



Legislative Commission on the **Economic Status of Women**

Newsletter #208
June 1995

85 State Office Building, St. Paul, MN 55155
(612) 296-8590 or 1-800-667-3949

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Cheryl Holum, asst. director

ANNOUNCEMENTS

New Commission Chair

Representative Betty McCollum was elected chair of the Commission at its June 14 meeting. She replaces Senator Janet Johnson, who served two years as chair. Senator Pat Piper was elected vice chair.

Interim Hearings

The Commission will hold public hearings this summer and fall in preparation for the next legislative session that will begin January 16, 1996. Suggestions regarding topics and locations for Commission hearings are welcome. Please call the Commission office.

IN THIS ISSUE

This issue summarizes 1995 legislative action on key bills affecting women. Major topic areas are Child Care, Health, Child Support, Welfare Reform, Violence and Crime, and Miscellaneous. The summary tables include the topic, a brief description of the final legislation, and the chapter numbers as they appear in the session laws. Chapter numbers listed as "SS" indicate the legislation was passed during the three-day special session. Line items vetoed within larger bills are indicated as "Vetoed" under the chapter number and are shaded in gray.

Legislative Summary, Session 1995

TOPIC	BILL SUMMARY	CHAP.
Legislative commissions	Ends the operation of all legislative commissions, including the Commission on the Economic Status of Women, on July 1, 1996. The Legislative Coordinating Commission (LCC) can elect by January 1, 1996 to continue the operation of any commissions. Gives the LCC the responsibility for carrying out the statutory functions and duties of a commission that ceases operation.	248
	Eliminates funding for legislative commissions beginning July 1, 1996.	254

CHILD CARE

Basic Sliding Fee	Appropriates an additional \$16.2 million to the Basic Sliding Fee child care program, which subsidizes child care fees for low and moderate income families.	207
	Allows counties to discontinue contributions above the required match to the Basic Sliding Fee fund, as long as families enrolled on July 1, 1995 are continued until they become ineligible.	139
Resource & Referral	Appropriates an additional \$500,000 for child care resource and referral programs across the state.	207
Cultural Dynamics	Appropriates \$250,000 to train child care providers in cultural dynamics.	207
Post-secondary child care	Raises the maximum child care grant to eligible post-secondary students from \$1,500 per school year to \$1,700.	212
Licensing	Requires DHS* to study licensing and regulation of all child care programs and to make recommendations.	158
School-age child care	Requires child care programs serving more than 10 school-age children to be licensed in the same manner as drop-in child care centers. One staff will be required for every 15 children. Exempts school-based child care programs.	158
Migrant Child Care	Appropriates an additional \$200,000 for migrant child care.	207
Child care self-employment	Requires DHS and the Dept. of Economic Security to develop a plan to use a Community Action Program and a Child Care Resource and Referral Program to train AFDC caretakers as child care workers.	178
Child care cooperatives	Allows a county to collaborate with school districts and other organizations to provide child care services.	207
Seamless child care	Directs DHS to study the feasibility of consolidating all child care funds by July 1996.	178
ACCESS child care	Appropriates \$470,000 to provide additional slots in this program for families who are on AFDC and are in self-directed or non-STRIDE work or training programs.	207

HEALTH

Breast cancer treatment	Requires insurance companies to pay for bone marrow transplants to treat breast cancer, effective May 19, 1995. Prohibits insurance companies from charging co-payments or deductibles for this procedure greater than other covered procedures.	183
Teen pregnancy prevention	Appropriates \$250,000 and \$550,000 for the Education Now and Babies Later (ENABL) curriculum for adolescents ages 12 to 14 for an educational program about postponing sexual involvement. Grants will be awarded to community groups, local boards of health or school districts. Grants must be matched locally. Will also fund a statewide public information campaign.	SS 3
Male Responsibility	Appropriates \$750,000 for male responsibility and fathering grants.	SS 3
Home visiting	Appropriates an additional \$82,000 for public home health visits to expand this pilot program to one more county.	207
Crisis nurseries	Appropriates \$450,000 for this program.	207
MinnesotaCare	Expands Medical Assistance coverage to age two for "eligible" children. Exempts relative caretakers from MA asset standards.	234
Nursing grants	Establishes a nursing grant program for Minnesota health care facility employees seeking to complete a baccalaureate or master's degree in nursing.	234

*DHS=Dept. of Human Services **MFIP=Minnesota Family Investment Plan

Work First Program	Allows DHS and the Dept. of Economic Security to develop and establish pilot projects to direct participants into working as soon as possible, minimizing the risk for long-term welfare dependency and promoting greater opportunity for economic self support, participation and mobility in the work force. The applicant must attend an orientation followed immediately by a job search. Payments for rent and utilities will be vendor paid for six months or however many months the applicant is eligible. The remaining amount of the grant, if any, will be paid to the recipient or used as a wage subsidy. Child care, transportation, medical assistance and other work related aid will be immediately available. An employment advisor and a financial specialist will be assigned to the applicant. Job search must be conducted for up to eight weeks and for at least 32 hours a week. Job search must begin within seven days of application. There are a number of exemptions from job search. A temporary public service jobs program will be established for participants who are not hired or are deferred.	178
Temporary Cash Assistance	Establishes a temporary county assistance program for individuals who do not qualify for any other cash benefits.	VETOED
Minnesota Family Investment Plan	Expands a modified version of MFIP to Ramsey County. Limits higher education programs to two years with certain exceptions.	178

VIOLENCE AND CRIME

Violence prevention	Appropriates \$3.6 million in FY96 and \$2.6 million in FY97 for drug policy and violence prevention. \$852,000 will be distributed each year according to the recommendations of the chemical abuse and violence prevention council. \$75,000 each year will be for community violence prevention councils. \$50,000 is for the development of plays, workshops and other educational resources to promote awareness of prevention of sexual abuse, interpersonal violence and sexual harassment. Appropriates \$3 million for violence prevention education grants.	226 SS 3
Battered women	Appropriates \$325,000 for battered women's services including an Asian battered women's shelter, an African-American battered women's shelter, child advocacy services and community-based advocacy and support services in the judicial districts not served. This is in addition to same level funding for existing programs for battered women.	226
Sexual assault services	Appropriates an additional \$325,000 for maintaining current sexual assault services and six new programs for unserved and underserved populations.	226
Female offenders	Appropriates \$100,000 each year of the biennium to develop a continuum of care for juvenile female offenders.	226
Victim services	Requires the Departments of Public Safety and Corrections and the Supreme Court to provide a plan for consolidating victim services in one agency and make recommendations for a structure for constituent advisory participation. Must be completed by June 30, 1996 or funds for the next fiscal year will not be available.	226
Training	Requires judicial education and training for prosecutors and peace officers on sentencing sex offenders, particularly repeat and patterned sex offenders.	226
Tanning booth peeping	Makes tanning booth peeping a misdemeanor.	226
Domestic abuse	Amends the Domestic Abuse Act to include persons who are involved in a significant romantic or sexual relationship. Allows a minor to petition on their own behalf against a spouse, former spouse or person with whom they have a child in common if the court determines that the minor is mature and it is in the best interests of the minor. Also allows a reputable adult age 25 or older to petition on behalf of a minor. Clarifies the standard for extending an expired order for protection (OFP) or granting a subsequent order. Extends from 4 to 12 hours the length of time in which a probable cause arrest for domestic abuse may be made.	226
Domestic abuse hearings	Allows an ex parte order for protection to be issued without a full hearing, if neither party requests one. The ex parte order may be served by personal service or by published notice but it expires if neither occurs. If the order is mailed it must be accompanied by a form for requesting a hearing.	142

MISC

Legal services	Appropriates \$5 million each year of the biennium for legal services to low income clients and for family farm legal assistance. Requests the Supreme Court to establish a committee to study state funding changes or alternatives needed to maintain legal services as a result of proposed federal cuts. Appropriates \$877,000 each year of the biennium for family law legal services.	226
Affirmative action	Requires state agencies with 1,000 or more employees to have a full time affirmative action officer. Requires agencies to audit affirmative action compliance, justify non-affirmative action hires, develop innovative ways to promote diversity and affirmative action, and identify methods and programs to improve performance.	248
Displaced homemakers	Appropriates an additional \$300,000 for displaced homemaker programs.	224
Parental Leave	Removes the requirement that the Dept. of Labor and Industry annually report parental leave complaints.	248

Custody & visitation education	Allows courts to require parties involved in a custody, visitation or child support proceeding to attend an orientation and education program regarding the process and the impact on children. Allows the court to require parties to pay a fee. Also allows the court, for good cause, to excuse a party from attending.	127
Urban Challenge & Rural Development Grants	Allows urban challenge grants and rural development challenge grants to be used to make micro-enterprise loans to small, beginning businesses, including sole proprietorships. The loans may be to qualified retail businesses for a minimum of \$1,000 and a maximum of \$10,000.	224
Family homeless prevention	Allows a single person to qualify for assistance under the family homeless prevention and assistance program.	224
Labor Education Advancement Grant	Establishes a program to facilitate the participation of minorities and women in apprenticeable trades and occupations. Grants will be awarded to community based organizations serving the targeted populations on a competitive basis.	224
Girl's and women's sports	Appropriates \$45,000, some of which will be used for the development of more amateur sports opportunities for women and girls. Of the total appropriation to the Amateur Sports Commission, \$2.5 million over the biennium is for grants for ice centers, \$400,000 for renovation of existing ice arenas and \$22,000 for ice arena technical assistance.	224
Dept. of Children, Families and Learning	Abolishes the Department of Education and creates the Department of Children, Families and Learning. Transfers some children and family programs from the Departments of Human Services, Economic Security, Corrections, Public Safety and the Office of Strategic and Long-Range Planning. Creates a consolidated funding account from which local programs can receive grants.	SS 3
Women's War Memorial	Appropriates \$16,200 for the women in military service memorial at the entrance to Arlington National Cemetery.	254
New Moon Educational Program	Appropriates \$20,000 for a grant to develop a curriculum to instruct school-aged children on the purpose and experience of the United Nations Conference on Women in Beijing in 1995.	SS 3
Lead poisoning	Appropriated \$500,000 to fund swab teams to clean up lead-contaminated homes.	VETOED
Education & Employment Transitions Partnership	Adds increasing opportunities for women as a goal of the education and employment transitions program, part of the state's youth apprenticeship program. Includes exploring non-traditional career opportunities as an objective of local programs.	SS 3

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St. Paul, Minnesota 55155

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CHILD SUPPORT

Driver's license suspension	Allows suspension of a driver's license when a child support obligor owes an amount equal to three times the monthly child support and maintenance payments. The suspension may be lifted any time the obligor enters into a written payment agreement. Allows a lien to be entered on a motor vehicle title when there is a three-month arrearage.	257
Occupational license suspension	Clarifies procedures for suspension of an occupational license if child support is more than 3 months in arrears and there is no written payment agreement. A hearing will be held before an administrative law judge.	257
Cooperation for the Children Program	Directs the commissioner of human services to develop and implement a child custody and visitation educational program, to provide a non-judicial forum to resolve custody and visitation issues and to provide mediation to resolve conflicts. The program must be voluntary and be administered by the office of administrative hearings.	257
Community Service Work Experience	Allows the courts to require a child support obligor who is physically able to work and who fails to pay child support to participate in a community work experience program up to 32 hours a week and up to six weeks when the obligor is found in contempt.	257
Work reporting system	Requires every employer to report hirings to DHS by sending the W-4 or W-9 form within 15 days, unless the new employee is hired for less than 2 months and will earn less than \$250 per month. The data will be retained for six months and may only be disclosed for child support enforcement purposes.	257
Liability for past support	Allows the court to deviate downward from child support guidelines when determining liability for past support if the obligor has additional children, the family income is less than 175 percent of the poverty level and the child owed support is over age 5, and if the obligor became aware of the child within one year of when the action began.	257
Child care by non-custodial parent	Allows non-custodial parents additional visitation rights to provide child care under certain circumstances if the arrangement is reasonable and in the best interests of the child, but does not make this a reason to deviate from child support guidelines.	257
Unwarranted denial of visitation	Clarifies that the court may modify custody based on unwarranted denial of or interference with visitation.	257
Seek-work orders	Allows a child support office to seek a court order requiring an obligor to seek employment if the obligor's employment cannot be verified, the obligor is three months in arrears and is not in compliance with a written payment plan.	257
Child support payment center	Establishes beginning January 1, 1997 a central collections unit for receipt and distribution of all child support payments in the state.	257
Publication of names	Allows DHS to publish names twice yearly of obligors who owe at least \$3,000 and are not in compliance with a written payment agreement. Requires a printed retraction and apology if a name is published in error. DHS may not publish names until January 1, 1997, but a county may.	257
Recognition of Parentage	Creates a presumption of paternity when a minor signs a Recognition of Parentage.	257
Supervised Visitation	Increases the marriage license fee to provide additional funding for supervised visitation facilities (formerly child safety centers) and the MN ENABL program.	257
County attorney services	Clarifies that representation by a county attorney in the child support enforcement program does not constitute an attorney/client relationship. Requires that the obligee be informed of other services and of the right to an attorney.	257
Administrative process	Extends the administrative process to contested cases and requires all counties to participate by July 1, 1996 except Hennepin County, which will have a pilot program by July 1, 1996. No county is required to participate until after training.	257

WELFARE REFORM

Welfare Reform Task Force	Establishes a task force of 10 legislative members to design a welfare reform program for the 1996 legislative session focusing on self-sufficiency and promoting work. The program must integrate STRIDE, MFIP**, targeted jobs and changes enacted by Congress.	178
Working Family Credits Joint Venture	Requires DHS and the Revenue Dept. to develop a plan and to seek federal waivers for a pilot project that will combine several tax credits and make them available to families on a monthly basis. This includes the working family credit, property tax refunds, the dependent care credit and the federal earned income tax credit. Also establishes a pilot program to provide an early refund of tax credits to AFDC and Family General Assistance recipients.	178
Immunization	Requires technical assistance to county agencies to help workers remind recipients to have their young children immunized.	178
Non-English speaking recipients	Establishes a pilot project to provide language assistance and translation services in Hennepin and Ramsey counties to applicants and recipients of public assistance. Requires that work experience participants be assigned to work and that functional work literacy programs be implemented for those lacking proficiency in English. Expands criteria for the employability plan required of STRIDE participants to reflect language needs of non-English speaking clients and to increase the criteria for determining the appropriateness of an educational or training program.	178

Teen parents	Requires pregnant or parenting minors to live with a parent, guardian or other adult, or in an adult supervised living arrangement in order to receive AFDC. Exempts minors who have no living parent or guardian, are not allowed to live in the parent's home, have lived away from home for at least one year, whose physical or emotional health or safety would be jeopardized by living with a parent, or who have lived independently as part of a social services plan.	178
Unemployed parent	Seeks a federal waiver to eliminate the 100-hour rule and other work restrictions for AFDC-unemployed parent families.	178
Overpayments	Seeks a waiver to allow payment of a grant in the month that a recipient begins working without incurring an overpayment.	178
STRIDE	Establishes sanctions for STRIDE participants who do not cooperate with the development or the terms of the employability plan. Requires broader cooperation among agencies and local employers to maximize job opportunities for welfare clients. Relaxes requirements for how case management funds may be spent by the county. Requires the development of a performance model to analyze the success of STRIDE services. Establishes work or volunteer work requirements for participants in educational programs under STRIDE. Exempts full-time students. Work requirements for less than full-time participants and for those in a high school equivalency program can include hours spent assisting at a licensed day care center, attendance at parenting skill classes or documented volunteer work. Work must be for at least the minimum wage. Allows participation in an intensive, functional work literacy program instead of job search for persons who lack English proficiency.	178
Sanctions	Requires both caretakers in a two-parent family to be sanctioned when one fails to cooperate with work requirements unless the second caretaker is participating in job search, training or community work experience. Provides a sanction for a caregiver who voluntarily quits suitable employment without good cause.	178
AFDC budgeting	Requires development of a plan for supplemental payments to mitigate the effects of retrospective budgeting on recipients whose pay or child support is reduced.	178
Food Stamps	Establishes a food stamp outreach program to inform recipients of the existence and availability of food stamps.	VETOED
Food Stamp Work and Training	Establishes the food stamp work and training program.	178
MA coverage	Prohibits medical assistance coverage of fertility drugs when used to enhance fertility.	178
Social Security numbers	Requires provision of a Social Security number in order to be eligible for General Assistance.	178
Work-focused programs	Allows counties to design their own plans for programs that will stress employment and self-sufficiency for first-time AFDC and Family General Assistance applicants. The program may not reduce grant amounts or change eligibility categories, but may use vendor payments, mandatory job search or other features. The plan must be approved by DHS.	178
Administrative savings	Requires the commissioner to make administrative changes by requiring fewer income reviews and reports. Administrative savings may be used by the county for any lawful purpose.	178
Empowerment Zones	Allows counties to develop plans to improve employment opportunities by creating public works projects to develop communities with a declining tax base.	178
Fair Share	Requires Minnesota's Fair Share program to contain a community work experience component for participants who fail to cooperate. Fair Share is a work, training and support program for non-paying child support obligors.	178
Federal Waivers	Requires the commissioner to include all waivers in a single request to the federal government in order to reduce evaluation costs. The waiver package will include: 1) disallowance of parental income of a pregnant or parenting minor living with parents; 2) start-work offset; 3) elimination of the 100-hour rule and the work history requirement; 4) increasing the maximum equity value of a motor vehicle allowed as an excluded resource; 5) allowing dependent children and minor caretakers attending school to earn income which does not reduce the grant; 6) allowing AFDC payments to eligible families who have not resided in Minnesota for 12 months to be less than the maximum payment paid to Minnesota families; and 7) implementing a work incentive for disabled persons eligible for medical assistance who are not residents of a long term care facility.	178
Income Support and Transition	Requires MFIP participants to seek and accept full-time employment when the family support agreement specifies job search. Job search is limited to three months and then the caregiver must take any suitable employment.	178