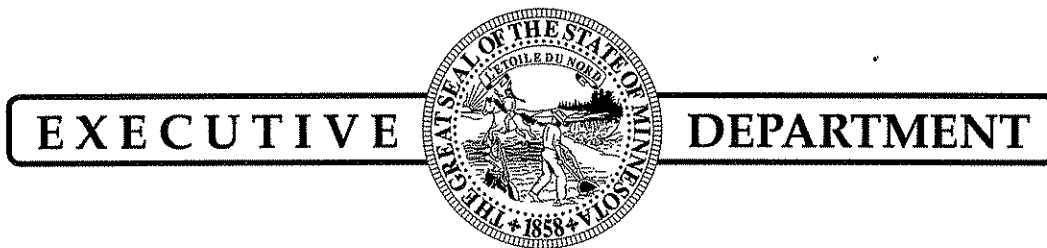


STATE of MINNESOTA



TIM PAWLENTY
GOVERNOR

EXECUTIVE ORDER 08-08

DIRECTING AGENCY ACTIONS RELATED TO FEDERAL REAL ID

I, TIM PAWLENTY, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Minnesota Constitution and applicable statutes, do hereby issue this Executive Order:

WHEREAS, the federal REAL I.D. Act of 2005, Public Law 109-13 ("REAL ID Act") reflects the recommendations of the 9/11 Commission and was passed by Congress on a bipartisan basis and signed into law by the President; and

WHEREAS, the REAL I.D. Act requires states to enact minimum security features in state driver's licenses for the purpose of enhancing homeland security, reducing identity fraud and reducing illegal immigration; and

WHEREAS, if Minnesota fails to implement mandatory provisions of the federal REAL I.D. Act, Minnesotans will be prohibited from using their driver's license as identification for air travel or for entering federal buildings; and

WHEREAS, the federal REAL I.D. Act raises significant issues for states including the need to ensure that Minnesota continues to maintain control over its state driver's license program and that the personal privacy of individuals is respected and protected; and

WHEREAS, these concerns as well as funding concerns need to be addressed before Minnesota can commit to implementing the requirements of the REAL I.D. Act.

NOW, THEREFORE, I hereby order:

1. The Commissioner of Public Safety may not implement the federal REAL I.D. Act, before June 1, 2009 unless implementation is authorized by the Legislature.
2. Notwithstanding Paragraph 1, the Commissioner of Public Safety may take actions to enhance the security of Minnesota driver's licenses, state identification cards, and the systems and databases that relate to these programs, if the Commissioner of Public Safety

determines that the security enhancements are necessary, appropriate and are pursued to serve the interests of Minnesota.

3. Pursuant to Paragraph 2, the Commissioner of Public Safety may apply for and receive any federal grants that allow Minnesota to plan for and implement enhancements to the security of its state driver's licenses, state identification cards and systems and databases that relate to these programs, provided that acceptance of the federal grant does not obligate Minnesota to fully implement the REAL I.D. Act.
4. The Commissioner of Public Safety will take appropriate actions to ensure that before the Commissioner, or the Division of Driver and Vehicle Services, enters into any agreement that would provide for the multi-state or national storing or sharing of driver's license or identification card information pursuant to the requirements of the Real ID Act, the Commissioner shall certify to the Governor that the driver's license, state identification card, database, records facility, computer system, and the department's personnel screening and training procedures:
 - a. Are consistent with the requirements of Minnesota law;
 - b. Include security measures to protect the privacy of Minnesota residents including, but not limited to, measures that comply with the privacy protections contained in the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13;
 - c. Include safeguards to protect against unauthorized disclosure of personal information; and
 - d. Identify the costs associated with record-keeping and the source of funding for those costs.

Pursuant to Minnesota Statutes 2008, Section 4.035, Subdivision 2, this Executive Order will be effective fifteen (15) days after publication in the State Register and filing with the Secretary of State and will remain in effect until rescinded by proper authority or until it expires in accordance with Minnesota Statutes 2008, Section 4.035, Subdivision 3.

IN TESTIMONY WHEREOF, I have set my hand this 17th day of May, 2008.



TIM PAWLENTY
Governor

Filed According to Law

MARK RITCHIE
Secretary of State