

1.1 A bill for an act  
1.2 relating to environment; requiring certain recipients of money appropriated from  
1.3 the environment and natural resources trust fund to perform criminal background  
1.4 checks on employees, volunteers, and contractors that work with children; amending  
1.5 Minnesota Statutes 2018, sections 116P.05, subdivision 2; 299C.62, subdivision  
1.6 2; proposing coding for new law in Minnesota Statutes, chapter 116P.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. Minnesota Statutes 2018, section 116P.05, subdivision 2, is amended to read:

1.9 Subd. 2. **Duties.** (a) The commission shall recommend an annual or biennial legislative  
1.10 bill for appropriations from the environment and natural resources trust fund and shall adopt  
1.11 a strategic plan as provided in section 116P.08. Approval of the recommended legislative  
1.12 bill requires an affirmative vote of at least 12 members of the commission.

1.13 (b) It is a condition of acceptance of the appropriations made from the Minnesota  
1.14 environment and natural resources trust fund, and oil overcharge money under section 4.071,  
1.15 subdivision 2, that the agency or entity receiving the appropriation must submit a work plan  
1.16 and annual or semiannual progress reports in the form determined by the Legislative-Citizen  
1.17 Commission on Minnesota Resources, and comply with applicable reporting requirements  
1.18 under section 116P.16, and comply with the background check requirements under section  
1.19 116P.21. None of the money provided may be spent unless the commission has approved  
1.20 the pertinent work plan. Modifications to the approved work plan and budget expenditures  
1.21 shall be made through the amendment process established by the commission. The  
1.22 commission shall ensure that the expenditures and outcomes described in the work plan for  
1.23 appropriations funded by the environment and natural resources trust fund are met.

2.1 (c) The peer review procedures created under section 116P.08 must also be used to  
2.2 review, comment, and report to the commission on research proposals applying for an  
2.3 appropriation from the oil overcharge money under section 4.071, subdivision 2.

2.4 (d) The commission may adopt operating procedures to fulfill its duties under this chapter.

2.5 (e) As part of the operating procedures, the commission shall:

2.6 (1) ensure that members' expectations are to participate in all meetings related to funding  
2.7 decision recommendations;

2.8 (2) recommend adequate funding for increased citizen outreach and communications  
2.9 for trust fund expenditure planning;

2.10 (3) allow administrative expenses as part of individual project expenditures based on  
2.11 need;

2.12 (4) provide for project outcome evaluation;

2.13 (5) keep the grant application, administration, and review process as simple as possible;  
2.14 and

2.15 (6) define and emphasize the leveraging of additional sources of money that project  
2.16 proposers should consider when making trust fund proposals.

2.17 **Sec. 2. [116P.21] CHILD PROTECTION BACKGROUND CHECKS REQUIRED.**

2.18 Subdivision 1. **Requirement.** Notwithstanding section 299C.62, subdivision 5, a recipient  
2.19 of an appropriation from the trust fund that is a children's service provider, as defined in  
2.20 section 299C.61, subdivision 5, must perform a background check under sections 299C.60  
2.21 to 299C.64, on all children's service workers, as defined in section 299C.61, subdivision 6.  
2.22 This requirement applies from commencement to completion of the project for which the  
2.23 appropriation was received.

2.24 Subd. 2. **Certification.** As part of the work plan required by section 116P.05, subdivision  
2.25 2, a recipient of an appropriation from the trust fund must certify to the commission either  
2.26 that it has and will continue to comply with the requirements of this section, or that it is not  
2.27 a children's service provider, as defined in section 299C.61, subdivision 5.

2.28 Subd. 3. **Liability.** The Legislative-Citizen Commission on Minnesota Resources, and  
2.29 its members and staff, are immune from any civil or criminal liability that arise from any  
2.30 act or omission related to the performance of background checks or certifications required  
2.31 under this chapter.

3.1 Sec. 3. Minnesota Statutes 2018, section 299C.62, subdivision 2, is amended to read:

3.2 Subd. 2. **Background check; requirements.** (a) The superintendent may not perform  
3.3 a background check under this section unless the children's service provider submits a  
3.4 written document, signed by the children's service worker on whom the background check  
3.5 is to be performed, containing the following:

3.6 (1) a question asking whether the children's service worker has ever been convicted of  
3.7 a background check crime and if so, requiring a description of the crime and the particulars  
3.8 of the conviction;

3.9 (2) a notification to the children's service worker that the children's service provider will  
3.10 request the superintendent to perform a background check under this section; and

3.11 (3) a notification to the children's service worker of the children's service worker's rights  
3.12 under subdivision 3.

3.13 (b) Background checks performed under this section may only be requested by and  
3.14 provided to authorized representatives of a children's service provider who have a need to  
3.15 know the information and may be used only for the purposes of sections 116P.21, and  
3.16 299C.60 to 299C.64. Background checks may be performed pursuant to this section not  
3.17 later than one year after the document is submitted under this section.