

14 November 2011

The Honorable Mark Dayton  
Governor of the State of Minnesota  
130 State Capitol  
75 Rev. Dr. Martin Luther King Jr. Blvd  
St. Paul MN 55155

RE: Clean Water, Land and Legacy Constitutional Amendment

Dear Governor Dayton:

Now that the very difficult first legislative session of your term is behind you, the organizations listed below wish to address an important administrative issue related to protecting the Clean Water, Land and Legacy Constitutional Amendment of 2008. We represent a broad cross-section of Minnesotans who deeply value our great outdoors, land and habitat, and lakes, rivers and streams. As advocates for this amendment we are united in defending the voice of the 1.6 million voters who supported the passage of this Amendment and would deeply appreciate your assistance in protecting the Amendment for future generations.

We ask that you keep the faith with the voters of Minnesota who overwhelmingly passed the Clean Water, Land and Legacy Constitutional Amendment. In particular, we draw your attention to a couple of central requirements contained in the Constitution:

*Article XI, Section 15 of the Minnesota Constitution stating in part: “the outdoor heritage fund... may be spent **only** to restore, protect, and enhance wetlands, prairies, forests, and habitat for fish, game, and wildlife;... clean water fund... may be spent **only** to protect, enhance, and restore water quality in lakes, rivers, and streams and to protect groundwater from degradation ...; parks and trails fund... may be spent **only** to support parks and trails of regional or statewide significance.” [emphasis added]*

*Article XI, Section 15 of the Minnesota Constitution stating in part: “money under this section must supplement traditional sources of funding for these purposes and may not be used as a substitute.”*

As chief executive officer of the state of Minnesota you have a significant role in ensuring that the voters' intent is honored. The agencies you oversee play a significant role in developing proposals and implementing the investments from the four particular funds. Minnesota's great outdoors and culture would benefit substantially from clearly defined administrative policies and directives regarding these funds. Our organizations have advocated for and proposed policy parameters with regards to these funds and will continue to do so over the life of the Amendment. Nonetheless, our experiences indicate that strong administrative leadership on the direction of funds will be critical.

Therefore, we request that the Governor's Office direct an executive order to the agencies responsible for administering programs supported by the funds and to the Minnesota Management and Budget (MMB) to establish clear administrative policies in the following areas:

1. Transparency: require the agencies provide identifiable accounting procedures that ensure the public can fully ascertain where legacy dollars are being spent.

2. Protection of Constitutional Purposes: require the agencies to develop clear standards and parameters for the purposes for which legacy dollars can be expended from each of the four accounts that follow the guidelines established by the Constitution.
3. Prohibit Substitution: require the agencies to work with MMB to develop full cost accounting procedures to ensure that guidelines clearly identify what are appropriate expenditures that supplement traditional sources of funding.
4. Enhance Accountability: establish administrative policies that ensure agencies are held accountable for their budget requests from each of the funds.
5. Promotion: require greater agency participation in the ongoing promotion of these legacy accounts.

Agencies should be encouraged to work with stakeholders in the development of these policies and procedures. Representatives of our organizations would be pleased to meet with you and your key staff to give you the history behind the Amendment and lay out the necessity for this executive order at your convenience. Please have your staff contact Isis Stark from The Nature Conservancy at 612-310-6264 to arrange this meeting.

Your leadership now is critical. In these challenging economic times there will be ongoing efforts by some to divert these dollars to solve short-term budget problems. This unique opportunity to protect our lakes, land and heritage could be lost. At the beginning of this 25 year effort, your actions today will have a crucial impact on future administrations and more importantly will leave a lasting legacy for our children and grandchildren by ensuring that these investments are appropriately directed and managed.

Thank you for your commitment to honoring the public mandate to safeguard the investment voters have made in our Great Outdoors. We look forward to working with you as we move forward together to protect Minnesota's Great Outdoors for future generations.

Sincerely,

Alliance for Sustainability

Audubon Chapter of Minneapolis

Audubon Minnesota

Carpenter/St. Croix Valley Nature Center

Clean Water Action Alliance of Minnesota

Coalition for a Clean Minnesota River

Conservation Minnesota

Duluth Audubon Society

Environment Minnesota

Fish & Wildlife Legislative Alliance

Fresh Energy

Friends of the Minnesota Valley

Friends of the Parks & Trails of St. Paul and Ramsey County

Hiawatha Trout Unlimited

Izaak Walton League of America - Minnesota Division

Mankato Area Environmentalists

Minnesota Center for Environmental Advocacy

Minnesota Conservation Federation

Minnesota Deer Hunters Association  
Minnesota Environmental Partnership  
Minnesota Ground Water Association  
Minnesota Forestry Association  
Minnesota Land Trust  
Minnesota Ornithologists' Union  
Minnesota Renewable Energy Society  
Minnesota Valley Trust, Inc.  
Minnesota Waterfowl Association  
Minnesota Waters  
Parks & Trails Council of Minnesota  
Pheasants Forever, Inc

Saint Paul Audubon Society  
Saint Croix River Association  
Save Lake Superior Association  
Sportsmen for Change  
Southeastern Minnesotans for  
Environmental Protection (SEMEP)  
The Board of the MN Assoc. of  
Conservation Professionals  
The Nature Conservancy of Minnesota  
The Conservation Fund  
The Trust for Public Land  
Water Legacy

cc: Commissioner Tom Landwehr  
Commissioner Paul Aasen  
Commissioner David Frederickson  
Commissioner James Schowalter