LINCOLN INSTITUTE
OF LAND POLICY

Minnesota's Road to a Legacy Amendment: How We Created and Passed a Constitutional Amendment with Vision, Partnerships, Strategy, Promotion, and Perseverance

Working Paper WP17DH1

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April 2017

About the Author

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Introduction

This is a story of how a small group of people can make a huge impact for conservation. It is the story of how Minnesota went from being a state that was making modest but declining investment in its natural environment and cultural heritage to becoming a leader in the field and the envy of other states. It is a story of a multi-year effort to gain the support of the legislature and the voters to change the Constitution of the State of Minnesota.

There were many people who played a role in the effort to pass the constitutional amendment in Minnesota, known as the Legacy Amendment that supports Habitat, Clean Water, Parks, and Cultural Heritage. The amendment, passed in 2008, provides new funding of about $300 million annually, of which about $240 million is for conservation. Over its 25-year life—unless, as we hope, the measure is extended—the measure will, without adjusting for inflation, provide about $7.5 billion in funding, of which about $6 billion will be used for conservation.

I admit to playing a key role in this effort, but I worked alongside many people that were part of the long and challenging campaign. It would be impossible for me to name them all. But I will name a number of individuals who also played key roles, and who have been my closest partners in this effort. They are, in many ways, heroes to me. Without the collective efforts, large and small, of so many people, this result would have never happened. Everyone involved in our collective effort should take great pride in being part of this success.

How I Came to this Work

I can trace my interest in land protection to my love of the outdoors. My childhood was spent in a suburb of Minneapolis where my family lived on 3 acres. There was no media creating irrational fear in my parents for the safety of their children, so we were sent outside between meals more often than not. We had to make our own fun. We did that by playing in the woods, building forts, designing water retention structures in the dirt road in front of the house, helping the neighbor burn his leaves in the fall, sledding, exploring local construction sites, riding our bikes, and in general acting like what is probably today considered to be wild and renegade kids.

I was also fortunate enough to grow up in a family that enjoyed fishing and bird hunting. And as time went on I discovered camping and gardening. My grandmother and her sister became interested in birdwatching. All of those activities became a part of our family's outdoor focus.

I marched to a different drummer than my parents and became interested in social justice issues at a very early age. In 1972, at the age of 15, I volunteered to help organize a walkathon—the Walk for Development in the Twin Cities. I ended up as one of the primary organizers of this

walk. For some reason the group involved made me the treasurer of this effort, which raised $500,000 in 1972 for self-help development projects in the U.S. and around the world. The Twin Cities Walk, and others like it around the country, were projects of the American Freedom from Hunger Foundation.

In the 1972–1973 school year, when I was a Junior in High School, I decided to challenge my school over their policy of requiring permission to distribute an underground newspaper. They rewarded me with a suspension. I involved the American Civil Liberties Union, which agreed, to my parent's horror, to sue the school system on my behalf. While in the end we did get the school system to change the policy and remove the suspension form my record, the really important thing was that the principal, Roald Johnson, agreed to allow me to complete my education on independent study. I will forever be grateful to him for seeing something in me and allowing this to happen. Since I was also moving out of my parents' house and into the city with friends, I was able make a clean break and focus on being in charge of the Walk for Development in 1973, which again raised about $500,000 that year.

After "graduating" from high school in 1974, I was asked to join the board of the Belwin Foundation (now the Belwin Conservancy), an organization founded in 1970 by my grandfather. The Belwin Foundation ran an environmental education facility in partnership with St. Paul Public Schools. However, my real interest in land conservation goes back to the late 1970s when I was part of the founding of a California-based environmental non-profit called the Conservation Endowment Fund with a mentor and great friend, John Taft and another of his friends, Steve McCormick. Steve, who at the time also served as a new staff person for the California office of the Nature Conservancy, went on to become President of the Nature Conservancy in Washington, DC.

In 1984, I was asked to be on the board of the Minnesota Chapter of the Nature Conservancy (Minnesota TNC). Apparently, the leaders of the board, Wally Dayton and John Andrews, wanted some "younger folks" around. Shortly after joining the board I became the Treasurer because the founding and long-serving Treasurer of the chapter had embezzled the Chapter's entire endowment.

As there were at the time no local land trusts in Minnesota, part of the strategic plan of Minnesota TNC was to get some started. Accordingly, once I had served two terms on the board of Minnesota TNC, I became the founding president of the Washington County Land Trust. Under my leadership and with my insistence, it was renamed the Minnesota Land Trust and broadened its mission to a statewide one. Given my increasingly deep involvement in the land trust movement, I was asked in 1993 to join the national board of the Land Trust Alliance (LTA). Since that time, I have been affiliated with LTA and with many other conservation organizations around the nation.

Still, my career was never in the conservation world. I focused mainly on building manufacturing enterprises—something I greatly enjoyed doing.

Background

The land conservation movement in America stretches back to the creation of the Boston Common in 1634. Certainly, Teddy Roosevelt's tireless work to create national parks and wildlife refuges is a wonderful part of our legacy. But private land conservation of consequence is something relatively new, although examples of this stretch back more than 100 years.

There can be no doubt that the creation of a federal income tax deduction for conservation easements in the 1970s and 1980s created an opportunity that has moved private land conservation forward greatly. Before that, there were a few conservation easements created. At that time, however, the most common way to have a parcel of private land be protected was to have it acquired by a government agency or a very well-funded non-profit. Once tax incentives fell into place at the federal level, there was a new opportunity for private individuals, families, and non-profit organizations to protect private land through the creation of conservation easements. As a result, more than 1,000 land trusts were created across the country. While many of these focused primarily on conservation easements, the more sophisticated and adventuresome also pursued ambitious fee acquisition projects. They did so both to hold land or easements in their own name, or in advance of transferring the land or easement to various national, state, and local units of government. As the number of deals completed grew, the land trusts became more efficient and effective, and the pace of land protection increased.

Before the 1980s, there was little threat to open space in large parts of the country. The interstate highway system was just being built out and urban sprawl was not extensive or rampant in states like Minnesota. New patterns of suburban sprawl took firm hold beginning in the late 1970s and early 1980s, as freeways were built and roads improved to most areas of the state. In the context of a good, diverse, and healthy economy, real development pressure grew in places that had previously seemed remote.

Vision: Recruiting a Core Group, Defining a General Strategy, and Committing to Implementation

In 2000, I was a member of the board of the Parks and Trails Council of Minnesota (PTC). This group purchased land parcels that the Minnesota Department of Natural Resources wanted for the state park system, but did not have the financial resources to purchase as they became available. The PTC would buy the land as it came to market, and then work over time to have the state buy the land for parks as state resources became available.

As the PTC's resources were also limited, it could only purchase and hold a limited number of such parcels at any given time. When the state provided the takeout funding to purchase some land from the PTC, the non-profit would then have the financial ability to acquire new parcels of land.

At the end of the 2000 state legislative session, there was a board meeting at which the PTC lobbyist announced with great enthusiasm that there was an appropriation of $3 million in the

state bonding bill for park acquisition. The bonding bill is passed once every two years, so we understood that $3 million was all that would be available in the state park acquisition budget.

This was celebrated by the board as a great achievement, but it left me feeling unexcited. Three million dollars may be a lot of money, but it would only fund a couple of acquisitions over the next two years—the need was far greater than that. And to top it all off, the appropriation related to funding for parks was eventually vetoed by Governor Jessie Ventura.

At the same time, the Minnesota Chapter of the Nature Conservancy was wrapping up the most successful non-governmental conservation campaign in the state's history. This five-year effort had raised $15 million for conservation projects around the state. And while this was a great success, the state was seeing unprecedented conversion of open space into housing, commercial and industrial developments, and associated infrastructure. It was estimated that some 60 acres were being consumed by development every day. So, as great as the achievements of the conservation community were, it was akin to the boy with his finger in a leaky dike.

As 2000 progressed, I attended another board meeting of the Parks and Trails Council. Strategic planning for the organization was an agenda item that day. I remember a conversation with fellow board member (and future member of the Metropolitan Council) Marc Hugunin about the planning effort. We discussed the idea that, rather than working on a strategic plan for the PTC (which, after all, simply purchased property that the state desired and sold it once the state found the necessary funds), we might make a better use of our time if we focused our attention on devising a more comprehensive statewide strategic plan for land and land acquisition.

As I thought about this over time, I became convinced that the conservation community lacked perspective on how to characterize success in land conservation. In fact, our working definition of success was dooming us to failure. It seemed logical to me that if we were going to change this, we had to redefine success and create a new vision for land protection in the state.

With this in mind, I started to host small, informal gatherings to discuss this situation with leaders of conservation organizations. I found there was significant interest in exploring what else might be done. We continued to have meetings, and a small core group coalesced. Early core members included Dorian Grilley, Executive Director of the Parks and Trails Council of Minnesota; Susan Schmidt, Minnesota Director of the Trust for Public Land; and Rob McKim, Minnesota Director of the Nature Conservancy.

As these discussions progressed, I developed, with input from this small group, a conceptual framework for our scope of work. We decided that what we needed to do was as follows:

- Better understand which properties were protected in Minnesota. While this seems simple today, we were, in the early 2000s, just beginning to understand the power of modern Geographic Information System (GIS) technology. The state of Minnesota was the only entity that had any significant GIS technological capability, and even their data layers were not great.

- Determine what success in land protection over the next 50 years in the state would look like. This meant sorting out, without duplication, what the goals and objectives were of all the various federal and state agencies and non-profit organizations active in land conservation in Minnesota.

- Proceed with a "gap analysis" that shows the difference between the then-current and the desired land protection status; estimate the cost of filling the gap, and what success would look like along the way to filling the gap.

- Document the threats that required us to act.

- Determine what financial and human resources might be available for filling the funding gap.

- Develop a strategy for getting the required resources in place and start moving towards meeting the long-term land protection goals.

This work all fit under what I would call creating a vision for land conservation. Without it, all the efforts to protect land were just what I would define as good effort without focus, context, or urgency. The initial group, which became the steering committee for the effort we came to call the "Campaign for Conservation," became firmly convinced that we should take the next step. We decided that the appropriate path forward was to both build out the plan as we had envisioned, and, at the same time, build a broader coalition throughout Minnesota's conservation community to join us in the analytical work, and to build a broad level of citizen support for the campaign throughout the state.

Partnerships: Growing the Coalition

We began to hold meetings for larger and larger audiences every six to nine months. We invited to those meetings members of the broader conservation community, leaders from diverse governmental organizations, relevant participants from academia, and interested community members.

The hardest people to get to attend, by far, were members of the sporting community. They seemed uncomfortable working alongside the conservation community, who they saw as too liberal. There was one early exception—Tom Landwehr, Minnesota Director of Conservation for Ducks Unlimited (DU) from 1999 to 2003. After Tom left DU to work for Minnesota TNC, his successor, Ryan Heinger, became a regular participant. However, even with help of Ron Nargang, who had served as Deputy Commissioner of the Minnesota Department of Natural Resources (DNR) prior to leading Minnesota TNC, and who was well connected to the sporting community, we were not able to broadly engage hunters and fishermen.

Ron became an important member of the steering committee. He was able to get the DNR to allow one of their employees, Tim Loesch, to work with us. Tim had expertise in GIS and did great work on helping us to get up to speed in that area. He was able to quantify the amount of

land that was protected in the state and generate maps that showed us where that land was. The maps reflected the best data available at the time regarding the sites of federal, state, and regional parks in Minnesota, as well as much of the protected land managed by non-profits operating in the state. The visual impact of the maps being generated were powerful. People could easily see where the holes were in the system. They could therefore also see the gaps, and understand what our group said we needed to accomplish.

Ratcheting Up the Effort

By 2004 the coalition's gatherings were now attracting close to 70 people. As it became apparent that the work we had ahead of us would require more than only volunteers could provide, we understood that we would need to move to a new level of commitment and organizational strength.

The steering committee of the "Campaign for Conservation" became convinced that we needed to hire some staff support and raise more money than I had been providing on a modest basis. At one of the coalition meetings, a participant and community conservation volunteer, Elly Grace, asked if she could help. She offered to host a lunch with some potential donors. I took her up on this generous offer.

The question came up of how to manage the funds that we might raise. We decided that rather than set up a new non-profit organization, we would look for some organization to act as a fiscal agent. Ron Kroese, who was running the Minnesota Environmental Partnership (MEP), came to the rescue. He agreed that MEP would provide the service for the very, very modest fee of $500. His successor increased the fee to 3 percent of funds raised.

Elly Grace bought together a small group at the Minneapolis Club for lunch in 2004 to hear my pitch. I asked for what I described as "venture capital funding" for habitat protection. I asked that each of the seven participants contribute in a significant way so that the leadership, volunteers, and staff could focus on the work of building out the effort. I noted that there was some potential for a massive return for the dollars invested.

Every person at the meeting, plus one individual that was not at the lunch, decided to make the investment personally or through their charitable entities. Many of these same people stepped up later when asked to continue that investment. From 2004 to 2007 we raised about $387,000. That allowed us to hire a lobbyist in 2007 to get the amendment passed by the legislature and into the voter's hands. These donors were not motivated by an opportunity to be in the limelight. Rather, they had faith that, by taking the risks involved in chasing a dream and working to make a vision come true, they might see tremendous results. They deserve great admiration and appreciation for their quiet support.

With funds in hand, we moved to engage someone to lead this effort. John Curry was recommended to me, and we arranged to meet for breakfast at the Sheridan Midway Hotel in St. Paul. Once we had talked, he agreed to leave his job as the lobbyist at the Minnesota Center for Environmental Advocacy (MCEA, one of our coalition partners) and come work on this effort.

He worked as a contractor from 2005 through 2007 and is, without doubt, significantly responsible for the ultimate success of our efforts.

Getting Serious

Under John Curry's leadership, the coalition continued to grow. John also took the lead on two critical parts of the effort. He defined the threat to wildlife habitat in Minnesota from fragmentation and development, and, based on a series of plans devised by private groups and governmental agencies, he determined the amount of financial resources needed to fill the land conservation funding gap.

Rather than just relying on input from the steering committee, John organized and managed three committees' input into the campaign. The committees became known as the "How", "What", and "Communications" committees. The members included people who were already members of the campaign coalition, as well as new participants from outside the coalition that John and others recruited.

At the same time, we began to get important input from another of our key coalition partnership members: Paul Austin, the Executive Director of Conservation Minnesota (then the Minnesota League of Conservation Voters). With funding from a foundation, Paul's group had, in collaboration with the Minnesota offices of the Trust for Public Land and the Nature Conservancy, been polling Minnesotans regarding conservation-related issues. With Paul's guidance, the polling became increasingly focused on public opinion regarding land protection. With Paul's keen eye and sound advice, we used the data to understand what the public would support, to detail the challenges we would face, and to frame the campaign messaging strategy so that it would maximize public support for conservation. Indeed, the polling data helped us craft the actual verbiage we used in our messaging, and eventually on a statewide ballot initiative.

In 2006, there was a separate effort launched by sportsmen to create dedicated funding for hunting. The sportsmen's groups in 1998 had been able to get a constitutional amendment on the ballot and passed by the voters which provided a constitutional right to hunt and fish. The amendment, however, had no financial or funding impact. While the sportsmen's groups believed that subsequent funding-related initiatives would also be successful, that was not the case for nearly a decade, and the 2006 effort proved to be no different. While our coalition did consider participating with the sportsmen's group in 2006, we ultimately declined to do so, as we did not feel the timing was right, or that the necessary work had been done to make the effort successful.

What we did do, under John Curry's leadership, was to develop a report, published during the summer of 2006. It is titled: *A Fifty-Year Vision—Conservation for Minnesota's Future.*[1]

The report dramatically underscored the challenges to the Minnesota natural environment, showing why it was so important to do something big to protect land in coming decades. The

[1] Campaign for Conservation. *A Fifty-Year Vision – Conservation for Minnesota's Future.* Afton, Minnesota: Minnesota Campaign for Conservation, 2006. Available at http://www.belwin.org/media/50yearvision/50-year_vision.pdf.

fifty-year vision was then laid out based on: a definitions of Minnesota's ecological regions, and an articulation of region-by-region strategies, based on data from existing conservation plans that were reviewed and refined by regional teams of conservation experts.

The threats, or "challenges," to the natural environment, outlined in the report,[2] were as follows:

- **Population Growth**—The U.S. Census estimates that Minnesota will have over seven million residents 50 years from now. Projections that far out, however, are less reliable than shorter projections. The state demographer typically relies on a 25-year projection. As the state's population increases by 1.35 million people (27.4 percent) from 2000–2030, more and more of Minnesota's natural lands and farmlands will be used for residential and other development. At the present rate, another 1,029,408 acres of land will be converted to urban/developed land by 2030. Minnesota is also becoming increasingly urban and suburban.

- **Water Quality Degradation—**Four out of ten of Minnesota's lakes and river segments have failed to meet water quality standards. This list of over 2,500 waters is by no means complete since only about 15 percent of Minnesota's waters have been tested. These impairments undermine swimming, fishing, and other uses. They also impact the number and types of fish and other aquatic life that can survive. Optimal strategies for restoring Minnesota's lakes and rivers include reducing urban and agricultural runoff, upgrading poorly performing septic and wastewater systems, and addressing shoreland development and drainage.

- **Shoreland Development—**The expansion of Minnesota's residential footprint will have great impacts on lakes and rivers. Animals and plants that use these same shorelines will suffer, as will water quality. Developed shorelines have on average 66 percent less aquatic vegetation than undeveloped ones, which results in poorer water quality and lower fish production.

- **Drainage—**Minnesota has five million acres of drained land with a vast system of tiling and drainage ditches. Despite modern conservation practices and laws, wetlands are still being drained. Water quality at receiving lakes and rivers is compromised as well. As effectively as tiles and ditches move water off the land and into lakes and rivers, they move pollution and excess nutrients as well.

- **Habitat Degradation—**Minnesota has lost and is continuing to lose its wildlife habitats: 42 percent of wetlands have been drained or filled; 50 percent of pre-settlement forest cover has been eliminated; and 99 percent of Minnesota's prairie is gone. As a result, entire species have been extirpated from the state and 292 different species are considered at risk today. Remaining habitats are in many cases suffering severe degradation from a variety of sources, including fragmentation, fire suppression, invasive species, and climate change.

[2] *Ibid*, pages 3–6.

- **Forest Fragmentation—**When more houses, businesses, and roads are built in forested areas, a once nearly-continuous coverage of forest is divided up into smaller parcels, sometimes becoming isolated islands of trees. This newly fragmented forest, and a regular human presence in places that were only visited irregularly before, will no longer support the species of wildlife that require large blocks of relatively undisturbed forest. Forest fragmentation also has economic impacts. Commercial forest harvest will decline as land ownership changes to small parcels. Many people don't allow logging near their homes and it becomes much less efficient to harvest small scattered parcels than single large ownerships.

- **Fire Suppression—**Some forest habitats and prairie habitats are dependent on fire disturbance. Throughout much of Minnesota's landscape, frequent fire shaped the composition and structure of natural vegetation. Many habitats are now altered significantly as fire has been suppressed for generations. Regions that form the transition between forest and grassland are particularly affected.

- **Invasive Species—**Land and aquatic habitats are both under assault by the rapid influx of thousands of exotic invasive species. Human activities are making it possible for plant and animal species from around the world to make their way to Minnesota. The new invaders will out-compete, feed upon, or cause diseases that make it less likely native species will be able to survive.

- **Climate Change—**The vast majority of scientists now accept that the global release of greenhouse gases is causing a change in the world's climate. The question now is how big the change will be. Many parts of Minnesota are likely to get warmer and drier and that in turn will cause major changes in the state's natural vegetation. How the native plants and animals of the state adapt to the changes will have a dramatic impact on the previously balanced ecological systems.

- **Biofuels—**Currently the production of biofuels in Minnesota is based largely on corn ethanol. With the current technology, an unsustainable system is emerging: one that is converting conservation lands into row crops and depleting groundwater resources at an alarming rate. This challenge is particularly acute for the 1.73 million acres of conservation lands with temporary easements currently enrolled in the federal Conservation Reserve Program. However, future biofuels technology brings promise. The hope is that biofuels technology will bring about more grassland cover as markets move away from corn-based and toward grass-based fuels.

- **Seasonal Use and Resource Consumption—**In vacation country, small communities can have the impact on waters and wildlife of much larger communities. Infrastructure is required to serve tens of thousands of additional seasonal residents who are present for short periods of time. The infrastructure includes water supply, wastewater services, impervious surfaces, and a large number of developed lots. Scattered across the state are many of these communities that briefly boom on weekends especially, in any of the four seasons.

- **Shrinking Public Access to Natural Areas—**Increasingly, people are choosing to live, retire, or build a vacation home on land that is near nature, especially water. These places become closed to the public and Minnesotans with less wealth and their children are increasingly denied access to traditional outdoors opportunities.

- **Outdoor Recreation Conflicts—**Because of the sheer numbers of people, overall hours of outdoor recreation are estimated to increase 8 to 14 percent in this decade alone. Increased demands on public lands lead to conflicts among users. Hikers, hunters, off-highway vehicle riders, and many others will all want to expand their recreational opportunities. It won't always be possible to accommodate all uses on all public lands at all times. Expanding residential areas will also create conflicts with some uses on existing public lands. For example, houses that are built next to existing Wildlife Management Areas put an end to hunting on the adjacent wildlife areas.

- **Indoors Culture—**If a person grows up hunting, fishing, and playing in the woods, as many people of the baby-boomer and older generations did, a deep understanding and appreciation for the value of the natural world is likely. Minnesotans have a long and deep tradition of enjoying the great outdoors. For many, there is a growing sense that Minnesota's outdoors ethic is trickling away. Even as overall pressure on natural resources increases with population, the time each person spends outdoors is declining. The loss of easy access to natural lands impacts the way people think about the outdoors. For Minnesota to continue to have a healthy environment and functioning natural systems, its citizens will need to value their natural surroundings.

- **Governance—**Many conservation issues facing Minnesota could be addressed through government policies and funding. However, agencies and/or local governments often cannot or will not look at appropriate planning, zoning, and funding levels. Additionally, when governments are attempting to make progress in conservation, they can find themselves challenged by an inability to coordinate with other jurisdictions and opposition to public land ownership.

To properly assess those challenges, the state is divided into 14 conservation regions (see figure 1). After the "Status and Vision" is briefly characterized for each of the 14 conservation regions, the report offers a summary "Statewide Fifty-Year Vision." The highlights of the statewide vision as expressed in the *Fifty-Year Vision* document,[3] focused in sequence on "Lakes and Rivers," "Wildlife Habitat," and "Parks and Trails," are offered below.

<u>Lakes and Rivers 50-Year Vision</u>

- All lakes and rivers will be tested for unhealthy levels of pollutants on a ten-year cycle, beginning with the estimated 86 percent of streams and 82 percent of lakes that have yet to be tested.

[3] *Ibid*, pages 14–18.

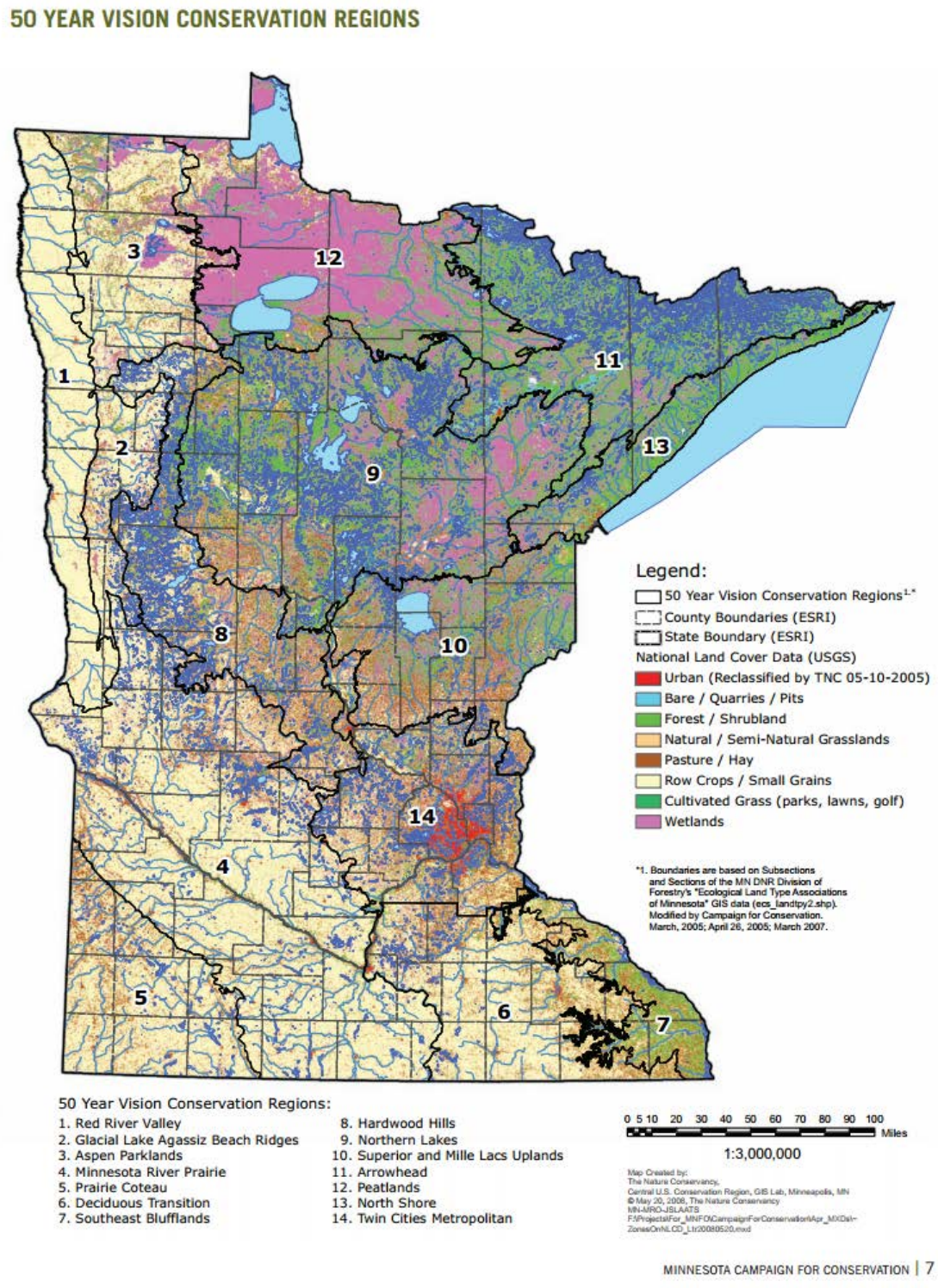
- Cleanup plans will be prepared for the region's lakes and rivers that fail to meet water quality standards (1,337 river segments and 1,238 lakes to date).

- Cleanup plans will be implemented that restore all impaired lakes and rivers to healthy water quality.

- Pollutant loads to all streams and rivers will be reduced.

- 2,600 additional miles of critical, undeveloped lake and river shoreline will be acquired and protected for access and preservation to implement the Aquatic Management Area Plan's goal of protecting two percent of the state's warm water lake and stream shoreline and 38 percent of coldwater stream miles (1,500 miles coldwater and 1,100 miles of warm water).

Figure 1: 50-Year Vision Conservation Regions



Source: Campaign for Conservation. *A Fifty-Year Vision—Conservation for Minnesota's Future.* Afton, Minnesota: Minnesota Campaign for Conservation, 2006.

Wildlife Habitat 50-Year Vision

- Species of Greatest Conservation Need (SGCNs) will have healthy and sustainable population levels.

  Strategies:

  - Habitat protection and restoration work should focus on key habitats. The greatest number of terrestrial SGCNs rely on prairie habitat followed in order by: non-forest wetland; upland shrub/woodland; grassland; upland conifer forest; upland deciduous (hardwood) forest; lowland shrubland; shoreline dunes/cliff/talus; lowland conifer forest; lowland deciduous forest; and upland deciduous (aspen) forest.

  - Coordinate the habitat plans that follow to ensure maximum gains for habitat that also benefits Species of Greatest Conservation Concern. Note: some conserved habitats will support goals of multiple plans, meaning that overall acreage conserved is significantly less than the sum of each plan's acreage.

- 2,000,000 acres of grassland/wetland complexes will be restored or protected as called for in the Long-Range Duck Plan.

- 1,560,000 acres of grasslands will be restored or protected as called for in the Pheasant Plan, much of it in easements and temporary contracts.

- An additional 260,000 acres of Wildlife Management Area (WMA) inholdings and 440,000 acres of new WMAs will be acquired focusing on habitat that benefits moose, deer, ruffed grouse, sharp-tailed grouse, pheasant, wild turkey, bear, waterfowl, and prairie chicken as called for in the WMA plan. Remaining high priority natural areas will be protected.

  Strategies:

  - Complete natural resource inventories such as the County Biological Survey to identify and target critical habitats that need to be protected and/or restored.

  - Focus priorities on existing natural resources inventories such as:

    - 5,490,000 acres with biodiversity significance identified by the County Biological Survey;
    - 11,627,000 acres by the Nature Conservancy within terrestrial portfolio sites
    - 740,000 acres of Important Bird Areas identified by the Audubon Society.

- Approximately 1 million acres of corporate forestland will be retained as contiguous large tracts of forest and open to public recreation.

Parks and Trails 50-Year Vision

- 10–12 new state parks will be established as called for in the State Park Land Study in areas where recreation, biodiversity, geological and/or scenic needs are currently underserved.

- 40,000 acres of private lands within existing state park boundaries will be acquired and added to the system.

- 1,209 miles of legislatively approved state trails that have yet to be developed will be constructed and maintained.

- 372 miles of unfinished North Country Scenic National Trail will be completed.

- The Metropolitan 2030 Regional Parks Policy Plan will be completed, including three new parks for the system, upgrading two county parks, protecting four areas for future park development, and adding 65 miles of trails to the regional trail system.

- Every Minnesotan will be able to enjoy parks and natural areas within ten minutes of home.

This report received a good deal of publicity when published. This helped catch the attention of legislators with whom we were beginning to have conversations.

During the summer of 2006, we also began to look in earnest at potential funding sources that might enable us to accomplish our vision. We also took a hard look at the polling results and how that might guide our work.

We discussed numerous funding strategies. There were two to which we gave serious consideration. The first was a transfer fee on all real estate transactions. This was in many ways an appropriate strategy in that the need to protect habitat was in large part a result of the development pressure in the state. Connecting the solution to the problem seemed to make a great deal of sense to us.

However, after doing some research, it became clear to us that the powerful real estate industry in the state would oppose any effort to impose real estate transaction transfer fees. We all realized from the beginning that raising taxes or fees would be an uphill climb. The thought that we would also have to take on real estate interests led us to believe that this concept was a non-starter.

We therefore looked at the only other source of funding of which we were aware that might be adequate to the task of providing the funds we determined were needed—about $100 million per year. That was an incremental statewide sales tax of about 1/8th of 1 percent on eligible sales.

At the same time, our polling made clear that, while Minnesotans were concerned about habitat loss, they were even more concerned about water quality. And the polling showed that taxpayers

were very willing to pay more in taxes to deal with the issue of water quality in the state. Here are a few of the reasons that Minnesota taxpayers were so concerned with water quality:

- Minnesota is the land of lakes. While our automobile license plate declares that Minnesota is the "Land of 10,000 Lakes," the actual number is closer to 15,000. And almost 70,000 miles of streams and rivers connect those lakes and carry the surface water out of the state.

- Minnesota is the "top of the watershed" for: the Minnesota, St. Croix, and Mississippi Rivers whose waters flow to the Gulf of Mexico; the Red River that flows into Hudson Bay; and the Great Lakes (Lake Superior) that flow through the St. Lawrence River into the Atlantic Ocean. What goes on in Minnesota lakes, streams, and rivers not only effects our state, but all those American states and Canadian provinces that are downstream of us.

- In 2006, according to U.S. federal guidelines, 40 percent of all waters that were tested in Minnesota were considered to be impaired (that is, did not meet federal water quality standards).

- The threats to water quality are mostly "non-point" (that is, not coming from the end of a particular pipeline), so the job of cleanup is harder and the primary methods are not fully defined.

- The widespread problems with water quantity and quality are largely related agricultural runoff practices; the agricultural runoff puts new and pervasive compounds into both surface and ground waters.

- Much of what will protect water is also consistent with what will protect land, especially in agricultural areas.

Seeing the power of the water issues, and the apparent fit with our own concerns about land protection, our coalition decided to collaborate with a coalition working on the water issue. They also had a plan requiring about $100 million a year, so we jointly agree to focus our efforts on increasing the sales tax by one-fourth of 1 percent, which would yield about $200 million per annum.

The other discussion that took place was how to raise these funds. There were two options. The first was to have the legislature simply vote to increase the sales tax and then have the governor sign the bill. But there were two issues with this option. The first was that the possibility that such funds, in the event that they were directed by the legislature towards environmental issues, might be raided for other purposes. Members of the steering committee remembered when Minnesota got a large settlement from the tobacco companies to work on smoking issues. Several years after the settlement payment was made, the state budget got tight, and the entire fund was reallocated for other purposes and disappeared. The second issue with this option was that the governor at the time was a Republican with a desire for higher office, and was not likely to support any tax increases.

So, the coalition focused its energies on the second option, which was to amend the state's constitution through a ballot measure. In Minnesota, constitutional amendments are adopted when both bodies of the legislature pass a bill proposing the amendment, and the voters then, in a general election, support that amendment with favorable votes cast by more than 50 percent of the voters voting in that election. Support from both houses of the legislature and passage of a ballot measure would, in that circumstance, ensure that the funds would go only for the desired purpose, without the need for approval by the governor.

Strategy: Getting the Issue to the Voters

Once the decision was made to try and get a constitutional amendment that would increase the sales tax for clean water and habitat protection in late 2006, the steering committee had to figure out how to get this accomplished. It became clear to us that to be successful, we needed to hire a great lobbyist to lead the effort. The steering committee members chipped in for the funds to do this. The decision was made to hire Cristine Almeida, an attorney with deep political experience in the state who had served as Chief of Staff of the Minnesota Senate in 2004–2005.

The timing worked in our favor, as the 2006 election had given the Democrats control of both the House and Senate. While many Republicans were in favor of finding a way to fund habitat protection (even more than water issues), they struggled with any tax increase. The Republicans wanted to see the funds allocated from the existing sales tax (cutting funding in other programs), while the Democrats favored an additional tax.

It is often said the passage of legislation is like sausage making—you don't want to see anything except the final product. This effort fit that description. We were lucky to have Senator Larry Pogemiller, Senator Dick Cohen, and the Speaker of the House, Margaret Kelliher, as our legislative champions that managed the sausage-making. Their work was certainly made easier by the groundwork done by former Senator Dallas Sams and House member Bob Lessard, as well as the additional support offered by other members of the Minnesota House and Senate.

Three unexpected issues emerged as we went through the legislative process:

- Our coalition partner, the Parks and Trails Council, made an end run. Rather than remaining a part of the team, the PTC convinced a few key legislators that the parks needed their own fund as part of this bill. This was done without any discussion with the coalition. It created both a perception of a split coalition, and some fear that tacking on additional funds would make passing the bill and the ballot measure more difficult.

- The arts community, which had its own coalition that included the Minnesota Historical Society, saw that our coalition was likely to be successful. They got their supporters in the legislature to tack on funding for their community. This was seen by the conservation community as even worse than the defection by the Parks and Trails Council by the conservation community—especially by the sporting community—and again pushed the total tax increase up, which in turn generated some fears that passage of the bill and ballot measure would be more difficult.

- The hunting contingent, led by Dennis Anderson (a columnist with the *Minneapolis StarTribune* and a strong voice for hunters) was insistent that it would not support this bill if it did not have a mechanism governed by citizens for determining how the funds were spent. They had seen that the Environment and Natural Resources Trust Fund, created in 1988 through the ballot measure process, had sent dedicated funding from the lottery towards research and education (an unexpected use of the money), rather than towards habitat conservation (where the hunting community had believed that the funding was going). The hunting community did not want a repeat of this chain of events.

By May 2007, we had bills passed that were quite similar in both the House and Senate. But Minnesota has a legislature which meets each year for a specific amount of time and must complete its work during that time period. While the House and Senate assigned the bill to a conference committee which was able to reach an agreement, their work was done too late in the session to bring it back to both bodies for final action. So, we had a bill that both the House and Senate agreed upon, but it was in limbo.

We went to the House and Senate leadership and were able to get commitments from them that they would bring up the conference committee bill for final action as the first order of business when the legislature reconvened (in effect, when they continued with the biennial process) in January of 2008. But, as everyone knows, nothing can be guaranteed in a legislative process until the final votes are cast. Things just happen.

Part of the passage of the bill in the House and Senate was the language that would appear on the ballot that would be read by the voters. While the final decision on this in Minnesota rests with the Secretary of State, if reasonable language is part of the bill to put the issue to the voters, it is likely to be accepted by the Secretary of State. I know that Paul Austin spent considerable time working on this with the bill's legislative authors as well as with the Secretary of State. This was a key strategic issue—it needed to be right.

The coalition leaders met early in the summer of 2007 to discuss how to handle this situation. There were discussions about how to change the language to exclude the arts (whose inclusion was especially offensive to the hunting community), what to do about the lack of a process for determining how the money would be allocated, and when to start the work on the actual campaign to convince voters to vote for the amendment. In all cases, there was no consensus and things languished.

John Curry suggested to me that I meet with the leaders from the arts community and discuss the situation. Despite strong sentiments against any discussion with them (and, on the part of some coalition members a hope that the arts allocation could be stripped from the bill), I agreed to a meeting for breakfast with Sheila Smith, Executive Director of the Minnesota Citizens for the Arts, and their contract lobbyist, Larry Redmond. I did not inform the coalition of this meeting.

It should be noted that Larry Redmond's lobbying clients were very diverse. His clients ranged from the Minnesota Citizens for the Arts to the Minnesota Vikings and Fresh Energy, a well-respected Minnesota environmental group. And I had been a long-time member of the board of

the Minneapolis College of the Art and Design. While we came to this effort without thinking about the other parts of our lives, none of us were out of our comfort zone talking to the other.

I think for all of us, the conversation began a bit awkwardly. But by the end of the breakfast, we shook hands and agreed to work together. I had no explicit authority to do this on behalf of anyone, but as the leader of the coalition, I had some moral authority.

At the same time, I became convinced that it would be a huge mistake to wait to organize the ultimate effort to pass the amendment until we had a final bill through the legislature. There was, however, a strong feeling by many coalition members that it was not possible or wise to ask for money to work on a campaign before it was for certain that a proposed constitutional amendment was on the ballot. As I considered the issues, my conviction became stronger. We could either have 10 or 16 months to organize the effort. Launching the longer effort made sense to me.

Unable to break this logjam with the coalition, I worked to resolve this with Susan Schmidt from the Trust for Public Land and their affiliated Conservation Campaign (a 501(c)(4) which does political ballot campaigns). I agreed to personally fund the cost of putting the campaign plan together. To lead the work, we hired Cristine Almeida, a lawyer with deep legislative experience and former Chief of Staff of the Minnesota Senate. I made sure, as Christine was reporting directly to me, that the work included the arts community. While the hunting contingent never was comfortable with this, the balance of our coalition worked closely with the arts groups during the campaign and developed a close partnership.

One of the big questions we struggled with was how to organize ourselves. Because this was primarily a political campaign, we had to operate within a 501(c)(4) environment. There were two options for this. The first and simplest was to utilize the services of the Conservation Campaign, an affiliate of the Trust for Public Land. They had successfully run ballot campaigns around the country. They would delegate most of the campaign to a local committee, simply taking on the administrative burden of handling the money and doing the reporting.

The concern with this option was that if we used the Conservation Campaign as the fiscal agent and to oversee the campaign, our opponents would say that this effort was being run by outsiders. Campaign financing reports would come from their offices in Boston, and their mailing permit and name would be on all campaign mail. We did not want to deal with the distraction of having to defend against such claims. Accordingly, we chose the second option, and set up our own locally based 501(c)(4) organization. The Conservation Campaign was disappointed with the decision but understood the reluctance of the local group, and pledged to help in any way they could. They proved to be particularly helpful, in part by making Will Abberger, the director of their Conservation Finance service, available to offer advice and guidance.

So, by January of 2008, we had put a plan in place. We had a strategy for raising the budget of $6 million, and proceeded to hire a campaign manager, Ken Martin. Much to our delight, the leadership of the House and Senate were good on their pledges and both bodies passed the bill in January of that year in the form that came out of the conference committee in May of 2007. Both

Cristine Almeida and Larry Redmond deserve great credit for shepherding the bill through this final step.

In addition to the ballot measure bill, the legislature passed a companion bill stipulating that if the amendment was approved by the voters, then a council would be created made up of citizens and legislators that would recommend how the funds should be allocated. The council make-up would be: two members of the Senate (one from each party, appointed by the Senate Majority Leader, with guidance from the improbably named "Subcommittee on Committees of the Senate Committee on Rules and Administration"), two members of the House (one from each party, appointed by the Speaker of the House), and eight citizen members (two selected by the House, two selected by the Senate and four selected by the Governor). The council was named the Lessard-Sams Outdoor Heritage Council. This was to honor former House member Bob Lessard (a longtime champion of Minnesota hunting and fishing communities, and for dedicated funding for land conservation) and deceased Senator Dallas Sams (a strong supporter of dedicated funding).

The companion bill on the Council also required that any recommendation that it made to the legislature would require at least 9 of the 12 Council members to vote in favor of that recommendation. This concept was borrowed from the bill passed by the Legislature that had created the Legislative Citizen Committee on Minnesota Resources (a group that allocates funds from the Environment and Natural Resources Trust Fund, which itself is funded with 40 percent of the net revenue from the state lottery).

Prior to the creation of the Council, citizens only had an advisory role in this process. There was, unfortunately, so much pork-barrel, behind-closed-doors horse trading in the legislature associated with this process that Republican Governor Pawlenty championed a reform effort. As someone involved in the reform process, I made the suggestion for the supermajority requirement for funding recommendations.

In the context of discussions regarding our ballot measure and campaign, Dennis Anderson and I disagreed on the Council issue. I took the position that the important thing was getting the amendment passed, and that there would be time to work out the allocation issue once that was done, and that the difference between us was probably one of priority. I also argued that, if the ballot measure were to succeed, there would be a constitutional mandate for how the funds were to be spent, so it would be okay if the legislature directly allocated the funds. Dennis had a very different take on all of this. I want to acknowledge that I was completely wrong in my thinking and Dennis was right. The conservation coalition did support the bill to create a Council in the 2008 legislative session and the bill did pass.

One of the disappointments in the process related to the fact that we started with a 50-year vision and were actually looking for permanent funding. But at the end of the process, the legislature only agreed to a 25-year term for the funding. Still, that was a great achievement, and our coalition remained forthrightly dedicated to getting the ballot measure passed by the voters.

The final ballot measure language that was approved by the Minnesota Secretary of State and went to the voters was as follows:

Beginning July 1, 2009, until June 30, 2034, the sales and use tax rate shall be increased by three-eighths of one percent on sales and uses taxable under the general state sales and use tax law. Receipts from the increase, plus penalties and interest and reduced by any refunds, are dedicated, for the benefit of Minnesotans, to the following funds: 33 percent of the receipts shall be deposited in the outdoor heritage fund and may be spent only to restore, protect, and enhance wetlands, prairies, forests, and habitat for fish, game, and wildlife; 33 percent of the receipts shall be deposited in the clean water fund and may be spent only to protect, enhance, and restore water quality in lakes, rivers, and streams and to protect groundwater from degradation, and at least five percent of the clean water fund must be spent only to protect drinking water sources; 14.25 percent of the receipts shall be deposited in the parks and trails fund and may be spent only to support parks and trails of regional or statewide significance; and 19.75 percent shall be deposited in the arts and cultural heritage fund and may be spent only for arts, arts education, and arts access and to preserve Minnesota's history and cultural heritage. An outdoor heritage fund; a parks and trails fund; a clean water fund and a sustainable drinking water account; and an arts and cultural heritage fund are created in the state treasury. The money dedicated under this section shall be appropriated by law. The dedicated money under this section must supplement traditional sources of funding for these purposes and may not be used as a substitute. Land acquired by fee with money deposited in the outdoor heritage fund under this section must be open to the public taking of fish and game during the open season unless otherwise provided by law. If the base of the sales and use tax is changed, the sales and use tax rate in this section may be proportionally adjusted by law to within one-thousandth of one percent in order to provide as close to the same amount of revenue as practicable for each fund as existed before the change to the sales and use tax.

A shorter summary of the ballot measure, which was useful for explaining the concept to voters, is as follows:

If approved, the measure would increase the state sales tax by 3/8 of 1 percent for 25 years. The funds would be divided:

- 33 percent to restore, protect, and enhance wetlands, prairies, forests, and habitat for fish, game, and wildlife;
- 33 percent to protect, enhance, and restore water quality in lakes, rivers, and streams and to protect groundwater from degradation;
- 14.25 percent to support parks and trails of regional or statewide significance; and
- 19.75 percent for arts, arts education, and arts access, and to preserve Minnesota's history and cultural heritage.

The ballot initiative that was being teed up was very exciting and promising, for several reasons.

- We estimated that, if passed, the amendment would yield about $300 million per year or a total of $7.5 billion over 25 years, not adjusting for inflation. Of that $7.5 billion, about

$6 billion would be for conservation purposes (excluding the cultural heritage purposes). If passed, the initiative would be the largest ever passed by voters in the United States.

- In recent decades, it has become somewhat common for voters in states across the nation to approve ballot initiatives authorizing conservation bonds. Our initiative proposed a change in a state constitution, making it very consequential.

- We believed that that timing was right, given that the measure would be on the ballot during a presidential election, which typically have relatively high voter turnout.

For all these reasons, we believed that the measure was strategically significant, unique, and groundbreaking. We were ready to work hard to see that it passed.

Promotion: The Campaign

In January of 2008, we officially launched the effort to pass the ballot measure, which came to be named the "VOTE YES" campaign. We had hired Ken Martin as the campaign manager and he set up the campaign structure. A large campaign steering committee was formed, made up of people from many different organizations in the conservation, arts, parks and sporting communities. It met monthly and provided general direction to the campaign. We also established an executive committee which met weekly to more closely direct campaign activities. This all was put in place and functioning in early January. It ran until the election in November.

We could not get most of the sporting community to participate directly in the campaign as they would not work with the arts community. They were also suspicious of many of the members of the general conservation community, whom they saw as too liberal. Instead, they set up their own committee to run their part of the campaign. Their committee intended to raise and spend its own money, but they were almost completely unsuccessful in the fundraising efforts. The general campaign actually provided funds to them to reach sporting community members.

The executive committee members were Will Abberger (Trust for Public Land/Conservation Campaign), Cristine Almeida, Paul Austin (Conservation Minnesota), Larry Redmond (Citizens for the Arts), Brian Rice (attorney for Minneapolis Parks), Sheila Smith (Citizens for the Arts) and myself (serving as the Treasurer).

The polling told us that across almost all audiences (except older rural male voters), we were likely to win. The big unknown was how many people would show up at the polls and not vote on the amendment. In Minnesota, a constitutional amendment must receive a favorable vote from a majority of the electorate actually *voting in the election*. In effect, if a person showed up and voted for the President and did not cast a vote for the amendment, it was considered a vote against the amendment.

We understood from the polling that we needed to make sure that we were influencing people to vote on the amendment in precincts where there were historically significant numbers of voters that did not vote on amendments. That is to say, we needed to motivate voters to go to the end of

the ballot, where the amendments appear, and make their preferences count—especially younger voters, who tended to poll strongly in favor of the amendment, but who were also more likely not to bother to vote on amendments.

We were lucky that our amendment was the first such question on the ballot. Experience has shown that when there are multiple amendments on the ballot, voting participation decreases the further down the ballot the amendment is listed.

Our other concern was whether or not we would see a significant level of opposition, particularly from general anti-tax groups such as the Taxpayers League. We did not expect to have substantial opposition from groups opposed to the purposes (conservation, art, and the like) that the tax would fund.

We relied on the polling and focus groups results to craft our "VOTE YES" messaging. The focus group process was fascinating. We created test advertisements mocking up messages that we thought our potential opponents might use, and showed them to various groups of potential voters. We showed the same groups messaging that we might use to counter such arguments. It was an amazing experience to sit behind one-way mirrors, eating pizza and drinking beer, watching the focus groups' responses to "for" and "against" messaging, and then assessing their responses in the company of our political consultants.

We also learned from the polling and focus groups how centrally important the clean water issue was to nearly every constituency. We saw to it that everyone (outside of the sporting community) that worked on the passage promoted clean water. Even the arts community, with its broad grassroots connections, promoted the ballot measure by discussing with their community the clean water benefits as well as the benefit to the arts of the ballot measure.

Since we knew that a major challenge would be to get those that did not generally vote on ballot measures to vote, one of our strategies was to employ voter education efforts in target areas. The message was simple: remember to vote on the amendment or your vote was by default a vote against it. The "VOTE YES" campaign targeted these areas and audiences. In addition, the Minnesota Environmental Partnership (a non-profit which is not prohibited from doing voter education) also targeted these audiences. A campaign effort by the Trust for Public Land also engaged heavily in this "don't forget to vote" on the amendment, and contributed to the success of this effort.

One of the amazing things that happened during the campaign occurred as we were preparing for a large bulk mailing. We discovered that the U.S. Postal Service had a requirement that an organization using a bulk mailing permit have audited financial statements. This would be on 2007 financials which were extremely limited, as the only funds raised were the $250 I had contributed to set up the account and there had been no expenses. Unfortunately, we made this discovery at a relatively late date. For a while it appeared that we would not be able to do the mailing at the rate we had anticipated, which in turn would have forced us to do a smaller mailing and throw away lots of extra printed literature. While it seems like a small thing, an audit is an audit and anyone doing it needs to follow procedures which are not setup for speed.

Luckily, the team at Redpath & Co. was up to the task and able to, in less than a week, get us a 2007 audit which we then submitted to the U.S. Postal Service and got the permit.

The campaign was run extremely efficiently and effectively by Ken. Without his commitment, leadership, and skill, we might have seen a different result. Of course, the campaign involved coordinating a wide variety of tasks and details. Ken and everyone involved needed to pay attention to all the details associated with: polling, focus groups, media, consultants, targeted mailings, speakers' bureaus and phone banks, and myriad other items.

Funding

Each element of the campaign required funding, and we had to raise the funding quickly.

We established a budget of $6 million for the campaign to pass the amendment. This would amount to less than one penny spent on the campaign for every $1,000 that the amendment would generate if successful. That is pretty exceptional leverage. Over the course of the campaign, we actually raised less than $4 million. We did not achieve our fundraising goal, but, because the campaign was ultimately successful, our return on the funds raised and expended was even greater than we expected.

We targeted the fundraising at different camps, or target communities. The primary ones were Conservation and Arts. There were also minor efforts to raise funds from the sporting community, groups focused on clean water, parks advocates, and historical societies. These minor efforts never produced any significant results, as their supporters simply did not wish to engage in fundraising.

It is hard to be certain in many cases which gifts came in for the various purposes of the campaign. A review of all gifts over $5,000 to the Vote Yes 501(c)(4) campaign (which totaled about $3.4 million) using some reasonable assumptions about a few of those gifts, provides a good overview of funding sources.

Table 1: Fundraising Dollars Raised by Campaign Purpose

CAMPAIGN PURPOSE	DOLLARS RAISED	PERCENT OF TOTAL
Conservation	$ 2,613,000	77%
Arts	$ 697,000	20%
Sporting	$ 62,000	2%
Water	$ 25,000	1%
Parks	$ 15,000	0.005%
Historical	$ 0	0%

That total does not include gifts to the public education part of the campaign run by the Minnesota Environmental Partnership and the Trust for Public Land which totaled a bit over $600,000 and came primarily from the conservation community.

Perseverance: Getting Out the Vote in the Midst of an Economic Crisis

The latter half of 2008 brought us the subprime mortgage crisis and the bankruptcy of Lehman Brothers. They were dark days—we found ourselves promoting a tax increase while the economy was melting down around us.

Our polling during the summer of 2008 showed we were likely to win with 55% of the vote. However, with the crisis and the "no" vote wildcard, nothing was certain. I remember being at a meeting in New Mexico a couple of weeks before the election and spending most of the night staring at the ceiling wondering what we were doing. The consequences of losing were not just that we would not get the amendment in place. In tough economic times, a loss would mean that we would provide justification for even more cutbacks in state funding for environmental and water issues. Minnesota's average state spending on conservation was 1.8% of the state budget for the previous three decades[4]; by 2007, however, the percentage had fallen to just 1.1% of the state's budget. Further retrenchment was a real possibility if the amendment failed.

On election night, the results came in. Fifty-six percent of the voters that went to the polls that day voted in favor of increasing their sales taxes for 25 years. Thirty-nine percent were against and five percent did not vote on the amendment (the did-not-vote ballots effectively counting as votes against the measure). This was a huge victory. The voters in Minnesota had voted to increase their sales taxes over 25 years by about $7.5 billion in the face of the greatest economic downturn since the great depression.

Appropriation Procedures

Once the amendment passed, an appropriation procedure was finalized for each of the four areas that was to receive funds. Appropriations to each of the four areas are made differently.

- As noted previously, the Lessard-Sams Outdoor Heritage Council (LSOHC) composed of a council of eight citizens (four appointed by the governor, two appointed by the speaker of the house, two appointed by the leadership senate) and four legislators (two democrats and two republicans) recommends to the legislature the funding allocations related to **conservation and sportsmen's interests.** For the most part, the LSOHC recommendations, requiring a supermajority of 9 of the Council's 12 members, have been followed by the Legislature.

- A council of government officials recommends to the legislature where money earmarked for **clean water** purposes should go; largely due to the list of requests submitted by state agencies for these funds, some significant changes have been made to that list before the monies are appropriated by the legislature.

- A legislative compromise typically splits the funds set aside for **parks and trails** between metro and state parks.

[4] *Ibid*, page 10.

- From the funds set aside for the **arts** appropriation, there are some allocations made directly by the legislature to some prominent organizations such as public radio and the Minnesota Historical Society. The bulk of the funds, however, are to the State Arts Council and then distributed to the 13 Regional Arts Councils who determine how they are spend in their own communities.

Sporting Community's Role

Since the election, the sporting groups have claimed that the amendment was "their idea" and therefore, the funds raised should be "their money." It is worth a closer look to clarify how this amendment initiative succeeded. It was proposed, funded, and passed by a broad coalition, rather than by the sporting community alone. While there is no doubt that they did contribute to and support the effort at some level, it has been a bit frustrating to hear their claims of all the credit over the years. The record needs to be clear on this.

- For the most part, the sporting community did not participate in the broad coalition. There were a few notable exceptions, including Dave Zentner (a retired insurance executive and financial planner who had also served as national president of the Izaak Walton League), Lance Ness (a well-known Minnesota conservation and hunting advocate), and senior representatives of Ducks Unlimited. All of these people were great partners in the coalition.

- The sporting community's efforts to get an amendment on the ballot for many years were unsuccessful. However, the first year the conservation coalition proposed and led an effort for a comprehensive and long term funding mechanism by amending the state's constitution, it was successful.

- The conservation community was largely interested in land and habitat protection, rather than being narrowly focused on hunting and fishing habitat. The conservation community raised the vast majority of the funding for both the effort to get the amendment on the ballot, and for the actual amendment campaign.

- The broad campaign actually provided funds to the separate sporting community campaign effort, because the sporting community could not raise any significant funds from their own supporters.

We know through the polling that it was not the support of the sporting community that carried the vote. It was instead a broad desire to do something about water quality. Additionally, votes for the amendment were most concentrated in the state's urban areas. The sporting community is more heavily represented in Minnesota's rural areas.

It must be said, however, that the hunting community worked hard with its members to strongly support the passage of the constitutional amendment in the final campaign effort. Gary Leaf especially deserves mention for his efforts with that community.

Lessons Learned

The process to get to the constitutional amendment passed was long and challenging. As a friend of mine had to remind me, "really, eight years is not that long a time to get from the start to the passage of a measure that provides $7.5 billion in new funding for the state."

So, what were the lessons learned in this process—lessons that may be of value to others who contemplate doing this in other locations? Here are a few that stand out:

- **Vision**—Make sure the vision is clear and don't be afraid to reach for the stars. If we had not been clear that we wanted to do something very significant, we would not have built our coalition and we would not have ended up accomplishing something that was a game-changer.

- **Partnership**—Build broad support through coalitions. This type of work cannot be done by a small group alone. It will not be seen as legitimate to begin with, and will suffer support in the long run, if the only time people are asked to sign on is after everything is decided. The broader the coalition the better.

- **Strategy**—The overall campaign strategy is tremendously important. So are the small strategic details. For example, the actual language of a ballot initiative really matters. The conservation coalition overlooked a clause in the amendment language that said: "Land acquired by fee with money deposited in the outdoor heritage fund under this section must be open to the public taking of fish and game during the open season unless otherwise provided by law." When this clause was included in the language, we were just too ready to settle to get the bill passed. That clause has been a challenge to live with for people on the general conservation side of things.

  Similarly, structuring the processes for actually spending the funds is almost as important as having the funds. The processes for using and accounting for the habitat funds has been far better than the processes for clean water and for parks and trails funds. This is not to say that funds have been wasted. However, better overall decisions have been made (and fewer "backyard" projects have been funded) when allocations involved engagement by outside experts, as opposed to decisions made entirely by elected officials.

- **Promotion**—It is one thing to have a vision and strategy, but without the accompanying resources to promote a ballot measure, the effort will not prevail. We were wise to: hire staff to help get us organized as we were working towards a funding solution; hire a lobbyist to get us audiences with and the attention of key legislators; and hire political consultants who advised us on what to say, on which audiences to say it to, and on how to word the ballot measure. All of these factors were key to our eventual success.

- **Perseverance**—This effort took a long time—eight years. We had to persevere through one of the most severe financial crises of the last 100 years. It did not happen overnight, but the payoff made it all worth it.

Conclusion

What we accomplished in Minnesota was a great victory for conservation. It started with a simple realization that we were not thinking at an appropriate scale and needed to expand our vision. It involved many steps and people to get to the remarkable result: amending the state's constitution and increasing our sales tax for 25 years, thereby providing some $7.5 billion for conservation, water, parks, and the arts.

There was no magic to this. Just hard work, partnerships, and perseverance. I am personally glad that others can learn from our successes and mistakes in their quests to secure funding through voter initiatives. We know now that conservation-related voter initiatives have proven to have high rates of success, both for bond issues and constitutional amendments. Voters across the nation really do care about the environment.

Those of us who have been fortunate enough to be involved in successful campaigns are not just interested in our own communities. We would be delighted to help others as they reach for their conservation dreams with the help of the voters in their communities. So please feel free to reach out to us. We look forward to sharing with you our insights and answering your questions.