



January 18, 2019

Honorable Scott Newman
3105 Minnesota Senate Building
95 University Avenue West
St. Paul MN 55155

Dear Senator Newman,

I am writing to you as Chair of the Senate Transportation Finance and Policy Committee.

The November 19, 2018 [OutFront Gala](#) lists the Minnesota Department of Transportation as a sponsor. The Minnesota Budget and Expenditure database shows that the Department of Transportation paid \$5,000 from the trunk highway fund to OutFront Minnesota Community Services.

Legal counsel has advised us that the trunk highway fund is established by the Minnesota Constitution for the sole purpose of construction, improvement, and maintenance of state highways, and that utilizing trunk highway funds to pay for the OutFront Gala sponsorship is far removed from the actual highway construction, improvement, and maintenance expenses that fall within the constitutional framework.

State law MS 161.20 also is clear: “The commissioner may expend trunk highway funds only for trunk highway purposes.”

It would appear to us that sponsorship of OutFront MN is an illegal misappropriation of money (MS16A.139(a)), since it is clearly used for a purpose other than the purpose for which the money was appropriated.

The Minnesota Supreme Court has also ruled on this issue (*Corey v King*, 8N.W.2d 614, 617-18 (Minn. 1943)), stating that expenditures must have a link to the construction and maintenance of highways. The sponsorship of the Gala does not have a such a link.

As Minnesota taxpayers, we are asking if you would pursue this issue with the Department of Transportation regarding the misuse of highway money. Does this also reflect on other funds disbursed by this and other state agencies? The disregard for how funds are spent is alarming to us.

Thank you for your consideration of this matter.

Sincerely,

Julie Quist
Child Protection League, Chairman of the Board
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cc: Senator Paul Gazelka, Senate Majority Leader
Senator Michelle Benson, Deputy Majority Leader
Senator Mary Kiffmeyer, Member Transportation Committee and Senate President Pro Tem
Senator Dan Hall, Member Transportation Committee
Michele Lentz, Child Protection League President