

2021 MID-SESSION UPDATE

REPORT ON OUR TOP LEGISLATIVE PRIORITIES

APRIL 2021



MCLA'S REPORT ON OUR TOP LEGISLATIVE PRIORITIES

We entered the Minnesota 2021 session with a new political configuration at the legislature. Democrats kept control of the House with a slimmer margin of votes, but Republicans continued to control the Senate chamber, with two Democrat senators from Greater Minnesota breaking ranks and declaring themselves Independents. The context of the current session with a divided legislature started and will continue to be grounded by the impacts of the COVID-19 pandemic on Minnesotans across the state, the approval of the state budget for the next biennium, and the federal relief aid to the state as part of the American Rescue Plan Act (ARPA).



EDUCATION



In the area of education, MCLA priorities focused on addressing the systemic and institutional barriers that existed prior to the pandemic and have only been exacerbated over the past year. Additionally, given the exhaustive and continuous outreach with Latinx community members, MCLA is making strides in balancing communicating our needs with highlighting the immeasurable assets our students and families bring with them.

Within the Minnesota school system, Latinos represent nearly 10% of the state's student population, totaling more than 84,700 students. Moreover, Latino Minnesotans consistently demonstrate that, despite institutional biases and barriers, we are eager to learn, can perform well academically, and want more higher education opportunities. However, we need our institutions to do better and provide vitally important information as to how we can access resources and educational opportunities that are available for everyone.

Several initiatives and policy proposals that MCLA tracked and supported during the 2021 session were agenda items prioritized in either the House of Representatives or Senate, such as the Increase Teachers of Color Act, mental health supports, and Post-Secondary Enrollment Options (PSEO).

Below is an update on the status on MCLA priority or tracked bills before the legislative recess.

2021 INCREASE TEACHERS OF COLOR ACT

MCLA has maintained its leadership role in advocacy on this proposed legislation. Coordinated efforts with the Minnesota Indian Affairs Council (MIAC), Council for Minnesotans of African Heritage (CMAH), Council on Asian Pacific Minnesotans (CAPM), in addition to the TOCAIT coalition, help lead to prioritization of this legislation on the House side. Since 2017, the top priority in education uniting the four Councils has been the need to increase the percentage of teachers of color and American Indian teachers in Minnesota. Addressing this severe shortage is key to narrowing our state's persistent achievement and opportunity gaps, which disproportionately impact our constituent communities.

We must be bold and innovative as a state, if we expect different results in narrowing gaps and this session's ITCA represents significant change. In addition to the proposed investment of \$45,000,000 in various programs, key provisions of HF217/SF446 include:

- Establishing a state goal to increase the percentage of TOCAIT each year and have a teaching workforce that reflects the diversity of K12 students by 2040.
- Creating a statute to expand and strengthen the Grow Your Own (GYO) program.
- Requiring district plans under the World's Best Workforce and Achievement & Integration statutes to ensure curriculum, learning, and work environments are anti-racist and affirm, embrace, and integrate the cultures strengths of all students.

In addition, key provisions on the higher education portion of ITCA HF1041/SF797 include:

- The strengthening of student teacher candidate grants in shortage areas to address the most severe shortage in each economic development region, targeting financial support accordingly.
- The strengthening of teacher shortage loan forgiveness program to address the most severe shortage areas by region so limited funds support those teachers and reserves a percentage of funds for TOCAIT equal to the percentage of students of color and American Indian students in the state

Most policy provisions have been included in Chair Ruth Richardson's Omnibus policy bill (HF1081).

EDUCATION



ENGLISH LANGUAGE LEARNING FUNDING

According to MDE, 46,957 Minnesota students come from homes where Spanish is the primary language spoken – around half (55%) of all Latino students. Spanish is the primary household language of 5.7% of all of Minnesota’s enrolled student . Overall, student enrollment has grown by 3.8% since 2014; during this same time, growth among students from primarily Spanish-speaking households was 12.2%, while growth among English-speaking households was less than 1%.

While the EL student population continues to grow, the state has lagged in meeting the demand of the necessary resources to support our EL students. In collaboration with the Minnesota Education Equity Partnership, MCLA introduced a proposal that seeks to address the stagnant existing funding. Key provisions of this proposed legislation are:

- Index the current EL funding to the percentage increase in the general education revenue formula
- Consider students with limited or interrupted formal education (SLIFE) as 1.5APU
- Establish an EL advisory committee within MDE comprised of parents and community members.

As of March 16, 2021, neither version of HF1939/SF1964 has received a hearing in the house or senate.

POST-SECONDARY ENROLLMENT OPTIONS (PSEO)

According to data provided by People for PSEO, Latinx students who participate in PSEO have a 93% 4-year graduation rate compared to the general statewide average of 70% for the class of 2019. Moreover, despite the stark differences in outcomes, Latinx student’s participation in PSEO is markedly low as a result of historical challenges to access the program, which includes a lack of information regarding the program, transportation expenses, and access to online classes.

To help support efforts to improve access to PSEO, MCLA provided testimony and written support of SF939 (Nelson) on March 1 in the Senate Education Finance and Policy Committee. As of March 16, no companion bill has been introduced in the house.



LATINX COMMUNITY HEALTH ACCESS



HEALTH EQUITY PRIORITIES

The disproportionate impacts of the COVID-19 pandemic have influenced MCLA to prioritize legislation that can address some of the underlying conditions that drove disparities in Minnesota. The council has also prioritized bills that will better situate our communities going forward to ensure a robust recovery and stronger protections from future health concerns. Also, MCLA has worked with community partners and state agencies to minimize the health disparities highlighted and exacerbated by the COVID-19 Pandemic. The council has leveraged its unique position between community partners and state agencies to implement procedures and practices that promote a more equitable vaccine distribution plan

KEY LEGISLATION

The MinnesotaCare Public Option Expansion bill, HF 11/SF 1029, aims to expand eligibility for MinnesotaCare (MNCare) to groups that were previously disqualified. These new groups of eligible Minnesotans include individuals with income greater than 200% of the Federal Poverty Guidelines that meet all other MNCare requirements, some individuals with access to certain employer-subsidized coverage, undocumented Minnesotans, and employees of qualified small-businesses who can opt-into MNCare. The bill was first heard in the Health Finance & Policy Committee and passed as amended to the Commerce Finance & Policy committee. It passed as amended once again and was re-referred to Health Finance & Policy where it awaits another hearing. Its companion in the Senate, SF 1029 is awaiting a hearing in the Health & Human Services Policy & Policy Committee.

The expansion of eligibility would greatly improve community healthcare through access and health outcomes. Additionally, the establishment of a small employer public option would serve to create more opportunities for access and would improve small employers' ability to recruit workers though benefits that are often more difficult for small businesses to offer. This would allow our communities to continue propelling the MN economy while accessing services they deserve.

The Dignity in Pregnancy & Childbirth Act, HF 660/ SF 877, requires hospitals, birth centers, and other obstetric care providers to maintain continuing education programs on anti-racism and implicit bias for its employees. The bill aims to address disparities in infant and maternal morbidity and mortality. Additionally, it requires that the Commissioner of Health take steps to increase the availability of midwives, and doulas. It also contains measures to ensure that midwife & doulas training and licensing meet standards to improve birth outcomes. The bill was first referred to the Health Finance & Policy committee. It was adopted as amended and referred to Judiciary Finance & Civil Law where it was amended and sent back to the Health Finance and Policy Committee. It awaits another hearing on a TBD basis.

The Dignity in Pregnancy & Childbirth Act would go a long way in addressing the disparities in obstetric health outcomes for Latinx & other BIPOC communities. The inclusion of anti-racism and implicit bias training for practitioners will dispel harmful notions that too often lead to negative health outcomes for BIPOC patients. This upstream approach will also mend community distrust born from these negative outcomes and will therefore indirectly improve access to healthcare. However, the MCLA would advise an an amendment to subdivision 3, subsection 1. This section of the bill covers access to doulas and midwife services but does not explicitly state how this will be done. It is the MCLA's position that language that specifically addresses access concerns should be included. This may include but is not limited to language that qualifies midwife and doulas services as medical expenses, which creates an opportunity for insurance payments, reimbursement, and FSA use on these services. This would ensure that these services are not only available to individuals that can pay for these services out of pocket.

Other bills that would improve Latinx wellbeing are the Safe Workplaces for Meat & Poultry Processing Workers Act (HF 800/SF 1598), the Adult-Use Cannabis Bill (HF 600/SF 757), and the Vaccine Distribution Requirements bill (HF 2113/SF 2051).

LATINX COMMUNITY HEALTH ACCESS



The devastating COVID-19 outbreaks at meat processing plants across the state have highlighted the unsuitable working conditions that thousands of meat processing workers have long suffered from. This last spring, it was estimated that nearly half of the employees tested at the JBS Worthington Plant (the largest in the state) were infected with the virus. Nationally, the meat processing industry accounts for over 50,000 infections and 250 deaths, with at least 2 deaths connected to the plant in Worthington.

Despite its role as a vector for COVID-19 spread, the industry has yet to enact consistent and basic measures to mitigate future and current outbreaks. HF 800 authored by Rep. Wolgamott is the manifestation of the decisive action Minnesota needs. The measures in HF 800 are critical as they would serve to address both short- and long-term health and workforce safety protections. In the short term, measures found in this bill would create avenues for employees and employers to work together to rectify unsafe and risky work conditions.

If enacted, the bill will prevent future outbreaks but will also address industry wide health concerns that have predated the pandemic. The health benefits for rural Minnesota would therefore be improved in both the short and long term. However, through the interconnected nature of health, this bill would serve to benefit all Minnesotans.

As for the Adult-Use Cannabis bill, HF600/SF757 seeks to legalize and regulate the use, sale, and production of cannabis for adults (21+). It would establish the Cannabis Management Board and

advisory councils which would report on cannabis use and sales. The Board would include, an “Office of Social Equity” made up of members “with experience in promoting social equity”. Additionally, it is tasked with eliminating the illicit market for cannabis, meeting market demands for cannabis, promoting a “craft” industry, and promoting and protecting public health and safety. This bill has built in mechanisms to reduce existing inequities. It also includes procedures to address future inequities from the prohibition of cannabis. However, it is worth noting that most of the profits from the industry this bill would create would go towards those with the means to mobilize, expand, and transfer into the Cannabis industry. This bill will be a net positive for Latinx communities, but more can be done to ensure that the economic stimulus from the cannabis industry is spread equitably. The grants and programs tied to this bill are important but are likely at too small of a scale to ensure an equitable distribution of wealth in the Minnesota economy.

The Vaccine Distribution Requirements bill would ensure an equitable vaccine distribution among communities of color, especially immigrants who despite new challenges and harsh realities, have continued to contribute to the economic vitality of the state during these unprecedented times. The bill has many merits, including implementing actions and programs to overcome disparities in COVID-19 vaccination rates; an education and outreach campaign; community assistance; interpreting services, and a mobile vaccination program which are key pillars to successfully and intentionally target disadvantaged communities.



ECONOMIC DEVELOPMENT/TAXES



During the session, MCLA has continued promoting and supporting economic development initiatives that will advance equity and wellbeing in Minnesota Latinx communities.

PROMOTING WORK AND ECONOMIC OPPORTUNITIES FOR HAIRDRESSERS AND SMALL BUSINESSES IN THIS SECTOR

With important support from the MCLA, SF2126 (Senator Patricia Torres-Ray) and its companion HF2370 (Rep. Aisha Gomez) have been introduced in the Legislature. This initiative aims to eliminate licensing barriers for small business and hairdressers, many of whom are women of color, and many native Spanish-speakers. This legislation establishes new training requirements, an apprenticeship program, and standards to ensure diversity on the Board of Cosmetology, thereby promoting equity and economic opportunities in BIPOC communities.

As part of the legislative initiative mentioned above, the MCLA has worked with state partners, including the Minnesota Department of Labor and Industry's Registered Apprenticeship model, and the Latino Economic Development Center (LEDC) to design and develop a cosmetology and haircut and hair color apprenticeship program. This program is designed to benefit workers and small businesses in this sector by creating an alternative path for entry into these occupations.

HOSPITALITY WORKERS

MCLA has provided support to a legislative initiative that will benefit workers in the hospitality and service sector who have been laid off during the COVID-19 pandemic. The bill HF39 (Rep. Carlson) SF841 (Sen. Champion) provides protections for rehiring and retention for laid off workers during a declared emergency. The MCLA is working on ensuring support from the other Councils as well as identifying key members willing to support the bill in the Legislature.

MONITORING THE GOVERNOR'S BUDGET PROPOSAL

An MCLA's priority has been supporting the inclusion of ITIN users in the Working Families Tax Credit (WFTC), the Homestead Property Tax Refund (HPTR) programs, and other provisions that benefit Small Businesses, especially BIPOC owned businesses. The bills that expand the eligibility for WFTC (HF1022/SF2123) and HPTR (HF1061 HF1062 / SF2121 SF2122) have been introduced in the House and the Senate. These provisions remain as key components of the recently revised Governor's budget proposal (03/18) and the House budget proposal (03/23).



OTHER BILLS



PREVENTING POST-PANDEMIC EVICTIONS

While Minnesota Latinos are more likely to have been sick, hospitalized, and laid off, Latinos in immigrant households were less likely to have access to relief funds – funds that many families used to continue making housing payments in spite of lost income and emergency expenses. While access to unemployment benefits expanded to more types of workers during the pandemic, laid off undocumented workers remain ineligible for these benefits. Undocumented tax filers have also been excluded from federal stimulus checks.

While Latino immigrant families struggling with housing payments have been unable to access certain relief funds, they do have access to others, notably the COVID-19 Housing Assistance Program in 2020 as well as forthcoming emergency rental assistance programs. Though just one in five Minnesotans (20 percent) is a person of color, more than half of the applicants (54 percent) for the COVID-19 Housing Assistance Program were people of color. This indicates a high level of need among Latinos and other people of color for housing-related financial assistance.

Fortunately, national and state eviction moratoriums have prevented large-scale evictions in Minnesota during the pandemic. As the nationwide vaccination campaign progresses and the economy recovers, these eviction moratoriums will wind down and renters who are behind on payments will be at risk of eviction. While emergency renter assistance funds will continue to be available, there is no guarantee that renters will receive assistance funds before they face eviction.

In an effort to reduce the number of post-pandemic evictions, HF12/SF491 would provide a number of temporary tenant protections that would last for one year following the end of the state eviction moratorium. The most important provision is slowing down the eviction process. Landlords would need to provide tenants with a 60-day notice before filing an eviction to give them the opportunity to apply for assistance funds and pay down their rental balance. The bill was introduced in the House in January and in the Senate in February with DFL authors.

MANUFACTURED HOME PARKS

An estimated 180,000 Minnesotans live in manufactured home parks and Latinos make up a disproportionately large share of park residents. Manufactured homes are an important source of affordable housing. According to a 2013 survey, the median manufactured home resident paid substantially less for housing (\$701/month) than other renters (\$876/month) or homeowners (\$1,262/month). In 2015, all manufactured homes in the Twin Cities were affordable to households with very low incomes (defined as half of area median income), while nine in ten (89 percent) were affordable to those with extremely low incomes (30% of AMI).

Unfortunately, Latinos and other manufactured home park residents in Minnesota are at risk of displacement and often experience poor living conditions. More manufactured home parks have closed than have opened in the past 30 years in Minnesota, even though other types of housing have grown substantially over the same period. Park closures and the corresponding displacement of residents are usually due to redevelopment pressures. Many parks also have aging roads as well as water, sewer, and electrical systems built before 1970 that affect the quality of life for park residents. Because this infrastructure is privately owned in most cases, there is no regular schedule for municipal investment for repairs and improvements.

HF1282/SF1083 addresses the need to upgrade infrastructure, appropriating \$3 million a year beginning in 2022 for manufactured home park infrastructure grants. The bill was introduced in mid-February in the House and Senate. It has bipartisan support with DFL and Republican co-sponsors in both chambers.

HF112/SF1282 addresses the threat of manufactured home park closures by strengthening residents' right to purchase. Park closures typically occur when a manufactured home park is sold to a developer. This bill requires park owners to notify residents at least 60 days before any sale and give park residents or a designated representative the opportunity to purchase the park during that period.

OTHER BILLS



The bill was introduced in January in the House and February in the Senate. This bill also enjoys bipartisan support: Rep. Bernardy (DFL) is the chief author in House, while Sen. Housley (R) is the chief author in the Senate.

RENTER COST BURDEN

Almost half of Minnesota renter households (44 percent) experience housing cost burden, which means they pay more than 30 percent of their income on rent and other housing costs. Almost a quarter of renters (22 percent) experience severe housing cost burden (paying more than 50 percent of their income on housing). Because Latinos and other households of color are more likely to be renters than homeowners and have lower incomes on average than white households, cost burden disproportionately impacts households of color. Two in five households of color (40 percent) are cost-burdened compared to less than one in four white households (23 percent).

HF40/SF333 would reduce renter cost burdens by establishing and funding a state rent assistance program for cost-burdened households. The program would assist low-income individuals and families who spend more than 30 percent of their annual income on rent. The bill was introduced in both chambers in January and has substantial support among DFL lawmakers – 35 co-sponsors in the House and five in the Senate.

DRIVER'S LICENSES FOR ALL BILL

In consultation with the Freedom to Drive Coalition, MCLA supports HF1163 to extend driver's licenses and identification cards to undocumented immigrants by modifying state eligibility, documentation, data sharing, and related requirements. Rep. Winkler introduced the bill in mid-February in the House, where it now has a total of 35 co-sponsors.

Passing HF1163 would benefit undocumented immigrants and their families, including more than a hundred thousand Latino Minnesotans. Since most Minnesotans drive to work, newly licensed immigrants would have more access to job opportunities, especially in areas where public transportation is scarce. Newly licensed immigrants would also be able to drive their children – most of whom are citizens – to school, doctor's appointments, and recreational activities.

In addition, HF1163 would increase public safety for all Minnesotans and help the state's economy. States that have extended driver's licenses to the undocumented see fewer accidents and fewer uninsured drivers following the extension. Wider access to licenses and state IDs would also make it easier for law enforcement officials to verify all immigrants' identities during traffic stops and other interactions. Regarding economic benefits, state driver's license extensions are associated with a decline in state auto insurance rates, an increase in car sales (especially among the newly licensed), and additional government revenues from permits, licenses, and registration fees.

¹This and the next data point, stemming from data from the Minnesota DOE's Data Center on languages, from the 2018-2019 school year.





m MINNESOTA COUNCIL
ON LATINO AFFAIRS

ADVISE AND INFORM
ON LEGISLATION
AND POLICY WITH
LATINO
MINNESOTANS

