
COMMISSION ON THE ECONOMIC STATUS OF WOMEN

85 State Office Building, St. Paul, Minnesota 55155
Newsletter #125

(612) 296-8590
May 1988

IN THIS ISSUE

SESSION '88: LEGISLATIVE UPDATE, a review of the legislation passed during the 1988 session, which ended April 26.

ANNOUNCEMENTS

The Commission is assisting the Minnesota Supreme Court Task Force for Gender Fairness in the Courts with its public hearings. The final hearings will be 6:30 to 9:30 p.m., May 24 in Marshall and June 7 in Moorhead. The task force was appointed in June 1987 to determine whether men and women are being treated equally in the state court system. For more information call the Commission at 296-8590 or toll free 1-800-652-9747, or contact Mary Grau, task force staff, (612) 297-4029.

SESSION '88: LEGISLATIVE SUMMARY

Commission-endorsed legislation:

CHILD CARE

Child Care Facilities and Training Grants: Appropriates \$150,000 for child care training and facilities. Grants can be used for facility improvements, interim financing, resource and referral programs and staff training expenses. Grants must be allocated among the 12 development regions in the state in proportion to the number of children needing child care in each region. Grants will be awarded by the Department of Human Services based on the recommendation of the grant review advisory task force, which will include parents, providers and others. (HF 2126/Chapter 686)

Child Care Sliding Fee Program: Appropriates an additional \$450,000 to the 1987 appropriation of \$12 million to the sliding fee child care fund. The fund subsidizes child care expenses for families based on their income. (HF 2126/Chapter 686)

Child Care Subsidy for AFDC Recipients: Extends the eligibility guidelines for Aid to Families With Dependent Children (AFDC) recipients and other low income people who receive subsidies to pay for child care expenses. Former AFDC recipients can continue to receive federal subsidies until they begin receiving assistance from the sliding fee program. (HF 2126/Chapter 686)

Extended Day Programs: Allows schools, through community education, to offer programs to extend learning opportunities for children in kindergarten through grade 6. Programs must have supervision, parental involvement, partnership with other K-12 programs and involvement of secondary students. Districts may charge a sliding fee based on income for these programs and they can be funded with outside resources. (HF 2245/Chapter 718)

Early Childhood Innovation/Pre-kindergarten Child Development Grants: Appropriates \$500,000 for grants to school districts for developmentally appropriate early childhood programs for low-income children. Districts may contract with community programs. Grants are awarded by the State Board of Education. (HF 2245/Chapter 718)

PAY EQUITY

Pay Equity in Local Governments: Provides penalties for cities and counties, with more than 10 employees, which do not comply with the pay equity reporting requirements by October 1, 1988. Requires implementation of plans by Dec. 31, 1991 unless another date has already been established and provides a 5 percent reduction in local government aid for failure to implement. (SF 1963/Chapter 702)

Pay Equity in School Districts: Requires school districts to implement their pay equity plans by Dec. 31, 1991 or a date approved by the Commissioner of Employee Relations. Provides a penalty for failure to comply of 5 percent of the district's administrative costs for the 1990-91 school year. (HF 2245/Chapter 718)

CHILD SUPPORT AND MAINTENANCE

Child Support Enforcement: Allows child support enforcement agencies to locate individuals owing support by verifying information with employers and utility companies. Makes it easier for a non-AFDC recipient to intercept state income tax refunds for unpaid child support. Requires that court orders awarding maintenance must provide for a biennial cost of living adjustment. (SF 2009/Chapter 668)

Pension Rights In Marriage Dissolution: Clarifies pension rights of parties in a marriage dissolution. (SF 2009/Chapter 668).

OTHER

Gender Neutral Statutes: Repeals a section of the law which required public bathrooms for women but not for men. (HF 320/Chapter 429)

Battered Women's Shelter for American Indian Women: Provides funding for a battered women's shelter and services for American Indian women. (HF 2126/Chapter 689)

AFDC Eligibility: Changes AFDC eligibility requirements to allow the entire equity value of a motor vehicle if it is required for the operation of a self-owned business. (HF 2126/Chapter 689)

Child care task forces, reports, and demonstration projects:

Child Care in Higher Education: Creates a task force on child care in higher education. Membership includes one student and one faculty or administrator from each system member of the higher education advisory council. Recommendations are due to the legislature on Jan. 15, 1989. (HF 1989/Chapter 439)

Child Care Task Force: Creates a task force to study hindrances to establishing child care facilities in rural Minnesota and report its findings and recommendations by Jan 1, 1989. Membership includes representatives from building and fire code inspectors, licensing units, providers, consumers, advocacy groups and the departments of administration, human services and public safety. (HF 1895/Chapter 608).

Child Care for Post-Secondary Students: Requires a report and recommendations to the finance and appropriation committees by Jan. 1, 1989 on the effects of child care legislation on the needs of post-secondary students. (SF 2569/Chapter 703)

Community Initiatives for Children: Provides one grant of \$150,000 for a demonstration project offering services such as child care, parenting education, counseling and recreation. (HF 2126/Chapter 689)

Child Care in State Office Space: Allows the Commissioner of Administration to prepare a day care site for the capitol complex in state office space which is leased, purchased or remodeled. (HF 2344/Chapter 686)

Building Codes for Group Family Child Care: Establishes a task force to study occupancy standards for family and group family day care homes and lifts the current standards regarding handicapped access, additional exits and fire and safety codes until the task force study is complete. (HF 1795/Chapter 608)

Other legislation related to the economic status of women:

HEALTH

Divorced Spouse Coverage: Requires Health Maintenance Organizations (HMOs) to continue coverage of a divorced spouse until the spouse becomes covered under another group plan or Medicare and limits the fee that can be charged for the coverage. (SF 1861/Chapter 434)

Dependent Children Coverage: Requires that health insurance plans and HMOs allow dependent children not living with the covered employee to be covered on the same basis as if they did live with the employee. The amount of child support paid by the employee cannot be used as a factor to exclude or limit coverage or payment for the dependent children. (HF 2126/Chapter 689)

Insurance Coverage for Mammograms and Pap Smears: Requires all health insurance policies to cover services provided by nurse-practitioners and to provide coverage for mammograms or pap smears when ordered or performed by a physician. (HF 1853/Chapter 441)

MARRIAGE DISSOLUTION AND CHILD SUPPORT

Child Support Collections: Makes each failed payment of child support a judgement by operation of law. This eliminates a step in the process of establishing and collecting a judgement. Will be automatically repealed if Health and Human Services grants a waiver from this provision, which is required by federal law. (HF 1582/Chapter 593)

Property Valuation in Marriage Dissolutions: Provides for the valuing of marital property in a marriage dissolution on a specific date, usually the day the petition is filed. Contains conditions for determining a different date. Creates a legal duty to preserve the value of marital assets in any transaction involving those assets. (SF 462/Chapter 590)

Marriage Dissolution: Clarifies that a person who is appointed as an expert witness to value pension benefits or rights in a marriage dissolution must be experienced in that field. (SF 948/Chapter 619)

Automatic Income Withholding for Child Support: Provides that automatic income withholding (AIW) applies only to initial child support orders, not to modifications. In modifications where it has been applied, the parties may agree to ask the court to terminate the automatic income withholding. For modifications coming before the court after this law goes into effect, the court may grant a request for AIW if the obligor has been 10 days late twice in the previous three months.

In new child support or maintenance orders the court can stay the AIW if the obligor establishes an escrow account of two months child support or maintenance. The account must allow only the Child Support Enforcement Office (IV-D) to withdraw funds from the escrow account. The funds must be released to the office three days after the obligee notifies the office that child support is 10 days late. Requires IV-D office to give the funds to the obligee within three days after receiving them from the bank. Includes provisions for notice to the obligor and a hearing if requested. Anyone with an AIW order may terminate AIW by establishing an escrow account under the terms now in the law. (HF 2341/Chapter 693)

Other issues of special interest to women:

Marital Status Discrimination: Clarifies the definition of marital status under the Human Rights Act to prohibit discrimination against one spouse based on the actions or beliefs of the other or former spouse. (SF 1769/Chapter 660)

Affirmative Action in Metro Agencies: Requires the Metropolitan Council and metropolitan agencies to develop affirmative action plans, adopt written sexual, racial and disability harassment policies and grievance procedures and report to the Commissioner of Employee Relations by Jan. 1, 1989 and yearly after that. Establishes standards for compliance with set-aside laws by metropolitan agencies. (HF 2596/Chapter 680)

Criminal Sexual Conduct: Changes the definition of consent under the criminal sexual conduct statute so that consent at some other time can not be used to show consent in this case. (HF 1740/Chapter 413)

Criminal Sexual Conduct: Establishes the crime of Fifth Degree Criminal Sexual Conduct, which is unconsented sexual contact excluding intentional touching of the clothing covering the buttocks (fanny patting). (SF 1018/Chapter 529)

Women Athletes: Requires the Amateur Sports Commission to make a concentrated effort to recruit women athletes and athletic events for women to its facilities. (HF 2344/Chapter 686)

Nurse Midwives: Allows a certified nurse midwife to prescribe and administer medications. (HF 1784/Chapter 440)

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SESSION '88:
LEGISLATIVE
SUMMARY

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