hereafter adopted, for the following purposes: (a) the regulation of those tailings basins which are located in close proximity to the built-up portions of established communities and which will or might cause nuisance conditions; (b) The vegetation or other practical treatment of tailings basins upon becoming permanently inactive where substantial natural vegetation is not expected within five years and where research reveals that vegetation can reasonably be accomplished within practical limitations; (c) The regulation of those stockpiles where land or rock slides are occurring or are likely to occur which might injure persons or cause damage to adjacent property not used or intended for use in a mining operation; (d) The regulation of those stockpiles where erosion is occurring or is likely to occur which results or may result in injury or damage to fish and wildlife, the pollution of public waters, or which is causing or might cause injury to the property or person of others; (e) The vegetation, sloping, terracing or other practical treatment of the exposed surface of any stockpile which is hereafter placed at a site then in close proximity to any state trunk highway or county state-aid road or to the built-up portion of any community; (f) The stabilization of the surface overburden banks of taconite open pits where such banks are located along the footwall side of said pits;

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(g) The control of surface overburden stockpiles; and (h) The clean up of plantsite and mining areas and the removal of debris therefrom upon the termination of the mining operation.

Subd. 4. The commissioner shall administer and enforce this act and the rules and regulations adopted pursuant hereto. In so doing he may (a) conduct such investigations and inspections as he deems necessary for the proper administration of the act; (b) enter upon any parts of the mining areas in connection with any such investigation and inspection without liability to the operator or landowner provided that reasonable prior notice of his intention to do so shall have been given the operator or landowner; (c) conduct such research or enter into contracts related to mining areas and the reclamation thereof as may be necessary to carry out the provisions of sections 3 to 7.

Subd. 5. For the purpose of information and to assist the commissioner in the proper enforcement of the rules and regulations promulgated under this act each operator shall within 120 days of the effective date of the act, file with the commissioner a plan map in such form as shall be determined by the commissioner showing all existing mining areas or areas subjected to mining by said operator. Annually thereafter, on or before the 15th day of March, he shall file a plan map in similar form showing any changes made during the preceding calendar year and the mining area which he anticipates will be subjected to mining during the current calendar year. The commissioner shall periodically at such times as he deems necessary ascertain the long range land environment plans of said operator.

Sec. 5. **[93.48] Variance.** The commissioner may, upon application by the landowner or mine operator, modify or permit variance from the established rules and regulations adopted hereunder if he shall determine that such modification or variance is consistent with the general welfare.

Sec. 6. **[93.49] Bond of operator.** The commissioner, if he has reasonable doubts as to the operator's financial ability to comply with the rules and regulations relative to actions required to be taken after the completion of such mining operations or any phase thereof, may require a mine operator to furnish a performance bond or other security or assurance satisfactory to the commissioner. The commissioner, in considering the application of this section, may postpone the bond, security or assurance required in this section to a subsequent date depending upon the life of the particular mining operation involved.

Sec. 7. **[93.50] Appeal.** Any person aggrieved by any order, ruling, or decision of the commissioner may appeal such

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order, ruling, or decision in the manner provided in Minnesota Statutes, Chapter 15.

Sec. 8. [93.51] **Penalties for violation.** Any person who violates or refuses to comply with any regulation, decision, order or ruling of the commissioner shall upon conviction be guilty of a misdemeanor. At the request of the commissioner, the attorney general may institute a civil action in a district court of the state for a restraining order or injunction or other appropriate remedy to prevent or preclude a violation of the terms and conditions of any rules or regulations promulgated hereunder. The district court of the state of Minnesota in which district the mining operation affected is conducted shall have jurisdiction to issue such order or injunction or to provide other appropriate remedies.

Sec. 9. **Appropriation.** The sum of \$40,000 is appropriated from the general revenue fund to the commissioner of conservation for the following purposes: (1) Establishing, developing, and maintaining the Iron Range Trail; (2) Conducting experiments and demonstration projects relating to the reclamation of minelands; and (3) Carrying out studies, promulgating rules and regulations, and administering and enforcing rules and regulations relating to the regulation of mining areas. Notwithstanding the provisions of Minnesota Statutes, Section 16.17, or any other provision of law relating to the lapse of an appropriation, the appropriation made by this section shall not lapse but shall continue until the amount thereof is fully expended.

Approved May 27, 1969.

CHAPTER 775—H. F. No. 1231

[Not Coded]

An act relating to certain independent school districts in the counties of Ramsey and Washington; authorizing the creation of an intermediate school district and school board; defining the powers relating thereto; and authorizing a tax levy.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **Ramsey and Washington counties; intermediate school district; establishment.** Notwithstanding any other law to the contrary, two or more of the independent school districts num-

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