



Commission ON THE Economic Status OF Women

Newsletter #213
Room 85 State Office Building, St. Paul, MN 55155

April/May 1996
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COMMISSION NOTES

The Commission was established 20 years ago - May 1, 1976. Beginning July 1st, the Commission will assume the responsibilities of the Commission on Children, Youth and Their Families, which will get out of existence on June 30th.

IN THIS ISSUE

This issue features a summary of selected legislation that was considered during the 1996 legislative session, which ended April 4. Included are bills that have been signed into law, bills that were considered but not passed by the legislature, and bills that were vetoed by the governor.

The legislature will convene again on January 7, 1997.

INTERIM HEARINGS

The Commission may be holding interim hearings this summer. If you are interested in having a hearing in your community, please let us know.

SUMMARY OF THE 1996 LEGISLATIVE SESSION

TOPIC	DESCRIPTION	CHAP. #
CHILD CARE		
Child Care Assistance	Appropriates \$5 million to the Basic Sliding Fee program which helps families pay for child care costs while they are working or in school.	465
Insurance for Providers	Improves the ability of in-home family child care providers to obtain homeowners insurance. Claims arising from the child care business would have to be specifically covered in the policy or by rider.	326
PUBLIC ASSISTANCE PROGRAMS		
MN JOBS	Creates the MN JOBS program which allows counties to require AFDC recipients to participate in an immediate job search. The Department of Human Services must approve the county program. Employers, non-profit organizations, educational and social service agencies, labor unions and community-based organizations must be involved in administering the MN JOBS program. Requires the commissioner to request all necessary waivers.	465
Relationship to STRIDE	MN JOBS will supersede STRIDE in the counties that adopt it. Individuals on the STRIDE waiting list or those eligible for STRIDE will be given priority. Current STRIDE participants making progress on their approved educational development plan will not be required to participate in MN JOBS, but may volunteer.	
Job search requirements	MN JOBS participants will be required to attend an orientation, have an assessment, develop an employability plan, conduct an intensive job search for 30 hours per week for four weeks and accept suitable employment. If no job is found, the individual may continue the job search or may be assigned to job training, community work experience, adult basic education, or college or community college programs for up to 2 years.	
Exemptions	Those not required to participate in MN JOBS are: AFDC caretakers under age 20 who do not have a high school education and are working toward a diploma; individuals age 60 or older; ill or incapacitated individuals; pregnant women; caretakers caring for an ill or incapacitated person in their home or who have a child under age 3; and AFDC recipients working at least 30 hours per week or those who would have to commute to employment more than 2 hours. Individuals experiencing a personal or family crisis making them incapable of participating may be exempted by the county. Others exempt from the job search requirement may include: those within two years of completing an educational program leading to employment; individuals in chemical dependency treatment; those whose English skills may be a barrier to employment; and those needing refresher courses to obtain professional certification or licensing. Exempt caretakers may volunteer for MN JOBS.	
Future welfare initiatives	The Department of Human Services must prepare a 1997 welfare proposal which sets goals and plans to evaluate existing welfare reform efforts. Several state departments must also develop a proposal by December 1, 1996 to allow counties to merge services and funding.	
Casinos/restrictions on electronic benefits	Disallows AFDC checks from being cashed or AFDC cash cards from being used at gambling establishments. If ATM overpays on an electronic benefits transfer, the county may immediately require repayment from the individual.	
Two-parent families	Two-parent AFDC families may be required to develop a Family Support Agreement by the seventh month of assistance if one parent is proficient in English. The caregiver is exempt from the job search if he or she is enrolled in an educational program of one year or less.	
Residency requirement of 30 days	Establishes a 30-day residency requirement for persons applying for public assistance programs. Exceptions to this requirement include if the caretaker applying for assistance or the children in the family: were born in Minnesota; lived in Minnesota at some time for at least one year; are joining a close relative who has lived in Minnesota at least one year; or came to Minnesota to accept a job offer. Counties will be allowed to waive the 30-day requirements in cases of emergency or hardship.	

Family Law		
Child Custody/Visitation	<p>Allows a law enforcement officer or other appropriate person to accompany someone trying to enforce or comply with child custody visitation. Requires visitation orders to contain a specific visitation schedule if either party requests it and it is practical.</p> <p>Provides a form for individuals to use on their own to make a motion in court to resolve visitation disputes. The courts must provide instructions for serving and filing the court motion.</p> <p>Allows courts, in resolving visitation disputes, to impose civil penalties up to \$500 and require posting bonds. Provides that unwarranted denial of or interference with visitation may constitute contempt of court and may result in custody being reversed.</p> <p>Allows parents or the court to request appointment of a visitation expeditor. One party may be required to pay the expeditor costs and neither party would be required to participate if unable to pay.</p> <p>Allows judicial districts to establish a mandatory visitation dispute resolution program, which requires the parties to use a visitation expeditor before going to court. The agreement or expeditor's decision is binding. Exemptions to mandatory dispute resolution would be cases where a party has an Order for Protection or if one party is unable to pay the costs.</p>	391
CHILD SUPPORT		
Withholding Financial Aid	Improves the process relating to withholding state financial aid grants for nonpayment of child support.	398
Interest on Child Support Arrearages	Allows courts to discontinue interest accrual on past due child support if the child support obligor has paid both current and past due child support in full and on time for 3 years. The interest accrual will resume if the obligor fails to make complete and timely payments.	391
CHILDREN'S PROGRAMS		
Crisis Nurseries	Appropriates an additional \$250,000 to fund crisis nurseries which offer temporary care: to abused or neglected children or those at high risk of abuse or neglect; and for children in families receiving child protective services.	408
Public Health Home Visiting	Appropriates \$250,000 for public health home visiting programs designed to prevent child abuse and neglect. Grants will be awarded by the Department of Health to programs that target at-risk families.	
Kindergarten, Extended-day and After-school Programs	<p>Appropriates \$3.5 million for grants to ensure that students are ready to read and succeed in school. Grants are allocated to specified geographic areas. Programs may be for either full-day daily programs for five-year-olds or half-day programs for four-year-olds. Districts participating must provide extended-day services.</p> <p>Allows compensatory education revenue to be used for all-day kindergarten and extended-day and extended school-year programs.</p> <p>Allocates \$1 million for grants to incorporate technology in after-school programs.</p>	398
HEALTH CARE		
Hospital Stay for Newborns and New Mothers	<p>Requires health plans which cover maternity benefits to provide insurance coverage for a minimum of 48 hours of in-patient care for both the mother and the newborn child following a vaginal delivery and a minimum of 96 hours following a cesarean. Compensation or other incentives for the patients to leave in-patient care before the minimum duration of stay may not be offered.</p> <p>Health plans must also provide coverage for in-home post-delivery care for both mother and newborn if they stay less than the minimum. In-home care includes parent education, assistance in breast and bottle feeding, and clinical tests. The home visits must be conducted within four days following discharge from the hospital. Law is in effect.</p>	335
WORKPLACE ISSUES		
Parental Leave	Effective July 1, employees no longer have to have worked for their employer for 12 months to be eligible to take up to 16 hours leave during a 12-month period to attend school conferences or classroom activities.	341

HOUSING & ENERGY ASSISTANCE		
Family Homeless Prevention	Appropriates \$300,000 to the Housing Finance Agency for grants to programs which will assist families who are homeless or at risk of being homeless. The grants are targeted to areas with a significant number or a significant increase in the number of homeless families.	452
Transitional Housing	Appropriates \$450,000 for transitional housing programs which provide independent living to persons or families with rents at 25 percent of the family income, up to 24 months.	
Energy Assistance	Appropriates \$750,00 for energy assistance, \$60,000 for energy-related repairs and \$90,000 for weatherization for low income persons.	
DOMESTIC ABUSE/VIOLENCE PREVENTION		
Violence Prevention	Appropriates \$75,000 for the Higher Education Center on Violence and Abuse.	408
Battered Women	Appropriates \$4,000 for the international women's shelter in Rochester to prepare and translate brochures on laws concerning violence against women and children into various languages. Topics to be covered will include, but are not limited to, child abuse, female genital mutilation and domestic abuse.	
Domestic Abuse	<p>Requires the prosecutor to present relevant information regarding the victim's account of the alleged crime to the judge in determining the release on bail of a person arrested for domestic assault or harassment.</p> <p>Requires notification of a battered women's program, at the request of a victim, when the arrested person is about to be released. Also requires notice to the victim of a bail hearing for release from pretrial detention.</p> <p>Changes the penalties for conviction of gross misdemeanor or felony domestic assault. Allows a sentence to be stayed if the person completes anger therapy or counseling but revokes the stay if the person fails to attend or complete the programs. Requires a minimum period of incarceration in each case.</p> <p>Requires a domestic abuse assessment and a report to the court when a defendant is convicted of domestic abuse or another offense arising out of the same circumstances. The assessment must be conducted by an assessor approved by the court or the corrections department. The convicted person must be ordered to pay an assessment fee unless the court finds the person is indigent or payment of the fee would create a hardship.</p> <p>The report must contain an evaluation of the defendant, circumstances of the offense, impact on the victim, prior record, history of chemical use and amenability to domestic abuse counseling, as well as recommendations on contact with the victim, counseling or aftercare, chemical dependency evaluation or other appropriate remedial action.</p> <p>A person may be prohibited from possessing a firearm if the person is convicted of violating an order for protection and a firearm was used during the commission of the violation.</p> <p>Establishes a state goal of zero tolerance for violence. For victims of violence the goal includes: crisis intervention services; safe housing; counseling and support services; and assistance in pursuing legal remedies and medical care. For child victims or witnesses to abuse the goal includes access to: crisis child care; safe supervised child visitation; appropriate counseling and support; and assistance with legal remedies, medical care and social services.</p> <p>Creates a crime victims services roundtable to be convened by the commissioner of the Department of Administration to discuss methods for improving delivery of and increased funding for victims services and to present initiatives to the legislature.</p> <p>The roundtable will include representatives from: the departments of Health, Human Services, Children Families and Learning, Corrections, Public Safety, Planning, and Attorney General; Office of Crime Victim Ombudsman and Office of Dispute Resolution; Supreme Court; county attorneys association; and the councils for Indian Affairs, Latinos/Chicanos, Asian/Pacific and Black Minnesotans.</p>	380
Insurance for Battered Women	Disallows life or health insurance carriers from: refusing to offer, sell or renew coverage; limiting coverage; or charging a rate different from the normal rate because the insured has been or is a victim of domestic abuse.	278

BONDING		
Youth Initiative Grants	Authorizes \$16 million in bonds for youth initiative grants for after-school, evening, week-end and school vacation enrichment programs in parks and recreation or school buildings that provide equal access and programming for girls. Requires an assessment of programming needs in the community. Dollars are targeted to specific neighborhoods in Minneapolis and St. Paul and to other areas with high concentrations of low income children.	463
Youth Programs	Authorizes \$3.5 million in bonds for Head Start, early childhood learning programs, crisis nurseries, child visitation centers or facilities to serve homeless youth	
Housing	Authorizes \$2.5 million for transition housing loans for homeless youth, homeless families and battered women.	
MISCELLANEOUS		
Woman's Suffrage Memorial	Appropriates \$250,000 for construction of the Minnesota Women's Suffrage Memorial Garden on the capitol grounds. \$50,000 of the appropriation must be matched by non-state funds.	390
Women's Athletics	Allows athletic events to be restricted to one sex if the restriction would preserve the unique character of the team, program or event and would not reduce the number of athletic opportunities available to the other sex.	431
Bias Crimes	Allows a civil cause of action against a person who has committed a bias offense and allows recovery of damages, including punitive damages, or injunctive relief.	468
Human Rights Enforcement	Requires the commissioner of Human Rights to consult with representatives of groups affected by the Human Rights Act to develop a plan to eliminate the case backlog and to process cases in a manner that complies with statutory time deadlines. The plan must be submitted to the legislature by January 1, 1997.	390
Nuisance	Allows a neighborhood organization or a resident to request a prosecuting attorney to bring a nuisance action when there is evidence of two or more separate incidents or convictions within 12 months. Nuisance actions include prostitution. A prevailing individual or neighborhood organization may receive actual damages or \$500. It is a defense to the action if the individual alleged to be a nuisance was coerced or if the basis of the prosecution was discrimination. The law sunsets 8/1/99.	453
NOT PASSED		
Dependent Care	Would have required employers with 100 or more employees to offer Dependent Care Pre-Tax Accounts. Would have increased the amount of the Dependent Care Tax Credit to a maximum of \$5,000 for 1 child and \$10,000 for 2 or more children, up to 30 percent of out-of-pocket child care expenses. Would have increased the income level for obtaining the maximum credit from \$13,350 to \$30,000 annually.	HF 2540
Child Care Licensing	Would have directed a comprehensive study of child care licensing by the Institute of Early Childhood Professional Development. The study would have considered in-service training of child care staff and licensing child care workers rather than child care programs.	HF 2248
Women Veteran's Memorial	Would have provided for a memorial plaque recognizing Minnesota women veterans of all wars in the Court of Honor on the State Capitol grounds.	SF 2419
VETOED		
MNCare	Would have extended coverage under this state health insurance plan for the uninsured to single adults whose income is up to 150 percent of the federal poverty level. Currently income limit is 125 percent of poverty.	
Minimum Wage	Would have raised the state's minimum wage from \$4.25 per hour to \$5 per hour beginning Sept. 1, 1996 and \$5.10 per hour beginning September 1, 1997.	Vetoed
Livable Wage	Would have required certain companies which receive economic development assistance from the state of Minnesota to pay their full-time employees a wage (including health and dental coverage) at least equal to the federal poverty level for a family of four.	Vetoed
Loan Forgiveness for Law Students	Would have provided loan repayment assistance to reimburse graduates of Minnesota law schools working full-time for an agency serving economically disadvantaged persons.	Vetoed

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