



Legislative Commission on the Economic Status of Women

Newsletter #163

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Alice Hausman, St. Paul
Becky Lourey, Kerrick
Connie Morrison, Burnsville
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Staff:

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IN THIS ISSUE

Legislative Summary for the 1991 legislative session which ended May 20. Featured is all legislation relating to the Commission's agenda for this session, as well as other legislation of interest to women. Legislation that was not passed and that which was passed but vetoed by the governor is also included.

COMMISSION OFFICERS

Representative Katy Olson was elected chair of the Commission and Senator Janet Johnson was elected vice chair at a May 29 meeting of the Commission.

INTERIM HEARINGS

This fall the Commission will hold hearings around the state to gather information to be used to prepare for the 1992 legislative session. The Commission is especially interested in visiting communities where it has not held hearings in the past. The Commission wants to hear about all issues of concern to women and specifically how state government can affect these issues. If interested in exploring the possibility of a hearing in your community, please call the Commission office.

COMMISSION AGENDA LEGISLATION PASSED

WOMEN'S PROGRAMS

Commission on the Economic Status of Women

(CHAP. 345) Funding for the Commission was continued.

Battered Women

(CHAP. 292) The biennial appropriation for battered women's shelters and advocacy services remained the same.

Sexual Assault Programs

(CHAP. 292) The biennial appropriation for sexual assault services remained the same.

Displaced Homemaker Programs

(CHAP. 292) Requires the Department of Jobs and Training to maintain the same level of funding to any displaced homemaker program which would lose funding under a new funding formula. Increased allocations could be made on the basis of a new formula. The biennial appropriation of \$2.7 million was not increased. Also expands the definition of "additional dislocated worker" to include displaced homemakers so that they may be eligible to receive services from the dislocated worker program.

CHILD CARE

(CHAP. 292) Appropriates \$60,000 for an independent state council, the Early Childhood Care and Education Council, which will review and coordinate state agency policies regarding early childhood care and education programs. Appropriates \$120,000 of federal child care funds for the operation of the council. The governor will appoint 19 members plus 4 ex officio legislative members to the council. Requires the Department of Human Services (DHS) to work with the new council in determining how to spend federal child care funds.

Creates a \$100,000 grant program to assist child care centers and family providers in obtaining accreditation and/or certification and to achieve improved pay for child care workers.

Child Care Subsidy Programs

Requires DHS to develop a plan for getting federal child care reimbursements for AFDC caretakers who

are not eligible for STRIDE but are participating in education, training or job search. When the plan is approved by the federal agency, DHS will make a proposal to the legislature for funding administrative costs. The state's share of funds will then be transferred from the state's Basic Sliding Fee child care subsidy program.

Gives second priority for Basic Sliding Fee child care assistance to former AFDC recipients who have completed their one year of transition assistance for child care. (First priority is applicants without a high school degree.)

Changes the way child care funding is allocated to the counties to better ensure that all funds are spent.

Ensures that child care providers will not lose funding when the state moves to the federal reimbursement rate for families participating in the Basic Sliding Fee or AFDC child care programs.

Resource and Referral Agencies

Requires state-funded child care resource and referral agencies to establish new or collaborate with existing community-based committees to advocate for child care needs in the community.

Tax Credit for Family Child Care Providers

(CHAP. 291) Gives family child care providers a tax credit if they are caring for their own children under age 6 at home. If they are income eligible, providers can take the maximum credit allowable for a child under 16 months. For children older than 16 months, the credit is based on what the provider charges for other children in the program. The credit is available to families earning less than \$27,000 annually.

Child Care for Post-Secondary Students

(CHAP. 356) Provides \$300,000 for a grant program to create innovative ways of providing child care for post-secondary students. Grants of \$25,000 can be awarded to the schools, a school organization or to any private, non-profit organization.

Appropriates an additional \$1 million for the biennium to the post-secondary child care fund which provides subsidies to low-income students who have child care expenses.

DIVORCE

(CHAP. 266) Provides that each spouse has a fiduciary duty (responsibility) for any profit or loss from the use of marital assets or a transaction that occurs without the consent of the other spouse while a divorce is pending. Allows a court to order compensation to the other spouse if marital property is transferred, concealed or disposed of while the divorce is pending.

Changes the month to file maintenance and child support cost-of-living adjustment petitions from May to any month if payments are not being made to county child support offices.

(CHAP. 271) Requires a marriage dissolution summons to contain a notice that prohibits either spouse from harassing the other or from discontinuing insurance coverage and from disposing of any assets except for necessities or to generate income.

Allows a divorce to become final without a final court hearing if the couple has no minor children and have agreed in writing to the terms of the divorce. Attorneys would not be needed. For couples with minor children, the final hearing may be waived only if they were represented by attorneys and they have signed a written agreement. A final hearing may still be scheduled by the court if it appears the agreement will not be in the best interests of the children or in the interest of justice.

Creates a pilot project for a streamlined procedure for divorces in marriages where there has been no domestic abuse, no minor children, no real estate, pension or retirement plan, no unpaid debts over \$5,000 and total marital assets do not exceed \$10,000, including an automobile. The marriage must have lasted less than 5 years. This streamlined process, called the summary dissolution process, will be evaluated by the state court administrator, who will make a report to the legislature by Oct. 1, 1995. The project will end June 30, 1996 unless the legislature authorizes its extension.

Appropriates \$30,000 to develop an educational video for the courts to use with all clients going through a divorce proceeding.

CHILD SUPPORT

Child Support Awards

(CHAP. 292) Requires that the child support guidelines be used in all cases when establishing or modifying child support. If there is no deviation from

the guidelines, the court must indicate the amount of income used to determine the child support amount and any other factors affecting determination of support. If the guidelines are not followed, the court must give the reasons for the deviation, the specific criteria used to determine support and explain how the deviation is in the best interests of the child. The court is also required to review any stipulations made between the two parties.

Requires the parties in a child support proceeding to provide the court with documentation of their income in a timely manner. The court is allowed to base child support on the estimated earning ability of the non-custodial parent if the court finds that the non-custodial parent is voluntarily unemployed or under-employed. It is not considered voluntary unemployment or under-employment if the parent is making a bona fide career change.

Allows for a modification of a child support order if applying the guidelines would result in a monthly payment that is 20 percent and at least \$50 per month higher or lower than the current payment.

Child Support Enforcement

Allows a person receiving child support or the county child support office to petition a court to suspend an occupational license of the person paying child support if payments are past due. The court may then order the licensing board to conduct a hearing on the suspension. If a licensing board receives an order from the court, it can only determine whether the past due amounts have been paid and whether suspension or probation is appropriate. If the suspension would create extreme hardship, the licensing board may order probation instead, but only for two years. During probation, the license can be suspended if monthly proof of payment is not provided to the board.

Prevents child support obligors who are more than 30 days past due in paying child support that is being collected by the county enforcement office from being eligible for a higher education grant from the state of Minnesota.

AFDC

Family Investment Plan

(CHAP. 292) Continues the Family Investment Plan (FIP), a welfare reform initiative within the Department of Human Services. DHS will continue to seek federal approval for the plan. Counties will be

