

EXECUTIVE ORDER NO. 79-25

Authorizing the Bureau of Criminal Apprehension
to Provide Criminal History Conviction Data to the
Department of Public Welfare and Various
County Welfare Departments

I, Albert H. Quie, Governor of the State of Minnesota, by virtue of the authority vested in me by the Constitution and applicable statutes, do hereby issue this Executive Order:

WHEREAS, the Department of Public Welfare and the various county welfare departments license foster homes, family day care homes, day care facilities, and residential facilities for children and handicapped adults; and,

WHEREAS, the qualifications of any person applying for a license to operate a foster home, a family day care home, a day care facility, or a residential facility must be evaluated before issuing a license or denying a license application; and,

WHEREAS, the determination of whether an applicant appropriately qualifies to hold such licenses requires consideration of criminal history conviction information, if any, that may exist;

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NOW THEREFORE, I ORDER:

The Bureau of Criminal Apprehension, with the informed consent of the subject of the data, to furnish to the Commissioner of Public Welfare, the director of any county welfare agency, or their representatives, subject to the restrictions in Minnesota Statutes, Section 364.04:

1. All felony convictions and the following conviction criminal history data for the below listed offenses as referred to in the Criminal Code of 1963, as amended, Minnesota Statutes, Section 609.01 et. seq.:
 - A. Homicides
 - B. Crimes against the person
 - C. Crimes of compulsion
 - D. Sex crimes
 - E. Incest
 - F. Theft and burglary
 - G. Embezzlement and crimes relating to fraud or misuse of funds
 - H. Arson
 - I. Obscene telephone calls

as such data may pertain to the following individuals:

- A. Applicants, operators, and other persons living in the household of any family day care facility or any family residential facility seeking a license from the Department of Public Welfare;

- B. Directors and residential unit supervisors of all non-family residential and non-residential programs (such as group homes; maternity shelters; child-caring institutions; residential programs for the mentally retarded, inebriate or drug-dependent, adult mentally ill, and physically handicapped) seeking a license from the Department of Public Welfare; and
 - C. Directors and division or unit supervisors of all agencies placing children for care that are seeking a license from the Department of Public Welfare.
2. All felony convictions and the following conviction criminal history data for the below listed offenses as referred to in the Criminal Code of 1963, as amended, Minnesota Statutes, Section 609.01 et. seq.:
- A. Homicides
 - B. Crimes against the person
 - C. Crimes of compulsion
 - D. Sex crimes
 - E. Incest
 - F. Theft and burglary
 - G. Arson
 - H. Obscene telephone calls

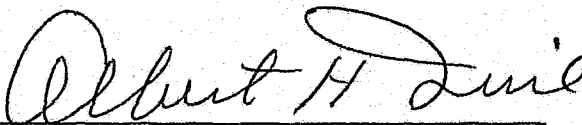
as such data may pertain to the staff of:

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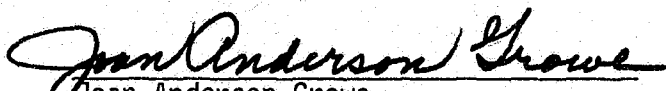
- A. All non-family residential and non-residential programs seeking a license from the Department of Public Welfare; and
 - B. All agencies placing children for care that are seeking a license from the Department of Public Welfare
3. "Informed Consent" as used herein shall conform to Minnesota and federal law, including, but not limited to, the provisions of Minnesota Statutes, Sections 15.162 to 15.1697, and rules promulgated thereunder.

Pursuant to Minnesota Statutes 1978, Section 4.035, this order shall be effective 15 days after its publication in the State Register and filing with the Secretary of State and shall remain in effect until it is superseded or rescinded by proper authority or it expires in accordance with Minnesota Statutes 1978, Section 4.035.

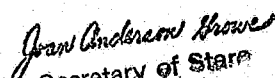
IN TESTIMONY WHEREOF, I hereunto set my hand this 29 day of May 1979.


Albert H. Quie, Governor

Filed according to Law:


Joan Anderson Growe
Secretary of State

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAY 29 1979


Secretary of State

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O.N.