

# STATE OF MINNESOTA

## Executive Department



## Governor Tim Walz

### Executive Order 19-24; Rescinding Executive Order 13-10

#### **Affirming the Government to Government Relationship between the State of Minnesota and Minnesota Tribal Nations: Providing for Consultation, Coordination, and Cooperation**

**I, Tim Walz, Governor of the State of Minnesota,** by the authority vested in me by the Constitution and applicable statutes, issue the following Executive Order:

It is important to recognize that the United States and the State of Minnesota have a unique legal relationship with federally recognized Tribal Nations, as affirmed by the Constitution of the United States, treaties, statutes, and case law. The State of Minnesota is home to eleven federally recognized Tribal Nations (“Minnesota Tribal Nations”) with elected or appointed Tribal Governments.

The State of Minnesota recognizes and supports the unique status of the Minnesota Tribal Nations and their right to existence, self-govern, and possess self-determination.

The State acknowledges that Minnesota Tribal Nations are comprised of a majority of the State’s 108,000 American Indians and provide significant employment in the State. Members of the Minnesota Tribal Nations are citizens of the State of Minnesota and possess all the rights and privileges afforded by the State.

The State of Minnesota and the Minnesota Tribal Nations significantly benefit from working together, learning from one another, and partnering when possible.

Meaningful and timely consultation between the State of Minnesota and the Minnesota Tribal Nations will facilitate better understanding and informed decision making by allowing for collaboration on matters of mutual interest and help to establish mutually respectful and beneficial relationships between the State and Minnesota Tribal Nations.

For these reasons, I order that:

1. “Agencies” are defined for purposes of this Executive Order as the following: Department of Administration, Department of Agriculture, Department of Commerce, Department of Corrections, Department of Education, Department of Employment

and Economic Development, Department of Health, Office of Higher Education, Housing Finance Agency, Department of Human Rights, Department of Human Services, Minnesota IT Services, Department of Iron Range Resources and Rehabilitation, Department of Labor and Industry, Minnesota Management and Budget, Bureau of Mediation Services, Department of Military Affairs, Metropolitan Council, Department of Natural Resources, Minnesota Pollution Control Agency, Department of Public Safety, Department of Revenue, Department of Transportation, and Department of Veterans Affairs.

2. All agencies must recognize the unique legal relationship between the State of Minnesota and the Minnesota Tribal Nations, respect the fundamental principles that establish and maintain this relationship, and accord Tribal Governments the same respect accorded to other governments.
3. By June 30, 2019, all agencies will, in consultation with Minnesota Tribal Nations, have implemented tribal consultation policies to guide their work and interaction with Minnesota Tribal Nations and will submit these policies to the Office of the Governor and Lieutenant Governor.
4. Prior to September 1 of each year, every agency will consult with each Minnesota Tribal Nation to identify priority issues in order to allow agencies to proactively engage Minnesota Tribal Nations in the agencies' development of legislative and fiscal proposals in time for submission into the Governor's budget and legislative proposal each year.<sup>1</sup> By October 1 of each year, these priorities will be submitted to the Office of the Governor and Lieutenant Governor for review.
5. As appropriate, and at the earliest opportunity, each agency will develop and maintain ongoing consultation with the Minnesota Tribal Nations related to each area where the agency's work intersects with Minnesota Tribal Nations.
6. Agencies must consider the input gathered from tribal consultation into their decision-making processes, with the goal of achieving mutually beneficial solutions.
7. Each agency must designate a Tribal Liaison to assume responsibility for implementation of the tribal consultation policy and to serve as the principal point of contact for Minnesota Tribal Nations. The Tribal Liaison must be able to directly and regularly meet and communicate with the Agency's Commissioner and Deputy and Assistant Commissioners in order to appropriately conduct government-to-government conversations.
8. The State has instituted Tribal State Relations Training ("TSRT") which will be the foundation and basis of all other tribal relations training sources. All agencies must direct certain staff to complete training to foster a collaborative relationship between the State of Minnesota and Minnesota Tribal Nations. In addition to all

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<sup>1</sup> The Department of Iron Range Resources and Rehabilitation will consult with Minnesota Tribal Nations within its service area.

Commissioners, Deputy Commissioners, and Assistant Commissioners, all agency employees whose work is likely to impact Minnesota Tribal Nations will attend TSRT training. Tribal Liaisons will actively support and participate in the TSRT.

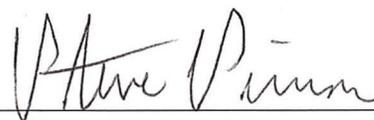
9. Nothing in this Executive Order requires state agencies to violate or ignore any laws, rules, directives, or other legal requirements or obligations imposed by state or federal law or set forth in agreements or compacts between one or more Minnesota Tribal Nations or any other Tribal Nation and the State or its agencies. This Executive Order is not intended to, and does not create, any right to administrative or judicial review, or any other right or benefit or responsibility, substantive or procedural, enforceable against the State of Minnesota, its agencies or instrumentalities, its officers or employees, or its subdivisions or any other persons. Nothing in this Executive Order prohibits or limits any state agency from asserting any rights or pursuing any administrative or judicial action under state or federal law to effectuate the interests of the State of Minnesota or any of its agencies.
10. If any provision in this Executive Order conflicts with any laws, rules, or other legal requirements or obligations imposed by state or federal law, state and federal laws will control.
11. Executive Order 13-10 is rescinded.

This Executive Order is effective fifteen days after publication in the State Register and filing with the Secretary of State. It will remain in effect until rescinded by proper authority or until it expires in accordance with Minnesota Statutes 2018, section 4.035, subdivision 3.

Signed on April 4, 2019.

  
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**Tim Walz**  
Governor

Filed According to Law:

  
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**Steve Simon**  
Secretary of State

