

1.1 moves to amend H.F. No. 400 as follows:

1.2 Page 10, line 25, delete "required work program" and insert "grant agreement"

1.3 Page 10, line 33, delete "work program" and insert "grant agreement"

1.4 Page 11, line 27, delete "required work program" and insert "grant agreement"

1.5 Page 12, line 34, delete "required work program" and insert "grant agreement"

1.6 Page 14, line 26, delete "work program" and insert "grant agreement"

1.7 Page 14, line 29, delete "work program" and insert "grant agreement"

1.8 Page 15, line 5, delete "required work program" and insert "grant agreement"

1.9 Page 15, line 14, delete "work program" and insert "grant agreement"

1.10 Page 16, line 21, delete "work program" and insert "grant agreement"

1.11 Page 17, line 4, delete "required work program" and insert "grant agreement"

1.12 Page 17, line 13, delete "work program" and insert "grant agreement"

1.13 Page 33, delete lines 32 to 35

1.14 Page 34, delete lines 1 to 20

1.15 Reletter the paragraphs in sequence

1.16 Page 36, line 34, delete "work program" and insert "grant agreement"

1.17 Page 38, line 27, delete "work program" and insert "grant agreement"

1.18 Page 38, line 33, delete "approved work program" and insert "grant agreement"

1.19 Page 39, line 3, delete "work program" and insert "grant agreement"

1.20 Page 39, line 6, delete "work program" and insert "grant agreement"

1.21 Page 32, line 7, delete "\$591,000" and insert "\$473,000" and delete "\$591,000"

1.22 and insert "\$473,000"

1.23 Page 40, after line 25, insert:

1.24 "Sec. 3. Minnesota Statutes 2010, section 4.071, subdivision 2, is amended to read:

1.25 Subd. 2. **Minnesota resources projects.** The legislature intends to appropriate
1.26 one-half of the oil overcharge money for projects that have been reviewed and
1.27 recommended by the Legislative-Citizen Commission on Minnesota Resources. ~~A work~~

2.1 ~~plan must be prepared for each proposed project for review by the commission. The~~
2.2 ~~commission must recommend specific projects to the legislature.~~

2.3 Sec. 4. Minnesota Statutes 2010, section 84.0274, subdivision 7, is amended to read:

2.4 Subd. 7. **Disclosure.** When the state proposes to purchase lands for natural
2.5 resources purposes, the landowner shall be given a written statement in lay terms of the
2.6 rights and responsibilities provided for in subdivisions 5 and 6. Before a purchase can be
2.7 made, the landowner must sign a statement acknowledging in writing that the statement
2.8 has been provided and explained to the landowner. ~~Within 60 days following the date of~~
2.9 ~~final approval of Laws 1980, chapter 45B, the commissioner of natural resources shall~~
2.10 ~~submit a proposed form for the statement to the Legislative-Citizen Commission on~~
2.11 ~~Minnesota Resources. The commission shall review the proposed form for compliance~~
2.12 ~~with the intent of this section and shall make any changes which it deems proper.~~

2.13 Sec. 5. Minnesota Statutes 2010, section 89.022, subdivision 2, is amended to read:

2.14 Subd. 2. **Exemption.** The commissioner of natural resources may apply to the
2.15 ~~Legislative-Citizen Commission on Minnesota Resources~~ Minnesota Land Exchange
2.16 Board for an exemption from the exchange or sale requirements of subdivision 1 in
2.17 instances where it can be demonstrated that unique recreational, historical or scientific
2.18 values would be destroyed by the exchange or sale of tillable land or a farm homestead.
2.19 Exemptions shall be decided by the commission on an individual basis. If the application
2.20 for exemption is not decided by the commission within 90 days, the application shall
2.21 be deemed to have been denied.

2.22 Sec. 6. Minnesota Statutes 2010, section 116P.05, subdivision 2, is amended to read:

2.23 Subd. 2. **Duties.** (a) The commission shall recommend an annual or biennial
2.24 legislative bill for appropriations from the environment and natural resources trust fund and
2.25 shall adopt a strategic plan as provided in section 116P.08. Approval of the recommended
2.26 legislative bill requires an affirmative vote of at least 12 members of the commission.

2.27 (b) ~~The commission shall recommend expenditures to the legislature from the state~~
2.28 ~~land and water conservation account in the natural resources fund.~~

2.29 (c) ~~It is a condition of acceptance of the appropriations made from the Minnesota~~
2.30 ~~environment and natural resources trust fund, and oil overcharge money under section~~
2.31 ~~4.071, subdivision 2, that the agency or entity receiving the appropriation must submit~~
2.32 ~~a work program and semiannual progress reports in the form determined by the~~
2.33 ~~Legislative-Citizen Commission on Minnesota Resources, and comply with applicable~~

3.1 ~~reporting requirements under section 116P.16. None of the money provided may be spent~~
3.2 ~~unless the commission has approved the pertinent work program.~~

3.3 (d) The peer review panel created under section 116P.08 must also review, comment,
3.4 and report to the commission on research proposals applying for an appropriation from the
3.5 oil overcharge money under section 4.071, subdivision 2.

3.6 (e)(c) The commission may adopt operating procedures to fulfill its duties under
3.7 this chapter.

3.8 (f)(d) As part of the operating procedures, the commission shall:

3.9 (1) ensure that members' expectations are to participate in all meetings related to
3.10 funding decision recommendations;

3.11 (2) recommend adequate funding for increased citizen outreach and communications
3.12 for trust fund expenditure planning;

3.13 (3) allow administrative expenses as part of individual project expenditures based
3.14 on need;

3.15 (4) provide for project outcome evaluation;

3.16 (5) keep the grant application, administration, and review process as simple as
3.17 possible; and

3.18 (6) define and emphasize the leveraging of additional sources of money that project
3.19 proposers should consider when making trust fund proposals.

3.20 Sec. 7. Minnesota Statutes 2010, section 116P.09, subdivision 4, is amended to read:

3.21 Subd. 4. **Personnel.** Persons who are employed by a state agency to work on a
3.22 project and are paid by an appropriation from the trust fund are in the unclassified civil
3.23 service, and their continued employment is contingent upon the availability of money
3.24 from the appropriation. When the appropriation has been spent, their positions must be
3.25 canceled and the approved complement of the agency reduced accordingly. Part-time
3.26 employment of persons for a project is authorized. ~~The use of classified employees is~~
3.27 ~~authorized when approved as part of the work program required by section 116P.05,~~
3.28 ~~subdivision 2, paragraph (c).~~

3.29 Sec. 8. Minnesota Statutes 2010, section 290.431, is amended to read:

3.30 **290.431 NONGAME WILDLIFE CHECKOFF.**

3.31 Every individual who files an income tax return or property tax refund claim form
3.32 may designate on their original return that \$1 or more shall be added to the tax or deducted
3.33 from the refund that would otherwise be payable by or to that individual and paid into an
3.34 account to be established for the management of nongame wildlife. The commissioner

4.1 of revenue shall, on the income tax return and the property tax refund claim form, notify
4.2 filers of their right to designate that a portion of their tax or refund shall be paid into the
4.3 nongame wildlife management account. The sum of the amounts so designated to be paid
4.4 shall be credited to the nongame wildlife management account for use by the nongame
4.5 program in the Department of Natural Resources. All interest earned on money accrued,
4.6 gifts to the program, contributions to the program, and reimbursements of expenditures
4.7 in the nongame wildlife management account shall be credited to the account by the
4.8 commissioner of management and budget, except that gifts or contributions received
4.9 directly by the commissioner of natural resources and directed by the contributor for
4.10 use in specific nongame field projects or geographic areas shall be handled according to
4.11 section 84.085, subdivision 1. ~~The commissioner of natural resources shall submit a work
4.12 program for each fiscal year and semiannual progress reports to the Legislative-Citizen
4.13 Commission on Minnesota Resources in the form determined by the commission.~~

4.14 The state pledges and agrees with all contributors to the nongame wildlife
4.15 management account to use the funds contributed solely for the management of nongame
4.16 wildlife projects and further agrees that it will not impose additional conditions or
4.17 restrictions that will limit or otherwise restrict the ability of the commissioner of natural
4.18 resources to use the available funds for the most efficient and effective management of
4.19 nongame wildlife. The commissioner may use funds appropriated for nongame wildlife
4.20 programs for the purpose of developing, preserving, restoring, and maintaining wintering
4.21 habitat for neotropical migrant birds in Latin America and the Caribbean under agreement
4.22 or contract with any nonprofit organization dedicated to the construction, maintenance, and
4.23 repair of such projects that are acceptable to the governmental agency having jurisdiction
4.24 over the land and water affected by the projects. Under this authority, the commissioner
4.25 may execute agreements and contracts if the commissioner determines that the use of the
4.26 funds will benefit neotropical migrant birds that breed in or migrate through the state.

4.27 Sec. 9. Minnesota Statutes 2010, section 290.432, is amended to read:

4.28 **290.432 CORPORATE NONGAME WILDLIFE CHECKOFF.**

4.29 A corporation that files an income tax return may designate on its original return that
4.30 \$1 or more shall be added to the tax or deducted from the refund that would otherwise
4.31 be payable by or to that corporation and paid into the nongame wildlife management
4.32 account established by section 290.431 for use by the Department of Natural Resources
4.33 for its nongame wildlife program. The commissioner of revenue shall, on the corporate
4.34 tax return, notify filers of their right to designate that a portion of their tax return be paid
4.35 into the nongame wildlife management account for the protection of endangered natural

5.1 resources. All interest earned on money accrued, gifts to the program, contributions to
5.2 the program, and reimbursements of expenditures in the nongame wildlife management
5.3 account shall be credited to the account by the commissioner of management and budget,
5.4 except that gifts or contributions received directly by the commissioner of natural
5.5 resources and directed by the contributor for use in specific nongame field projects or
5.6 geographic areas shall be handled according to section 84.085, subdivision 1. ~~The~~
5.7 ~~commissioner of natural resources shall submit a work program for each fiscal year to~~
5.8 ~~the Legislative-Citizen Commission on Minnesota Resources in the form determined~~
5.9 ~~by the commission.~~

5.10 The state pledges and agrees with all corporate contributors to the nongame wildlife
5.11 account to use the funds contributed solely for the nongame wildlife program and further
5.12 agrees that it will not impose additional conditions or restrictions that will limit or
5.13 otherwise restrict the ability of the commissioner of natural resources to use the available
5.14 funds for the most efficient and effective management of those programs.

5.15 Sec. 10. **REPEALER.**

5.16 Minnesota Statutes 2010, sections 116P.03; and 116Q.02, subdivision 2, are
5.17 repealed."

5.18 Renumber the sections in sequence and correct the internal references

5.19 Amend the title accordingly

5.20 Adjust amounts accordingly