

# STATE OF MINNESOTA

## Executive Department



## Governor Tim Walz

### Executive Order 19-19; Rescinding Executive Order 16-06

#### Establishing the Governor's Council on Freight Rail

**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:

The State of Minnesota relies on rail transportation to support a thriving economy by providing producers, manufacturers, and consumers with access to world markets. Railroads are critical to the movement of goods in the State of Minnesota, providing energy efficient transportation of approximately 25 percent of all freight in Minnesota by weight—a figure estimated to grow by 25 to 40 percent by 2040.

Railroads employ over 4,500 people in the State of Minnesota. The State of Minnesota's freight rail network is over 4,500 miles with 22 railroads, the eighth highest rail mileage in the nation. Derailments, especially those involving hazardous materials, pose safety risks to our communities, environment, and economy.

Federal agencies have jurisdiction over many aspects of rail safety, including ensuring common carrier obligations are met and rates are set fairly. The State of Minnesota participates in the Federal Railroad Administration's State Rail Safety Participation program. The Minnesota Department of Transportation has jurisdiction to inspect track, signal and train control, motive power and equipment, operating practices, hazardous materials, highway-rail grade crossings, and any other duties described in the federal State Rail Safety Participation program.

A number of Minnesota state agencies and the Metropolitan Council have an interest in the safe and efficient operation of the railroads. The State of Minnesota is committed to working proactively with federal, state and private stakeholders to foster safe and efficient freight rail operations, support our economy, and benefit our local communities.

For these reasons, I order that:

1. The Governor's Council on Freight Rail ("Council") is established to elevate coordination and partnership between the State and railroads, to actively promote safety and reduce risks, and to ensure efficient movement of goods to support our economy while minimizing the impacts of those operations on our local communities.

2. The Governor or the Governor's designee will serve as the Chair of the Council.
3. The Commissioner of Transportation will serve as the Vice Chair of the Council.
4. The Council will include the other following cabinet members:
  - a. Commissioner of Agriculture
  - b. Commissioner of Commerce
  - c. Commissioner of Employment and Economic Development
  - d. Commissioner of Iron Range Resources and Rehabilitation
  - e. Chair of the Metropolitan Council
  - f. Commissioner of the Pollution Control Agency
  - g. Commissioner of Public Safety
  - h. Commissioner of Revenue
5. The Council will also include, by invitation:
  - a. One representative each from the Class I railroads operating in the state
  - b. One representative each from three Minnesota Class II and III railroads;
  - c. One representative from Amtrak
  - d. One city representative designated by the League of Minnesota Cities
  - e. One county representative designated by the Association of Minnesota Counties
  - f. One tribal member designated by the Minnesota Indian Affairs Council
6. The Council will consult with and solicit advice from private industry, governmental entities, labor unions, and nonprofits regarding concerns and opportunities with freight railroads and related activities.
7. The Council has the following duties:
  - a. The Council must meet at least four times per year. At least two of the meetings must be in person.
  - b. The Council must prepare a written report to the Governor by February 1, 2020 and each year thereafter. The report must include an update on the



activities of the Council and recommendations for actions needed to improve freight rail operations in the State of Minnesota.

- c. The Council must develop a platform for ongoing communication and dialogue with freight rail operators on key issues such as capacity enhancements, capital improvement priorities, economic development and safety.
  - d. The Council must review and provide direction on an interagency risk assessment. The Council must review and recommend changes to operating practices and administrative rules, if needed, to enhance rail safety. The Council must make safety improvement recommendations, as needed, to external partners.
  - e. The Council must study, identify, and recommend best practices in supporting freight rail and economic development in local communities.
  - f. The Council must identify areas to work with the Minnesota Freight Advisory Committee and make recommendations for any organizational changes that would enable both groups to work more efficiently together and avoid duplication of efforts.
8. The Department of Transportation will provide staffing and administrative support to the Council.
  9. Executive Order 16-06 is rescinded.

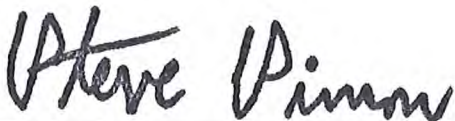
This Executive Order is effective fifteen days after publication in the State Register and filing with the Secretary of State. It will remain in effect until rescinded by proper authority or until it expires in accordance with Minnesota Statutes 2018, section 4.035, subdivision 3.

Signed on April 1, 2019.



**Tim Walz**  
Governor

Filed According to Law:



**Steve Simon**  
Secretary of State

