

Biennial Report: 1999-2000

Legislative Commission
on the
Economic Status of Women

December 15, 2000

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The commission shall study all matters relating to the economic status of women in Minnesota, including:

- (1) economic security of homemakers and women in the labor force,*
- (2) opportunities for education and vocational training,*
- (3) employment opportunities,*
- (4) the contributions of women to the economy,*
- (5) women's access to benefits and services provided to citizens of this state, and*
- (6) laws and business practices constituting barriers to the full participation by women in the economy.*

The commission shall study also the adequacy of programs and services relating to families in Minnesota, including single-parent families and members beyond the nuclear or immediate family.

-Minnesota Statutes 3.9222

Legislative Commission on the Economic Status of Women

Biennial Report
December 2000

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LEGISLATIVE COMMISSION ON THE ECONOMIC STATUS OF WOMEN

The Commission gathers and disseminates information and advises the legislature through the following activities:

- Public hearings are conducted at the State Capitol and throughout the state. Hearings may be focused on one topic or they may be open as to topic.
- Task forces are established from time to time when more intensive study is needed on a particular topic.
- Research is conducted by compiling and analyzing data from a variety of sources, including surveys, state agencies, the U.S. Bureau of the Census and the U.S. Department of Labor.
- Reports are provided to the legislature and the governor, including recommendations for legislative and administrative actions to improve the economic status of women.
- Information and assistance is provided to the legislature as it considers proposals affecting women.
- Public information is provided through the Commission's publications and by responding to requests for information from a variety of individuals and organizations. Commission staff provide basic information about women's legal and economic rights as well as statistical data about women in Minnesota. The Commission also has a website which includes electronic versions of Commission brochures, newsletters, fact sheets, Minnesota census data, data on women in the Minnesota legislature and the *Guide to Child Support and Spousal Maintenance Cost of Living Adjustments*.

MEMBERSHIP OF THE COMMISSION 1999-2000

Representatives

Karen Clark
Betty Folliard
Julie Storm
Barb Sykora, *vice chair*
Tim Wilkin

Senators

Linda Berglin
Leo Foley
Becky Lourey, *chair*
Pat Piper
Claire Robling

Staff

Aviva Breen, Executive Director
Cheryl Hoium, Assistant Director
Michelle Adamiak, Communications and Policy Specialist

LEGISLATIVE PRINCIPLES

Each session the Commission works on legislative issues designed to improve the economic status of women in the state. The Commission's legislative principles are listed below. Summaries of related legislation that passed during the 1999 and 2000 legislative sessions are included in the appendices of this report.

COMMISSION ON THE ECONOMIC STATUS OF WOMEN

- ◆ Support adequate funding to enable the Commission to fulfill its statutory mandate.

PUBLIC ASSISTANCE

- ◆ Support public assistance programs that provide for the basic needs of women and their children.
- ◆ Support education and training programs that allow women to achieve self-sufficiency.

CHILD SUPPORT

- ◆ Ensure that all children with absent parents are economically supported by those parents.
- ◆ Promote child support levels that are adequate and appropriate.
- ◆ Assure that child support orders are enforced.

HOUSING

- ◆ Promote the availability of safe, affordable housing.

CHILD CARE

- ◆ Promote programs to help families pay for child care costs while parents are working or in training or educational programs.
- ◆ Support the development of quality child care programs throughout the state.
- ◆ Support the development of other early childhood care and education programs that nurture children and help parents with parenting.

EDUCATION

- ◆ Promote sex equity at all levels of education and in all educational programs.
- ◆ Promote access to higher education for low income women.

ECONOMIC DEVELOPMENT

- ◆ Promote the development of women-owned businesses in the state.

DISPLACED HOMEMAKER PROGRAMS

- ◆ Encourage funding programs that enable displaced homemakers to re-enter the workforce with adequate job training and to obtain employment that can be self-supporting.

WOMEN'S HEALTH

- ◆ Support programs promoting the prevention and cure of health conditions specific to women. Support access to health insurance for all women and families, regardless of income.
- ◆ Support health and wellness programs such as sex education, adolescent health care, family planning, teenage pregnancy prevention, caregiver support services and nutrition counseling.

VIOLENCE

- ◆ Promote the development of shelters, counseling programs, transitional housing and other support services that assist victims of domestic violence or sexual assault.
- ◆ Assist with the enactment and enforcement of laws regarding domestic abuse, sexual assault, sexual harassment, stalking and other crimes that disproportionately affect women.
- ◆ Support programs that seek to prevent crime and violence.
- ◆ Support adequate programming for female offenders.

CHILDREN'S ISSUES

- ◆ Promote programs that improve the health and wellness of Minnesota's children and their families.
- ◆ Support services for children who live in poverty.

ONGOING ACTIVITIES

Assistance to legislators and legislative staff. The Commission provides statistical information about women, background information and analysis of legislative issues, and information about women's resources and organizations to legislators and legislative staff.

Interaction with executive branch agencies. The Commission provides information to state agencies and works with agencies to identify and analyze policies that impact the economic status of women and provides assistance in the implementation of legislation and programs that serve women's needs.

Public hearings. Public hearings, in conjunction with statistical research, form the basis for Commission reports and recommendations. Hearings may be on a particular topic or open to any concern participants wish to express about the economic status of women. Each year the Commission holds hearings in various locations throughout the state.

Public information. The Commission receives many requests for information from the press, private corporations and foundations, women's organizations and the general public. Information is provided through:

- ◆ Newsletters, brochures, fact sheets, reports and other publications;
- ◆ Participation in seminars, panels, workshops and advisory committees;
- ◆ Review of grant proposals related to the economic status of women;
- ◆ Maintenance of the Commission's website at www.commissions.leg.state.mn.us/lcesw
- ◆ Resource and referral information on a variety of subjects relating to the economic status of women. A Commission e-mail address is available to those using the web and a toll-free telephone number is available to callers outside the metro-area. Requests break down into the following categories:
 - ❖ Marriage dissolution, child support, spousal maintenance, domestic violence;
 - ❖ Welfare, housing, education;
 - ❖ Credit, insurance, starting a business and other financial matters;
 - ❖ Employment discrimination, parental leave and rights of pregnant employees, labor laws and other employment related questions; and
 - ❖ Data, including poverty and labor force statistics, demographics and requests for other statistical information.

MEETINGS AND HEARINGS

March 12, 1999 St. Paul, MN	Business Meeting State Office Building
June 16, 1999 St. Paul, MN	Review of Legislation State Capitol
August 31, 1999 North Mankato, MN	Open Hearing South Central Technical College
November 1, 1999 Anoka, MN	Open Hearing Anoka-Hennepin Technical College
January 26, 2000 St. Paul, MN	Legislative Issues State Capitol
June 19, 2000 St. Paul, MN	Review of Legislation, Interim Planning State Capitol
August 29, 2000 St. Paul, MN	Domestic Violence and Child Maltreatment State Capitol
September 19, 2000 Minneapolis, MN	Planning for the MFIP 60 Month Time Limit Sabathani Community Center
December 14, 2000 St. Paul, MN	Legislative Issues State Capitol

PUBLICATIONS

The Commission published the materials listed below in 1999 and 2000. Many of these publications are also available on the Commission's website (see listing on page 8).

Brochures

The following brochures have been updated and reprinted.

- Parental Leave, Family Leave and Pregnancy Discrimination
- Employment Rights for Women
- The Legal Right to Child Support
- Marriage Dissolution and the Law
- Women and Finances
- Legislative Commission on the Economic Status of Women

Data

An Overview of the Economic Status of Women in the United States

Women in the Minnesota Legislature, 1922-2000

- Women in the Minnesota Legislature by Session
- Women in the Minnesota Legislature by Name
- Number of Women in the Minnesota Legislature

Fact Sheets

The fact sheets provide one-page summaries of recent U.S. and Minnesota data on topics related to the economic status of women. Fact sheets will be updated as new data become available.

- Educational Attainment of Women
- Poverty and Women
- Marital Status of U.S. Women
- Vital Statistics of Women
- Labor Force Participation of Women, MN and U.S.
- Mothers in the U.S. Labor Force
- Earnings of U.S. Women
- Earnings Gap in the U.S.

Other

A Guide to Child Support Cost-of-Living Adjustments

PUBLICATIONS, *continued*

Newsletter

The newsletter provides announcements of Commission meetings and publications as well as summaries of legislative proposals, report summaries, statistical information and other information on the economic status of women. The newsletter, which is published approximately 10 times per year, is mailed to a list of approximately 1,300 readers. Every member of the legislature receives the newsletter. Newsletter topics for the last two years are listed below.

1999

233	1/99	Poverty in the U.S., 1997
234	2/99	Women's Enrollment in MN Post-Secondary Schools
235	3/99	Fertility and Birth Rates in the U.S. and MN, 1995, 1996, 1997
236	5/99	Child Support in the U.S., 1995
237	6/99	Legislative Summary, 1999
238	7/99	Age 65 plus in Minnesota and the U.S.
239	9/99	Women with Disabilities in the U.S.
240	10-11/99	Earnings Gap
241	12/99	U.S. Household and Family Income

2000

242	1-2/00	A Century of Change: U.S. Women 1900-1998
243	3/00	Child Support Collections in Minnesota
244	4/00	Education and Earnings
245	5-6/00	Minnesota Legislative Summary, 2000
246	7-8/00	Fact Sheets #1
247	9/00	Fact Sheets #2
248	10-11/00	Persons and Families in Poverty
249	12/00	Women in Elected Office, 2000

WEBSITE

The Commission maintains and continues to add new information to an Internet website (www.commissions.leg.state.mn.us/lcesw). The Commission worked to develop and implement an improved website design for the Minnesota Legislature. The redesigned website was launched in October of 2000. The following documents have been published on the Commission website:

Legal Rights Brochures (These documents are electronic versions of Commission brochures)

- Finances
- Parental Leave
- Rights in Marriage
- Marriage Dissolution
- Employment Rights
- Child Support

The Guide to Child Support and Cost-of-Living Adjustments

Women in Public Office

- Women in the Minnesota Legislature by Session
- Women in the Minnesota Legislature by Name
- Number of Women in the Minnesota Legislature

MN Census Data

Fact Sheets

All of the fact sheets published by the Commission are posted on the website. Please see the publications section for a complete listing.

Newsletters

The following recent newsletters are posted to the website:

- A Century of Change: U.S. Women 1900-1998, January/February, 2000
- Child Support Collections in Minnesota, March 2000
- Education and Earnings, April 2000
- Minnesota Legislative Summary 2000, May/June 2000
- Persons and Families in Poverty, October/November 2000
- Women in Elected Office - 2000 Election Results, December 2000

BIENNIAL BUDGET

Funds for the operation of the Commission are appropriated by the legislature each biennium and are administered by the Legislative Coordinating Commission.

	FY 2000	FY 2001	TOTAL
Payroll	160.9	165.8	326.7
Fringe	36.7	37.8	74.5
Repair and Maintenance	2.0	2.0	4.0
Printing	4.0	4.0	8.0
Purchased Services	8.0	8.0	16.0
Communications			
Postage	3.3	3.3	6.6
Telephone	1.8	2.0	3.8
Member Travel	1.0	1.0	2.0
Member Per Diem	2.5	2.5	5.0
Instate Staff Travel	1.0	1.0	2.0
Supplies	1.2	1.2	2.4
Publications	.8	.8	1.6
<i>Note: Budget numbers are in thousands.</i>			
Equipment	.7	.7	1.4
TOTAL	\$223.9	\$230.1	\$454.0

APPENDICES

Appendix I: Legislative Summary 1999

Appendix II: Legislative Summary 2000

Commission on the Economic Status of Women



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St. Paul, MN 55155
Newsletter #237

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June 1999

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Leo Foley, Anoka
Becky Lourey, Kerrick, *Chair*
Pat Piper, Austin
Claire Robling, Prior Lake

House

Karen Clark, Minneapolis
Betty Folliard, Hopkins
Julie Storm, St. Peter
Barb Sykora, Excelsior, *Vice Chair*
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Minnesota Legislative Session 1999

This issue highlights and summarizes legislative changes of interest to the Commission. You may contact the Commission office for further information on legislative issues.

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Announcements

- If you would be interested in proposing a hearing topic, or you would like us to hold a hearing in your community during the interim session, please notify the Commission.
- Recently added to our website are our 1994 Pay Equity report and the May newsletter on child support in the U.S., 1995.

Economic Development

Chapter 223

Appropriations

(Article 1)

Department of Trade and Economic Development

A \$1 million one-time appropriation from the workforce development fund for the Pathways program (an employment training program for public assistance recipients), and \$3 million from the TANF block grant over the biennium. Provides that the legislature intends general fund base funding for the Pathways program to be \$1.5 million per year in the 2002-2003 biennium.

Technical Assistance

\$440,000 over the biennium for microenterprise technical assistance. This is a one-time appropriation.

Women Venture

\$265,000 grant for each year of the biennium to Women Venture. Women Venture is directed to implement a program to encourage and assist women to enter nontraditional careers, including outreach, training, job placement, and retention services. The legislation states that this program should be “accessible to low-income working mothers, including MFIP participants.”

Pathways Program

Listed under Article 2

Grants-in-aid will be available to assist people transitioning from welfare to work through the Pathways program. These grants can be given to educational and nonprofit training institutions for education and training programs to assist recipients in transition.

Department of Economic Security

Welfare-to-Work

\$500,000 in FY2000 for welfare-to-work extended employment services for public assistance recipients with severe impairment to employment, a one-time appropriation.

Job Training

\$775,000 each year for job training from the workforce development fund.

Matching Welfare-to-Work Funds

\$5,000,000 one-time appropriation to serve as matching dollars for the U.S. Department of Labor Welfare-to-Work funds.

Displaced Homemaker Program

\$2,049,000 for FY2000 and \$2,054,000 for FY 2001 the displaced homemaker programs. Of this appropriation, \$227,000 is a one-time appropriation from the workforce development fund. The commissioner is instructed to report back to the legislature on a plan for instituting a sliding fee scale in this program. Each year, \$100,000 of the funds shall be used as one-time grants to St. Paul District 5 Planning Council for a community work empowerment support group demonstration project. The support groups will serve individuals who are in the process of obtaining jobs, including those in welfare-to-work programs. Describes the purposes of the empowerment groups.

Economic Development, Cont'd

Chapter 223

Minnesota Housing Finance Agency

Family Homeless Prevention and Assistance Program

\$3,250,000 will be allotted the first year and \$3,250,000 the second year to the family homeless prevention and assistance program and will be available until June 30, 2001. \$1,875,000 the first year and the entire sum of the second year is from the state's federal TANF block grant, to reimburse the housing development fund for assistance given to families receiving TANF assistance under the MFIP program.

TANF Block Grant for the Housing Development Fund

\$2,125,000 will be appropriated each year from the TANF block grant to reimburse the housing development fund for rent subsidies provided to families receiving assistance from the MFIP program.

Department of Military Affairs

Camp Ripley

Appropriates \$100,000 to use the Camp Ripley facilities and staff for community empowerment support groups providing "soft skills" job training for people making the transition

from welfare to work and others. "Soft skills" include job skills such as punctuality and following directions.

Family and Early Childhood Development

Chapter 205

Children and Family Support

(Article 1)

Eligibility

Directs the Commissioner of Children Families and Learning to develop a universal application form for child care assistance which explains eligibility requirements and penalties for wrongfully obtaining child care assistance.

Waiting List

Requires the county to perform a preliminary determination of eligibility at the time a family requests child care assistance. Requires the family to provide the information. Waiting lists must be reviewed and updated every six months.

At Home Infant Care

Clarifies provisions of this program and allows a family on the program to retain their place on the waiting list when they return to the basic sliding fee program. Requires the commissioner to develop and distribute consumer information about the program.

Wrongfully Obtaining Assistance

Adds penalties for wrongfully obtaining child care assistance, for the receipt of payments to which an individual is not entitled as a provider of subsidized child care, or for a false claim for child care assistance. A family with a family member found to be guilty of wrongfully obtaining child care assistance will be disqualified from child care assistance programs.

Office of Drug Policy and Violence Prevention

This office and its programs are transferred to the Department of Public Safety.

School Age Child Care

Allows a community group, not for profit or for profit, to use available school facilities for a school age child care program if the school board does not offer one.

Requires that a school age child care program include access to available school facilities under rules which the school district may establish and which may require evidence of adequate insurance and a demonstration of the adequacy and training of staff.

Provider Bonus

Eliminates a 10% bonus which had been paid to child care providers who were accredited.

Child Care Improvement Grants

Allows child care improvement grants to be used to provide business planning assistance for child care providers.

Pretax Child Care Accounts, Assistance for Employers

The Commissioners of the Department of Children, Families and Learning and Revenue may provide technical assistance, workshops for employers or employees about pretax accounts and promotional materials or assistance to encourage employers to participate in establishing pretax child care accounts for employees.

Family and Early Childhood Development, Cont'd

Chapter 205

Parent Fees & Schedule

Reinstates the law that treats all families the same with respect to how the amount of the copayment is determined. Eliminates language that prohibited decreasing the amount of copayment if family size increased after the initial eligibility determination. In addition, the parent fee schedule is increased for families with income above 100% of the federal poverty guidelines.

Persons Seeking Employment

Clarifies that employed persons working 20 hours a week and full time students working at least 10 hours a week are eligible for child care assistance for employment. Also clarifies that work study programs are counted as employment.

Appropriations

Money is appropriated from the general fund for:

- Learning Readiness
- Early Childhood Family Education
- Health and Developmental screening
- Way to Grow
- Head Start, including money for full year programming with priority given to existing programs and additional money to expand full year programming for children 0 to 3.
- Basic Sliding Fee Child Care
- MFIP Child Care
- Child care development

Money is appropriated from federal TANF funds to:

- Basic Sliding Fee Child Care
- Transition Year Child Care
- Child care development, including funds for improvements to child care facilities, business planning and development of licensed child care, and for assistance to establish pretax child care accounts.

Prevention and Intervention

(Article 3)

After School Enrichment Programs

Establishes a competitive statewide after school enrichment grant program intended to increase the number of children participating in adult supervised programs in non school hours, support academic achievement, reduce juvenile

crime, increase school attendance, increase youth activity in community service, increase skills in technology, the arts, sports and other activities and increase the academic achievement of adolescent parents.

Family and Early Childhood Development, Cont'd

Chapter 205

Appropriations

Prevention and Intervention Appropriations

Money is appropriated from the general fund for:

- Violence prevention education grants
- After school enrichment grants
- After school enrichment grants
- Family visitation centers
- Adolescent parenting grants
- Male responsibility and fathering grants.

Self-Sufficiency and Life Long Learning

Family Assets for Independence

Changes eligibility for the program to individuals at 185% of the federal poverty level with assets of \$15,000 or less. Changes the match required from state and nonstate funds from \$2.00 for every \$1.00 to \$1.50 for every \$1.00 of funds withdrawn from the account.

Appropriations

Appropriates money from the general fund for:

- Minnesota Economic Opportunity Grants
- Transitional housing
- Adult Basic Education
- Food shelf program
- Family Assets for Independence.

Resource and Referral Programs

(Article 5)

Child Care Resource and Referral

Provides for the distribution of funds for the operation of child care resource and referral programs, sets out the factors for distribution of

funds as well as the responsibilities of child care resource and referral programs.

Health and Human Services

Chapter 245

Appropriations

(Article 1)

Funds Affecting Women

Appropriates money from the general fund for:

- Increasing by six the number of living at home block nurse programs (\$240,000)
- Increasing wages of workers in a variety of home and community based health care services
- Increased funding for employment and training efforts

Appropriates TANF funds as follows:

- \$260,000 each year for Parents Fair Share to assist unemployed noncustodial parents with job search and parenting skills

- \$140,000 each year for the New Chance program to provide comprehensive services to young parents in Hennepin County who have dropped out of school and are receiving public assistance
- \$12,960,000 to increase employment and training services grants for MFIP; of this amount \$750,000 goes to the Job Skills Partnership board for a health care and human services worker training and retention program
- \$1,000,000 for creating and expanding adult supervised supportive living for adolescent parents with priority for MFIP participants

Assistance Programs

(Article 6)

MFIP Exit Level

Requires the commissioner to adjust the exit level in state fiscal years 2000 and 2001 to ensure that participants do not lose eligibility for MFIP until their income reaches 120 percent of the federal poverty guidelines. In state fiscal years 2002 and thereafter the earned income disregard percentage will remain at the level reached in October 2000.

Right to Discontinue Cash Assistance

Allows an MFIP participant who is not in vendor payment status to discontinue receipt of cash assistance and to retain months of eligibility for child care assistance and for medical assistance, provided they have not exceeded the 60 month time limit.

Recommendations to 60-Month Limit

Requires the commissioner to make recommendations regarding MFIP families that reach the 60 month time limit and are still receiving MFIP cash assistance.

Job Search; Job Search Support Plan

Allows a job search support plan to specify that a participant attend adult basic education or English as a second language as part of the required hours of job search.

Allows the job counselor to require a professional chemical use assessment if there is a reasonable belief that a participant's ability to obtain or retain suitable employment is impaired by a medical condition.

Requires a job training provider to make available information on business and higher education partnerships in the Minnesota job skills partnership, community and technical colleges adult basic education and vocational rehabilitation program services.

Child Support

(Article 7)

Judgement; Order

Allows a court in a parentage action to order a party to pay reasonable expenses of a woman's pregnancy including her lost wages due to medical necessity.

License Suspension

Allows the court to suspend or bar receipt of a recreational license when an obligor is 6 months in arrears in a child support or maintenance payment, is not in compliance with a written payment agreement or has failed to comply with a subpoena in a paternity or child support proceeding.

Recreation license includes all licenses, permits and stamps issued centrally by the Commissioner of the Department of Natural Resources. If the obligor provides proof of compliance to the court the license or licenses will no longer be suspended.

Child Support Judgment by Operation of Law

A court may order interest on a child support debt to stop accruing if the court finds the obligor is unable to pay support because of a significant physical or mental disability or is a recipient of SSI, OASDI, other disability benefits or public assistance based on need.

Child Support Arrearage Forgiveness Report

Requires the commissioner to study the feasibility of forgiving child support arrears in a fair and consistent manner and to develop a child support arrearage forgiveness policy. Also requires the commissioner to explore the possibility of direct payment of child support to the custodial parent and to report to the legislature by December 1, 1999.

Child Protection

(Article 8)

Definitions

Adds a definition which provides that there is "medical neglect" when the parent or other person responsible for the child: (1) engages in violent behavior that could result in serious physical, mental or injury to the child; (2) engages in repeated domestic assault that would constitute a violation of the criminal domestic assault statute;

(3) intentionally inflicts or attempts to inflict bodily harm against a family or household member within sight or sound of the child; or (4) subjects the child to ongoing domestic violence by the abuser in the home environment that is likely to have a detrimental effect on the well-being of the child.

Health and Human Services, Cont'd

Chapter 245

Other Provisions

(Article 10)

Program Established

Establishes a health care worker training and retention program to alleviate worker shortages in health care and human services industries and to increase opportunities for direct care employees to

qualify for advanced employment in the health care or human services fields through experience, training and education.

Higher Education

Chapter 214

Child Care

(Article 1)

Study of Child Care Allocations

Requires the Higher Education Services Office (HESO) to collect information from higher

education institutions on the use of child care and work study allocations.

Child Care Study

(Article 2)

Child Care Study of Minnesota Family Investment Program (MFIP) Participants

Requires the Commissioners of Human Services and Children, Families and Learning to: (1) review child care program requirements for Minnesota Family Investment Program Participants attending school part time without child care eligibility; (2) implement any needed adjustments to program requirements; and (3) report on adjustments implemented and make recommendations for needed changes in the law to better service participants.

Child Care Grant Increase Allowance for Infants

Allows for an increase of up to ten percent of the maximum child care grant (\$2,000) for infant care to compensate for the higher costs of caring for infants.

Judiciary Finance

Chapter 216

Appropriations

(Article 1)

Funds Affecting Women

Appropriates funds from the general fund for:

- Civil legal services for low income families, farm families and low income clients in family law matters
- Community crime prevention grants to organizations that focus on intervention and prevention of teenage prostitution
- Center for Crime Victims Services
- Administration of battered women's shelter per diem payments
- A battered women's shelter in Bloomington and an American Indian battered women's shelter in Duluth
- Family Violence Coordinating Council in the 4th Judicial District for a domestic fatality review team (\$143,000)
- Residential program for women leaving prostitution (\$600,000)
- Programming for adult female offenders (\$50,000)

Crime Prevention and Law Enforcement Grants

(Article 2)

Domestic Fatality Review Team Pilot Project

Establishes a pilot project to review domestic violence deaths that have occurred in the 4th Judicial District in order to develop recommendations for policies and protocols for community prevention and intervention initiatives to reduce and eliminate the incidence of domestic violence and resulting fatalities.

Office of Drug Policy and Violence Prevention

Transfers the office of drug policy and violence prevention from the Department of Children, Families and Learning to the Department of Public Safety.

K-12 Education

Chapter 241

Health Care Coverage

(Article 3)

Health and Child Care Coverage for Youthworks Program Participants

Allows for health and child care coverage of dependents of Youthworks program participants if other coverage is not available.

Vetoed

- Appropriated \$300,000 for adolescent parenting grants. (Funding provided in the Family and Early Childhood bill.)

Midwifery

Chapter 162

Midwifery

Defines the scope and practice of traditional midwifery. Defines traditional midwifery as the assessment and care of a woman and newborn during pregnancy, labor, birth and the postpartum period outside a hospital. Defines practice standards. Establishes licensure requirements,

defines responsibilities of the board on medical practices and continuing education requirements. Establishes an advisory council on licensed traditional midwifery to advise the board regarding standards and enforcement of the law and other issues related to complaints and disciplinary actions.

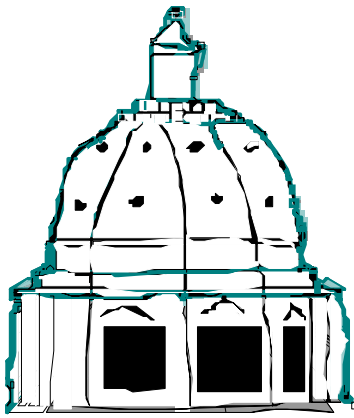
State Government

Chapter 242

Commission on the Economic Status of Women

Appropriation

Appropriates \$230,000 each year of the biennium for the commission.



Minnesota Legislative Commission on the Economic Status of Women

COMMISSION MEMBERS

Senate

Linda Berglin, Minneapolis
Leo Foley, Anoka
Becky Lourey, Kerrick, *Chair*
Pat Piper, Austin
Claire Robling, Prior Lake

House

Karen Clark, Minneapolis
Betty Folliard, Hopkins
Julie Storm, St. Peter
Barb Sykora, Excelsior, *Vice Chair*
Tim Wilkin, Eagan

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MINNESOTA LEGISLATIVE SESSION 2000

This issue highlights and summarizes legislative changes of interest to the Commission. You may contact the Commission office for further information on legislative issues.

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ANNOUNCEMENT

The Commission is currently planning its Summer hearing schedule. If you are interested in having a hearing in your area, or if there is a particular issue which you believe should be addressed, please contact us with your ideas.

HEALTH AND HUMAN SERVICES
CHAPTER 488 (H.F. 2699)

Changes in the Minnesota Family Investment Program (MFIP)

- Requires single parent families to immediately participate in employment and training services concurrent with receipt of MFIP cash assistance in all counties except Blue Earth and Nicollet.
- Allows no more than half of the required hours of job search to be fulfilled through attending adult basic education or English as a second language (ESL) classes, if either is approved by the job counselor. This restriction does not apply if an intensive ESL program is approved.
- Establishes a program of reimbursement based grants to provide nontraditional career assistance training to assist low income women with minor children to enter nontraditional careers in the trades and in manual and technical operations. The career assistance component includes training, assistance with child care and transportation during training (and for two months after), job placement assistance and job retention support.
- Dakota County and four other counties may test alternative approaches to improve compliance with MFIP work requirements and may include closure of a case for participants unwilling to fulfill the conditions of the employment or job search support plan.

Health and Human Services TANF Reserve Funds Appropriations

fiscal years indicated in parentheses

- **\$75 million** for local intervention grants to counties to serve hard-to-employ MFIP participants and participants in need of job retention and wage advancement services (FY '01-'03), including:
 - **\$21 million** for county home visiting to families with incomes at or below 200% of the federal poverty guidelines. (FY '01-'03)
 - **\$500,000** for nontraditional career assistance and training programs. (FY '01)
- **\$250,000** for tuition waivers (to MNSCU) for employees of health care and human services providers. (FY '01)
- **\$3 million** for out-of-wedlock pregnancy prevention funds to serve children in TANF eligible families, to prevent or reduce the incidence of out of wedlock pregnancies among homeless, runaway or thrown away youth who are at risk of being prostituted or currently being used in prostitution. To increase short term shelter beds and to provide street outreach and supportive services for emergency shelter and transitional housing for at risk youth. (FY '01-'03)
- **\$55.6 million** for affordable housing, including development of affordable rental housing and a revolving loan fund at Habitat for Humanity to be used for home ownership for low income families. (FY '00-'01)
- **\$30 million** to increase the Working Family Credit. (FY '01-'03)

CRIMINAL JUSTICE / PUBLIC POLICY

Creating the Director of Domestic Violence and Sexual Assault Prevention

Chapter 368 (H.F. 3331)

Creates the position of director of domestic violence and sexual assault prevention in the Minnesota Center for Crime Victims Services which is in the Department of Public Safety. Requires the director to: advocate for the rights of victims of domestic violence and sexual assault; increase public education and visibility about the prevention of domestic violence and sexual assault; develop recommendations to improve accountability when the system fails; support prosecution and civil litigation efforts regarding domestic violence and sexual assault at the federal and state levels; initiate policy changes at all levels of government; coordinate existing resources and promote coordinated community responses to better serve victims; build partnerships and encourage and support efforts to raise awareness of the issues; coordinate and maximize the use of federal, state and local resources available for the prevention of sexual assault and domestic violence; and report to the legislature and the governor each year and include any recommendations for policy and law changes.

The director will serve as the chair of an interagency task force which will have representatives from the Department of Public Safety Office of Drug Policy and Violence Prevention, the Departments of Children, Families and Learning, Corrections, Health, Human Services and Economic Security; county attorneys, city attorneys, US attorneys, judges, peace officers, the attorney general and several advocacy communities.

The task force is to work to promote the objectives set out in the director's responsibilities and to submit a strategic plan on domestic violence and sexual assault prevention to the legislature and the governor with recommendations on: how to reduce incidents of domestic violence and sexual assault; how to coordinate existing resources as the federal, state and local levels and how the entities may cooperate better; changes in policies and laws to reduce incidents of domestic violence and sexual assault; and the need for increased services and resources. The task force is to evaluate progress each year and detail its responses to the strategic plan as well as assess the successes and failures of the director in achieving the objectives. The first evaluation is due January 15, 2002

Per Diem Payments to Shelters for Battered Women

Chapter 445 (S.F. 3178)

Sets out the authority for the director of the Minnesota Center for Crime Victims Services to provide per diem payments to shelters, safe homes or other facilities providing food, lodging, safety and 24-hour coverage for battered women and their children. Duties of the director include collecting data on shelter facilities, conducting an annual evaluation of the per diem program, reporting to the governor and the legislature on the need for emergency secure shelter and developing an application process for shelter facilities to follow in seeking per diem reimbursement.

Statute of Limitation for Damage Actions in Domestic Abuse Cases

Chapter 471 (S.F. 11)

Extends from 2 to 6 years the statute of limitations for assault, battery, false imprisonment or other tort resulting in person injury if the conduct giving rise to the injury constitutes domestic abuse as defined in the statute. Establishes a pilot project creating a joint domestic abuse prosecution unit between the Ramsey county attorney's office and the St. Paul city attorney's office to allow prosecution of misdemeanor, gross misdemeanor and felonies and to coordinate with child protection attorneys. Project goals are: to recognize children as victims and witnesses in domestic abuse situations; to recognize and respect the interests of children in the prosecution of domestic abuse; and to reduce exposure to domestic violence for adult and child victims.

- **Appropriation: \$250,000**

CRIMINAL JUSTICE / PUBLIC SAFETY CONTINUED

Children Exposed to Domestic Violence

Chapter 401 (S.F. 3410)

Repeals language adopted in 1999 which expanded the definition of medical neglect to include subjecting a child to domestic violence by an abuser in the home that is likely to have a detrimental effect on the well-being of the child. Creates a definition of *child exposed to domestic violence*. Requires a local welfare agency to take into account the presence of protective factors in a child's environment when deciding whether there is a need for child protective services. Requires the agency to consider the safety and well-being of the child and the safety of a parent who is a victim of domestic violence in determining the protective action to take and the services to be offered to the child and the family when the child has been exposed to domestic violence.

Harassment Orders

Chapter 476 (H.F. 2516)

Redefines harassment in the statute pertaining to harassment restraining orders to include a *single incident of physical or sexual assault*, or repeated *incidents* of intrusive or unwanted acts, words or gestures that have a *substantial adverse effect* on the safety, security or privacy of another, regardless of the relationship between the actor and the intended target. A petition alleging harassment involving a single incident must further allege an immediate and present danger of harassment before the court may issue a temporary restraining order. The court is not required to hold a hearing on a matter that has no merit.

Short Form Notification of Orders for Protection

Chapter 437 (S.F. 551)

Amends the Domestic Abuse Act to allow service on a respondent up to 12 hours prior to the time of a hearing when the petitioner for an ex parte order requests a hearing. Allows the respondent to ask for a continuance if the notice was served less than 5 days prior to the hearing and the continuance must be granted unless there are compelling reasons not to grant it.

Creates a *short form notification* for serving an order for protection instead of personal service. The short form contains the names of the parties, the date and county in which the order for protection was filed, the court file number, the hearing date and time, the conditions on the respondent and the judge who signed the order. Notice in bold print states that the order for protection is now enforceable and the consequences of violation of the order.

Allows a probable cause arrest for violation of a domestic abuse no contact order, which is an order issued against a defendant in a criminal proceeding for domestic abuse. Violation of the order is a misdemeanor.

Training to Combat Juvenile Prostitution

Chapter 431 (H.F. 2830)

Requires the commissioner of Public Safety and the executive director of the Peace Officer Standards and Training Board to study and make recommendations on training for peace officers to combat juvenile prostitution and report to the legislature by September 15, 2000. The commissioner and the executive director must study ways to train peace officers in policies and procedures aimed at combating juvenile prostitution, increasing the charging and prosecuting of individuals who promote and solicit prostitutes, and effectively communicating with victims of juvenile prostitution. Raises the age in the definition of juvenile prostitute from 16 to 18 for purposes of charging one who solicits or promotes prostitution.

CRIMINAL JUSTICE / PUBLIC SAFETY CONTINUED

Criminal Justice Appropriations

Chapter 488 (H.F. 2699)

the following are one-time appropriations:

- **\$4,000** for a one-half day judicial seminar on parenting plans.
- **\$150,000** for juvenile prostitution law enforcement and officer training grants.
- **\$1.2 million** for per diem payments to shelters for battered women incurred during the administrative transfer of responsibility for the payments from the Department of Human Services to the Department of Public Safety.
- **\$40,000** grant to the center for applied research and policy analysis at Metropolitan State University for a domestic violence shelter study.

FAMILY LAW

Parenting Plans

Chapter 444 (S.F. 3169)

- Replaces the term “visitation” in the marriage dissolution statute with “parenting time” which means the time a parent spends with a child regardless of the custodial designation. Defines the elements of a parenting plan which may be created in the marriage dissolution process when custody of a child is being determined. The plan must include: a schedule of the time each parent spends with a child; a designation of decision making responsibility for the child; and a method of dispute resolution. The plan may include other issues regarding the child agreed to by the parents. Allows parents to use other terms for physical and legal custody provided that the terms are defined in the parenting plan. Allows a parenting plan to be created if both parties request it unless the court makes detailed findings that the parenting plan is not in the best interests of the child.
- If both parents do not agree to a parenting plan the court may create one on its own motion unless it finds that a parent has committed domestic abuse against a parent or child who is part of the matter before the court. If the court does create its own parenting plan it must not use alternate terms to designate decision making responsibilities or allocation of residential time between the parents unless both parties agree. The court cannot require parties under an existing order to create a parenting plan as part of a modification order, nor can it require one in an action to recover public assistance costs against an unmarried parent. If the parents do not agree and the court does not create a parenting plan, orders for custody and parenting time will be entered under present sections of the law.
- If a final judgment and decree contains a parenting plan which uses alternate terms to designate decision making responsibility or allocation of residential time between the parents, there must be a designation of joint legal or joint physical or sole legal or sole physical custody for enforcement of the final decree in other jurisdictions.
- If both parents agree to use a parenting plan but cannot agree on all terms the court may create one. It may require each parent to submit a proposed plan or may order an evaluation or the appointment of a guardian ad litem. In any case, the parenting plan must be based on the best interests of the child factors in the statute.
- If a parent is alleged to have committed domestic abuse against a parent or a child who is a party to the matter, the court may not require dispute resolution processes (i.e. mediation) other than the judicial process.

FAMILY LAW CONTINUED

Parenting Plans (continued)

- The court may not require a parenting plan that provides for joint legal custody or the use of dispute resolution processes if the court find that a parent has been convicted of specific crimes set out in current law, or that either parent has engaged in acts of domestic abuse, physical, sexual or emotional abuse of a child, or willful abandonment or refusal to perform parenting functions.

- The court cannot require that the best interests of the child factors will govern a decision to move the child's residence to another state but the parents can agree to use those factors if both parents were represented by counsel when the parenting plan was approved, or the court finds the parents were fully informed, the agreement was voluntary and the parents were aware of its implications. The court also cannot require that the best interests of the child factors will govern a modification motion that would change the child's primary residence unless both parties were represented by counsel when the parenting plan was approved or the court found that the parties were fully informed, the agreement was voluntary and the parties were aware of its implication. If the parties have agreed to use the best interests standard in determining changes in custody the court must use that standard.

- The court can modify the decision making provisions of a parenting plan when it is in the best interests of the child if the modification does not change the child's primary residence. If there is an order for protection the court must consider the use of an independent neutral exchange location.

- Parents creating a parenting plan are subject to the requirements of the child support guidelines and may include an allocation of expenses for the child in the parenting plan.

- Parenting plan provisions are effective January 1, 2001. The provisions relating to the standard required for moving the residence of a child to another state are effective on the day following enactment and apply to written agreements approved by the court before, on or after that date.

Child Support Changes

Chapter 458 (S.F. 3016)

Allows service of process to be made by the public authority (the child support enforcement office) on behalf of a party who needs to serve legal documents in a IV-D child support proceeding by mail and does not have access to the address of the other party and the other party is not represented by counsel.

Provides for an addition to the notices required on every court order for child support, maintenance, custody or visitation (parenting time) which lists the statutory methods for enforcement of nonpayment of support such as tax refund interception, suspension of drivers, recreation and occupational licenses, referral to the Department of Revenue or private collection agencies and seizure of bank assets.

Sets out procedures for executing a support judgment on funds at a financial institution when child support are in arrears of more than 5 times the amount of the support order.

Study of the Medical Support Statute

Chapter 372 (S.F. 2742)

Requires the commissioner of Human Services to study and make recommendations for changes to the medical support statutes.

FAMILY AND EARLY EDUCATION
CHAPTER 489 (H.F. 3800)

MFIP Social Services Child Care

Provides funding for social services child care assistance to MFIP families participating in social services activities (such as mental health and chemical dependency services) required in an employment plan. Requires a report by the commissioner of CFL to the legislature on the use of MFIP social services child care and its effectiveness in promoting self-sufficiency. Any amount remaining in FY 2003 that is not needed for MFIP social service child care must be used for Basic Sliding Fee (BSF). Provision sunsets on June 30, 2003.

- **Appropriation: \$9.395 million** (FY '01-'03 from TANF Reserve funds)

Transition Year Child Care

Allows families leaving MFIP (after participating for three of the last six months) to become eligible for transition year child care without being required to reach the exit income level for MFIP. Families disqualified from MFIP due to fraud are not eligible for transition year child care assistance. Provides funding for uninterrupted child care assistance for families completing transition year child care assistance. Any amount remaining in FY 2003 that is not needed for uninterrupted care must be used for BSF.

- **Appropriation: \$8.74 million** (FY '01-'03 from TANF Reserve funds)

Special Family Day Care Homes

Permits a church or religious organization to operate a child care program with 14 or fewer children and be licensed under the rules governing family day care or group family day care.

Experienced Aides at Child Care Centers

Permits an aide with at least 4,160 hours (the equivalent of 2 years full-time employment) of qualified child care experience to work with children in a center without direct supervision for up to 25 percent of their daily work shift if: a teacher is in the building; the aide is at least 20 years old; and the aide has received first aid training within the last three years. Limits experienced aides working without direct supervision to 25 percent of each classroom's daily hours. Requires centers using experienced aides in the above capacity to notify parents upon enrollment and once each year. Requires centers to report approximate monthly usage to the Department of CFL once per year. Provision sunsets on June 30, 2003.

Annual Child Care Inservice Training

Provides three tiers (1 percent, 1½ percent, and 2 percent of working hours) of annual inservice training requirements for teaching staff at child care centers instead of the current requirements of 2 percent for all teaching staff. Requirements depend on education, licensing and certification qualifications of teachers, assistant teachers and aides. A 2 percent requirement equals approximately 40 hours per year of training for a full-time person.

Expedited Application for Minor Students

Requires CFL to provide technical assistance on ways to expedite and streamline the child care assistance application process for minor parents participating in school-based child care. Child care assistance information and applications must be made available to school-based adolescent parenting programs.

FAMILY AND EARLY EDUCATION CONTINUED

Post-Secondary Child Care Grant Program

Chapter 489 (H.F. 3800)

Allows unexpended funds (from the first year of the biennium) in the post-secondary child care grant program to be used to augment the maximum child care grant award in the second year of the biennium. Current maximum award is \$2,000 for each eligible child per academic year.

Additional Family and Early Education Appropriations

**indicates appropriations funded with Federal TANF Reserve funds.*

- **Early Childhood Family Education (ECFE).** Extends the funding formula correction in ECFE aid to FY 2001 so that current funding levels are maintained.
- **\$622,000** for emergency services grants used to provide homeless persons with essential services and emergency shelter. (FY '01)
- **\$3.3 million*** for intensive ESL for eligible MFIP participants focused on MFIP participants' gaining sufficient literacy to achieve self-sufficiency through employment. (FY '01-'03)
- **\$5.75 million*** for transitional housing funds which must be used for up to four months of transitional housing for families with incomes below 200 percent of the federal poverty guidelines. (FY '01-'03)
- **\$6.415 million*** for Basic Sliding Fee (BSF) child care. (FY '01-'03)

Early Childhood Learning and Child Protection Facilities Bonding

Chapter 492 (H.F. 4078)

Provides for grants to construct or rehabilitate facilities for early childhood programs. Allows a priority for grants to programs that include services to refugee and immigrant families.

- **Appropriation: \$3.0 million**

HEALTH CARE / HEALTH INSURANCE

Alternative Health Care Regulation

Chapter 460 (H.F. 3839)

Provides for the regulation of unlicensed complementary and alternative health care practitioners, as defined in the new law. Establishes an Office of Unlicensed Complementary and Alternative Health Care Practice in the Department of Health to: investigate complaints and take and enforce disciplinary actions against all unlicensed complementary and alternative health care practitioners for violations of prohibited conduct; and serve as a clearinghouse on complementary and alternative health care practices and unlicensed complementary and alternative health care practitioners.

Employee Health Insurance Study

Chapter 460 (H.F. 3839)

Requires the commissioner of Health to study rising health insurance costs and to develop recommendations for providing employer-subsidized affordable health insurance to employees of programs and facilities that serve the elderly and disabled. The report may also examine the affordability and availability of health insurance coverage for lower-income Minnesotans generally. The report is due on January 15, 2002

JOBS AND ECONOMIC DEVELOPMENT / EMPLOYMENT

Displaced Homemaker Program

Chapter 488 (H.F. 2699)

Transfers funding for the displaced homemaker program from the general fund to the workforce development fund which will be the ongoing source of funds for this program. The services, locations and operation of the displaced homemaker programs shall not be changed.

Bloodborne Pathogens - Sharps Injuries

Chapter 351 (S.F. 2397)

Requires employers to comply with federal regulations on bloodborne pathogens (for example, HIV or Hepatitis B or Hepatitis C). Requires at least annual review of employer written exposure control plans to reduce occupational exposure to bloodborne pathogens through sharps (for example, needles) injuries. Requires established workplace safety committees to make advisory recommendations for the use of effective engineering controls designed to eliminate or minimize exposure to bloodborne pathogens.

Bloodborne Pathogens - Occupational Exposure

Chapter 422 (S.F. 1202)

Establishes procedures for addressing incidents of exposure to bloodborne pathogens by employees of emergency medical services and corrections and secure treatment facilities.

MISCELLANEOUS

Nursing Mothers Jury Service

Chapter 269 (H.F. 1865)

Requests the Supreme Court Jury Reform Task Force to study and make recommendations for changes in the jury management rules to accommodate the needs of nursing mothers summoned for jury service.

Unharmful Newborn

Chapter 421 (S.F. 2615)

Allows a mother (or another person with her approval) to leave an unharmed newborn within 72 hours of birth with an employee at a hospital without being prosecuted. The hospital or its employee is immune from criminal or civil liability for receiving the newborn. The hospital must not request the identity of the person leaving the child. They may ask about the medical history of the mother or newborn, but the mother or person leaving the newborn is not required to provide the information. The hospital may provide the person leaving the newborn with information about social service agencies. The hospital is required to notify the local social service agency that a newborn has been left at the hospital. The social service agency which takes custody of the child after discharge from the hospital is not required to: attempt to unify the child with the child's parents; search for relatives of the child for placement; or give a preference to relatives in placement if the agency does not have information on the identity of the child or the child's mother or father.

DEFINITIONS

MFIP- Minnesota Family Investment Program

ESL- English as a Second Language

TANF- Temporary Assistance to Needy Families

MNSCU- Minnesota State Colleges and Universities

DHS- Department of Human Services

CFL- Department of Children, Families & Learning

BSF- Basic Sliding Fee Child Care

FY- State fiscal year (July 1st to June 30th)