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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 2937

03/16/2023 Authored by Igo
The bill was read for the first time and referred to the Committee on Capital Investment

1.1 A bill for an act
1.2 relating to capital investment; appropriating money for the Canisteo flood hazard
1.3 mitigation project to mitigate threats to public safety, property, and regional water
1.4 quality; authorizing the sale and issuance of state bonds.

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

1.6 Section 1. CANISTEO LEGACY MINE PIT COMPLEX; APPROPRIATION.

1.7 (a) \$8,875,000 in fiscal year 2024 is appropriated from the general fund to the
1.8 commissioner of natural resources for the acquisition of land or leases and for permitting
1.9 and construction of publicly owned infrastructure to mitigate the imminent threat to public
1.10 safety, property, and regional water quality from the rising water at the Canisteo Legacy
1.11 Mine Pit complex.

1.12 (b) Notwithstanding Minnesota Statutes, sections 92.50 and 282.04, or other law to the
1.13 contrary, the commissioner and the county may enter into leases for this project for a term
1.14 that is consistent with meeting project needs and Minnesota Statutes, section 16A.695. A
1.15 lease entered into under this subdivision must include a provision that provides for the
1.16 amendment or termination of the lease when: (1) the commissioner of natural resources
1.17 determines that the project is no longer needed to serve the intended purpose or identifies
1.18 a more effective alternative to the constructed project; or (2) mining operations are fully
1.19 permitted to resume in all or part of the property acquired or improved with state bond
1.20 proceeds, consistent with Minnesota Statutes, section 16A.695.

1.21 (c) Upon substantial completion of the project authorized in this section and after written
1.22 notice to the commissioner of management and budget, the commissioner of natural resources

2.1 may use any money remaining in this appropriation to engineer, design, and construct water
2.2 mitigation infrastructure at the Hill Annex Legacy Mine Pit complex.

2.3 (d) This appropriation is available until the project is completed or abandoned, subject
2.4 to Minnesota Statutes, section 16A.642.

2.5 **Sec. 2. CANISTEO LEGACY MINE MANAGEMENT ACCOUNT.**

2.6 Subdivision 1. **Creation.** The Canisteo Legacy Mine management account is established
2.7 in the state treasury. The account consists of any money credited or transferred to it by law
2.8 and any income earned on money in the account. Any interest or profit accruing from
2.9 investment of these sums is credited to the account. Money shall be appropriated and
2.10 transferred into the account.

2.11 Subd. 2. **Investment.** Money in the account may be invested pursuant to law by the
2.12 State Board of Investment.

2.13 Subd. 3. **Appropriation; purpose.** (a) Money in the account is appropriated to the
2.14 commissioner of natural resources and may only be spent for items related to the management
2.15 of rising water in the Canisteo Legacy Mine Pit complex, as described in this act, to mitigate
2.16 the threat to public safety, property, and regional water quality.

2.17 (b) \$180,000 in fiscal year 2024 and \$180,000 in fiscal year 2025 are appropriated for
2.18 operations and maintenance of the Canisteo Legacy Mine Pit complex. This appropriation
2.19 may be spent on pumping costs.

2.20 (c) \$1,240,000 in fiscal year 2024 is appropriated for pumping costs at the Canisteo
2.21 Legacy Mine Pit complex. Up to \$710,000 of this appropriation is available for transfer to
2.22 the commissioner of Iron Range Resources and Rehabilitation for the reimbursement of
2.23 costs incurred in fiscal year 2023.

2.24 (d) \$30,000 in fiscal year 2024 is appropriated for reimbursement of costs incurred by
2.25 the commissioner of natural resources in fiscal year 2023.

2.26 **Sec. 3. TRANSFER.**

2.27 \$1,630,000 in fiscal year 2024 is transferred from the general fund to the Canisteo Legacy
2.28 Mine management account established in section 2.