



Minnesota Center for Environmental Advocacy

FOR IMMEDIATE RELEASE

March 11, 2018

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With bipartisan fix in place, conservation groups dismiss lawsuit challenging raid of Environment and Natural Resources Trust Fund

SAINT PAUL, MINNESOTA – A coalition of Minnesota conservation, scientific, environmental and hunting and fishing groups announced today that they have ended a lawsuit against the State of Minnesota challenging the use of the Environment and Natural Resources Trust Fund (ENRTF) to pay for a portion of the 2018 bonding bill. Last week, the Minnesota Legislature passed and Governor Tim Walz signed HF80, which replaced appropriations bonds funded by the ENRTF with general obligation bonds, the normal source of funding. In response to this bipartisan legislative fix, a notice of dismissal was served on the State of Minnesota today, ending the lawsuit.

In May 2018, the Minnesota Legislature passed a bonding bill including \$98 million in appropriations bonds drawn on the Environment and Natural Resources Trust Fund. The ENRTF was created by a constitutional amendment that earmarks Minnesota Lottery proceeds for environmental projects. This use of the trust fund was unconstitutional because Minnesota voters never authorized spending trust fund money on bond interest and the projects that were funded were normally paid for with general obligation bonds.

A coalition of Minnesota hunting and fishing, conservation, environmental, and energy groups, represented by the **Minnesota Center for Environmental Advocacy**, served a lawsuit challenging this misuse of the Trust Fund on the State of Minnesota in October 2018. The plaintiffs in the legal challenge were the **Minnesota Outdoor Heritage Alliance, Minnesota Environmental Partnership, Izaak Walton League – Minnesota Division, Clean Water Action, Friends of the Mississippi River, Minnesota Native Plant Society, Fresh Energy, and Friends of Minnesota Scientific and Natural Areas.**

“This action early in the session will provide needed funding for shovel ready projects that will invest in clean water infrastructure for our communities and needed environmental cleanup,” said **David Carlson, President of the Minnesota Outdoor Heritage Alliance.** “The passage of HF 80 shows us that our legislative leaders upheld the State Constitution and respected the voter’s intent of our dedicated conservation funds.”

“This bill restores the public trust to the Trust fund,” said **Steve Morse, Executive Director of the Minnesota Environmental Partnership.** “With tremendous bipartisan votes, the legislature refocused the use of these public dollars back to their intended use, as promised to the voters who created this fund. We thank those who made it possible.”

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“The Izaak Walton League is pleased the Legislature has reacted swiftly and in a bipartisan manner to restore proper funding for these important projects, while also protecting from misappropriation the expenditure of Environment and Natural Resources Trust Funds monies,” stated **Craig Sterle, Minnesota Division President of the Izaak Walton League**. “This restores public trust and the fund’s constitutional integrity.”

“Urban or rural, no matter your race or cultural heritage, we all need clean water and a healthy environment to live,” stated **Trevor Russell, Water Program Director of Friends of the Mississippi River**. “When Minnesotans came together to create this fund, they basically said, ‘Regardless of our differences, our environment and clean water is worth protecting.’ We’re excited to glimpse some of that spirit returning to the Capitol.”

Thomas Casey, Board Chair of the Friends of Minnesota Scientific and Natural Areas, said “I thank the 2019 Minnesota Legislature and Governor Walz for their bipartisan support of legislation to protect the Environment and Natural Resources Trust Fund. This is a great victory for all Minnesotans and our precious natural resources.”

Scott Milburn, President of the Minnesota Native Plant Society concluded “I would like to thank the current Minnesota Legislature and the Governor for their support of legislation fixing the inappropriate raid of money from the Environment and Natural Resources Trust Fund.”

A copy of the notice of dismissal is available upon request.

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