



Legislative Commission on the Economic Status of Women

Newsletter #184

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Steve Kelley, Hopkins
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IN THIS ISSUE

This issue summarizes legislation passed during the 1993 legislative session that ended May 17 and during a one-day special session May 27. Included are issues the Commission had on its legislative agenda and related legislation of interest to women.

ANNOUNCEMENTS

A May newsletter was not published.

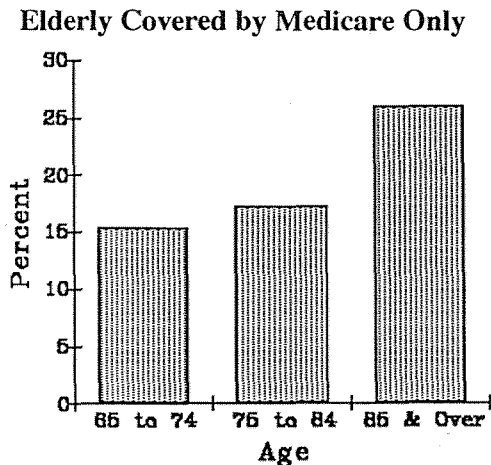
The Commission will be holding public hearings around the state and would like to hear from you if your community is interested in hosting a hearing. Hearings can cover a specific topic or can be open discussions of the status of women and how state policy can affect it. Please call the Commission office if you have hearing suggestions.

CORRECTION

In the April newsletter on the elderly in Minnesota and the U.S., a chart and the text incorrectly stated that most elderly are covered by the federal Medicaid program. Correctly, most elderly are covered by the federal *Medicare* program. Thank you to our faithful readers who pointed out this error.

The corrected text and chart follow. Data are from "Sixty-Five Plus in America," a publication of the U.S. Bureau of the Census.

Nearly all elderly people are covered by Medicare, the federal health insurance program covering most medical expenses for persons over 65. In addition to Medicare, 74 percent of persons ages 65 to 84 are also covered by private medical insurance, although this is less likely as persons get older. Private insurance covers some or all medical expenses not covered by the Medicare program.



Legislation Approved in 1993

The chapter number indicated at the end of the sections below indicate where the legislation will appear in the publication of the session laws. The notation SS indicates the legislation was passed during the one-day special session.

PROGRAMS FOR WOMEN

Commission on the Economic Status of Women

Appropriates \$355,000 for the Legislative Commission on the Economic Status of Women. **CHAP 192**

Battered women's programs

Appropriates \$400,000 for additional battered women's shelters.

Appropriates \$1.3 million for operation of the existing battered women's programs and shelters. **CHAP 146**

FAMILY LAW

Appropriates \$1.6 million to improve access of low income clients to legal representation in family law matters. **CHAP 192**

Provides for withholding of income tax refunds for delinquent spousal maintenance. Allows occupational licenses to be reviewed for suspension in cases of delinquency on spousal maintenance. Responsibilities for medical and dental insurance and uninsured costs must be assigned in child support. Provides for notices to be included in all court orders relating to child support, spousal maintenance, custody and visitation. The notices relate to payment methods, visitation violations, laws governing payments, parental rights of each party, change of addresses, late payment notices and judgments and medical and dental insurance requirements.

Requires district court clerks to make forms for applying for a cost-of-living adjustment in spousal maintenance and/or child support available. **CHAP 322**

VIOLENCE PREVENTION

Stalking and harassment

Expands the definition of harassment to outlaw "targeted residential picketing" and attending events after being told that it is harassment. Residential picketing includes activities aimed at affecting the safety, security or privacy of the residence or preventing access to or egress from the resident by the occupant. Violations are a misdemeanor

punishable by imprisonment up to 90 days or fine up to \$700. Repeat violations become gross misdemeanors punished by one year imprisonment or a fine up to \$3,000 or both.

Expands harassment definition to include conduct that would cause a person to feel oppressed, persecuted or intimidated. These activities include: purposely injuring the personal property or rights of another; stalking, following or pursuing; trespassing on property; repeated telephoning; or repeated mailings or deliveries to the victim. These actions become a felony if: the victim's race, color, religion, sex, sexual orientation, disability, age or national origin was a factor; a weapon is used; or the victim is under age 18. This law became effective June 1, 1993. **CHAP 326**

Allows owners registering motor vehicles with the state to keep their residence address private for safety purposes by written request. These owners must agree to have all motor vehicle correspondence sent to a separate mailing address that will be kept confidential.

Post-secondary training

Appropriates \$400,000 to the Higher Education Coordinating Board (HECB) to design a program for training students on violence issues. Students in teaching, school administration, law enforcement, medical and mental health, social work, guidance counseling or other education and human service programs are included. **CHAP 326**

Creates a higher education center on violence and abuse at one public or private post-secondary school chosen by HECB. The center will provide curriculum and other violence resources and educational opportunities for faculty, students and staff. The center may fund pilot projects to develop violence prevention curricula. The center will convene task forces of various professional fields to review regulations, licensing and accreditation standards to determine if professionals are adequately prepared and updated on violence and abuse issues. **CHAP 326**

Violence prevention grants

Appropriates \$400,000 for community violence prevention councils and \$1 million for violence prevention grants that can be used for curriculum development in the schools. Appropriates an additional \$3 million for violence prevention education grants. **CHAPS 224 & 326**

Judicial education

Adds harassment and stalking laws to the Supreme Court's judicial education program of ongoing training for district

court judges. Requires training for county and city attorneys. These provisions take effect the day after the bill is enacted. **CHAP 326**

CHILD CARE

Appropriates an additional \$3.5 million for the Basic Sliding Fee Child Care program.

Re-allocates \$600,000 of federal child care funds to counties with insufficient Basic Sliding Fee child care funds to serve all enrolled families. This is a one time shift to remedy a problem caused by changing the allocation formula. **SS CHAP 1**

Makes public certain data regarding criminal convictions of applicants for family child care or child care center licenses. Licensees can be disqualified because of previous crimes. Licensees can ask for a reconsideration. **CHAP 171**

Prohibits smoking during hours of operation in family child care homes licensed by the state of Minnesota effective March 1994. **CHAP 14**

Appropriates \$54,000 from the Early Childhood Care & Education Council to be used for a pilot child care workers training program, including an apprenticeship component. Child care workers will be trained to qualify as assistant teachers, teachers and in-service trainers or mentors. **SS CHAP 1**

Provides funding to the Higher Education Coordinating Board to provide technical support to post-secondary schools in providing innovative child care options for students.

Appropriates \$7.1 million to the post-secondary child care program which subsidizes child care costs of students during school hours. **SS CHAP 2**

Allows jurors in court to be reimbursed for any additional child care expenses incurred as a result of jury duty, at rates determined by the Supreme Court. **CHAP 192**

PATERNITY

Allows the paternity of a child born to unmarried parents to be established by signing a "recognition of parentage" form, rather than having to go to court. The recognition of parentage is witnessed by a notary public and filed with the state registrar of vital statistics. This recognition can be the basis for awarding custody or visitation to either parent or establishing child support or other legal obligations. The Department of Human Services must prepare the form and provide educational materials to help the mother and father make the decision to establish paternity. Hospitals will

distribute these materials to new parents and make the parentage forms available. **SS CHAP 2**

AFDC

Allows the state to seek permission from the federal government to raise the maximum allowable value of a car to \$4,500 in determining eligibility for AFDC. The state may also seek permission to allow dependent children and minor caretakers attending school at least half-time in AFDC families to save any earned income without disqualifying the family from assistance.

Appropriates \$200,000 for supplementary grants to AFDC recipients to cover such expenses as major home and appliance repair, utilities, supplementary dietary needs or furniture or appliance replacement. **SS CHAP 1**

CHILD SUPPORT

Income withholding

Allows for automatic income withholding for child support payments to occur at the written request of the obligor or by the custodial parent's motion in court. Creates a \$15 monthly fee to the child support enforcement office for obligors if their income is being withheld but they are not using other collection services of the child support enforcement offices.

Describes the distribution of withheld income for child support when there is more than one withholding order for the same employee. **SS CHAP 1**

Medical and child care expenses

Requires that any new child support and maintenance orders require obligors to keep the public authority informed of their current employer and whether any employment-related health insurance coverage is available. **SS CHAP 1**

Requires the parent with the best available medical insurance to provide coverage for the child. If the employer is self-insured and does not offer dependent coverage, an obligor is required to obtain dependent coverage. If insurance is not available to either parent, the court can require the obligor to pay \$50 or more per month toward the children's medical and dental expenses or toward insurance. Medical and dental expenses include orthodontia and eye care. If each parent has the ability to pay, courts may apportion medical and dental expenses between them. Medical providers must reimburse the parent for any pre-payments if covered by insurance and mail any information about the child's coverage to both parents.

Requires employers to ask new employees if they are under court order to provide medical coverage. Employers are

already required to ask about child support. Employers who wilfully fail to comply with withholding orders are liable for any dependent medical expenses and may be subject to contempt charges and required to pay a fine.

Requires the court to review the work and education-related child care costs for a custodial parent and apportion these between the parents based on their incomes, unless this would be substantially unfair to either parent. Allows modification of child support awards if child care expenses change or if there are extraordinary medical expenses not provided for in the original court order.

Guidelines

Raises the minimum income used in establishing child support from \$400 to \$550 per month and raises the maximum income to which guidelines are applied from \$4,000 to \$5,000 per month. This upper limit will rise every two years with the cost of living.

Prohibits courts from deviating downward from the guidelines when the custodial parent is on AFDC, unless it poses an extreme hardship for the obligor.

Penalties for non-payment

Strengthens penalties for wilful failure to pay child support and changes felony non-payment of support to a gross misdemeanor with a penalty of one year in prison or a fine of \$3,000. Provides that interest will accrue on unpaid child support at the same rate as other judgments, plus two percent, but not to exceed 18 percent annually.

County child support enforcement offices

Expands authority of counties to obtain information to locate absent parents, to establish paternity or child support or to enforce a child support order. Information can be obtained from insurance companies, financial institutions, utility companies, employers and labor associations.

Provides financial incentives to counties for establishing paternity and for reviewing and obtaining necessary adjustments to child support orders.

Collections at the state level

Creates an arrearage collection project in the Department of Revenue for child support that is more than \$100 and 90 days past due. The department can use all available tax collection remedies and use tax return information to collect.

Requires the Department of Human Services to study the feasibility of:

- allowing employers to pay wage withholding for all employees to one agency with one check;
- creating one depository for child support payments, rather than the individual counties;

- converting from current child support guidelines to an "income shares" formula;
- establishing guidelines or formulas for child support in joint or split custody cases;
- simplifying and streamlining the administrative process for child support to make it more informal, uniform and accessible statewide. **CHAP 340**

Appropriates \$5.8 million for a child support restructuring initiative in the Department of Human Services. Includes funding for Project Fair Share which provides job training and support services for non-custodial parents who owe back child support. **SS CHAP 1**

EDUCATION

Appropriates \$400,000 for a statewide Children's Data Base.

Appropriates \$130,000 for staff for the Legislative Commission on Children, Youth & Families.

Appropriates \$4.47 million for a grant program that will fund projects designed to increase local collaboration among counties, school districts and social service organizations. An additional \$3.5 million is appropriated to these grants in SS CHAP 1, the Health and Human Services bill.

Appropriates \$18.9 million to the Learning Readiness program, a pre-kindergarten program for four-year olds.

Appropriates \$950,000 to the Way to Grow programs. **CHAP 224**

Appropriates \$23 million to HeadStart programs statewide, a \$6 million increase. **CHAP 369**

Appropriates \$1 million to establish a youth apprenticeship program. Requires any program to actively encourage women and minority students to participate. **CHAP 335**

WORKPLACE ISSUES

Unemployment Compensation

Requires the Dept. of Jobs & Training to develop and implement a policy regarding employees forced to leave work due to domestic abuse and to study problems of employees leaving work because of child care or domestic abuse problems. **CHAP 270**

Economic development

Appropriates \$380,000 to WomenVenture, Inc., a non-profit organization based in St. Paul helping women start and maintain small businesses. **CHAP 369**

HOUSING

Appropriates \$880,000 to the transitional housing program, providing temporary shelter for homeless persons and families.

Appropriates \$1.2 million for the food shelf program.

Appropriates \$400,000 for youth employment and housing for the homeless through the Youthbuild program.

Appropriates \$1.1 million for acquisition, rehabilitation or construction of transitional housing units.

Appropriates \$3 million for rent assistance in the family stabilization program.

Appropriates \$3.8 million for the family homeless prevention and assistance program. Provides grants to counties for programs that will prevent homelessness and secure permanent or transitional housing for homeless families. Grants can be used to build emergency shelters, transitional housing or permanent housing.

Appropriates \$366,000 for an emergency mortgage foreclosure prevention and emergency rental assistance program. Provides assistance to low or moderate income persons in danger of losing their housing because of circumstances beyond their control. **CHAP 369**

HEALTH CARE

Appropriates \$500,000 for grants to nursing programs to recruit persons of color and to provide grants to students who are persons of color and seeking a degree as registered nurses. **SS CHAP 2**

Appropriates an additional \$4.2 million to the WIC program in the Department of Health.

Appropriates an additional \$3.6 million to the family planning grants administered by the Department of Health in the Maternal and Child Health program. **SS CHAP 1**

OTHER

Taxes

Expands the Working Family Tax credit from 10 percent to 15 percent of the allowable federal Earned Income Tax Credit. **CHAP 375**

Women in athletics

Appropriates \$30,000 for an international ringette (a type of hockey played by women) tournament in St. Paul and Rosemount in 1994.

Appropriates \$300,000 for promoting the Women's Final Four basketball tournament in 1995. **CHAP 369**

Appropriates \$30,000 to the Amateur Sports Commission to promote women's sports. **CHAP 192**

Requires the state High School League to adopt rules and policy requiring the equal employment of women as referees for high school activities and sports contests.

Requires the High School League to analyze opportunities for women to train and serve as referees. **CHAP 224**

Nurse veterans statue

Appropriates \$50,000 for a nurse statue to be located in the Veterans Affairs Medical Center in Minneapolis. **CHAP 369**

LEGISLATION VETOED BY GOVERNOR

Gender balance on boards HF31/SF17

Required gender balance in multi-member state agency appointments; recommended racial, ethnic, geographic and socioeconomic diversity in these appointments.