

Minnesota Legislative Session Summary 2016

A report highlighting selected new legislation affecting the economic status of women.

Laws of Minnesota 2016	Issue	Synopsis
Chapter 86	Career Advancement	Modifies the Dual Training Grant Program, which is part of the existing Minnesota PIPELINE Project. Employers and employees work together through structured on-the-job training and related formal instruction so employees can obtain industry-recognized occupational degrees, certificates, or credentials in the following industry sectors: advanced manufacturing, agriculture, healthcare services, and information technology. Minnesota's Office of Higher Education and the Department of Labor and Industry administer the grant program. Grant funds can be used to cover student/employee tuition, fees and required materials for the related instruction training. The 2016 legislation makes the following changes to the Dual Training Grant Program: • Employees who were previously awarded a dual training grant are now eligible to receive additional grants. • The maximum amount of the training grant is \$6,000 per year per employee for each of four years. • Priority is given to employees who graduated high school or passed GED tests in the current or immediately preceding year.
Chapter 103	Older Women	Designation of Caregivers • Hospitals must give patients the opportunity to designate a caregiver. • Hospitals must provide a discharge plan and aftercare instructions to the designated caregiver prior to patient's discharge. • Hospitals must notify the designated caregiver, as soon as practicable, of a patient's discharge or transfer to another hospital or health care facility.
Chapter 111	Older Women	Temporary Family Health Care Dwellings. Creates a permit and permitting process for county and local governments to allow and regulate "temporary family health care dwellings." The main reason for the new law is to provide transitional housing for seniors (for example, if your grandparent is recovering from surgery, she/he could stay in a

		temporary, small building or RV in your yard or driveway); however, anyone who needs assistance with daily activities due to a mental or physical impairment may reside in one of these temporary buildings on the property where a caregiver or relative resides.
Chapter 126	Sexual Abuse	Revenge Porn. Makes it a crime to distribute (including posting on social media) unauthorized sexual images if both parties did not consent to the distribution and the photo/film/video was created when a person had reasonable expectations of privacy. Also makes such unauthorized distribution a civil cause of action.
Chapter 132	Spousal Maintenance	Modification of Spousal Maintenance if Recipient is Living with Someone • Allows for reduction, suspension, or termination of spousal maintenance if the recipient is cohabiting with another adult. • Does not apply if cohabitation is with certain relatives.
Chapter 141	Sexual and Domestic Violence	Orders for Protection. Eliminates the mandatory hearing that was required for extensions of limited-relief Orders for Protection.
Chapter 174	Child Care	Creation of Legislative Task Force on Access to Affordable Child Care • Recommendations of the task force will be presented to the legislature and the governor by January 15, 2017. • The task force will ○ Examine the decrease in number of child care providers. ○ Assess affordability issues for child care providers and parents. • Special attention will be paid to ○ The child care provider shortage in Greater Minnesota. ○ Culturally appropriate child care. ○ Factors that are driving the cost of child care. ○ Training and administrative requirements for child care providers. ○ Enforcement procedures for child care provider requirements. ○ Timeliness of Child Care Assistance Program (CCAP) reimbursements to child care providers. (CCAP provides state funds to pay for child care for some low income families.)
Chapter 176	Sexual and Domestic Violence	Orders for Protection. Eliminates the filing fee for respondents in Order for Protection proceedings. (Petitioners already have filing fees waived.)
Chapter 189	Equity	➤ Equity in Education and Job Connection Grants. Grants to MN state colleges and universities and private organizations to improve postsecondary attendance and completion for historically underrepresented college students and help them get well-paid jobs. Includes academic and nonacademic counseling, mentoring, tutoring, career

		exploration, internships, job placement services, college orientation, financial aid counseling, and instruction in math and language arts. \$500,000 in FY17 for grants through the State Office of Higher Education. ➤ Good Food Access Program: Financial and technical assistance for construction or expansion of grocery stores and small food retailers to increase access to affordable, nutritious, and culturally appropriate food for underserved communities in low- and moderate-income areas. \$250,000 in FY17 for grants through the Dept. of Agriculture. ➤ As part of the \$35M approved for developing broadband throughout Minnesota, \$500,000 may be used for grants to expand broadband service in areas that have a significant proportion of low-income households. Grants through the Dept. of Employment and Economic Development (DEED). ➤ Exploited Families Rental Assistance Pilot Program. Rental assistance to individuals or families with a minor child who are from emerging communities, are at risk of being homeless, and have been victims of gender-based violence (domestic violence, sexual assault, trafficking, international abusive marriage, or forced marriage). \$500,000 in FY17 for grants through the Housing Finance Agency. ➤ Expands existing DEED job training grants for very low-income people. Grants paid to job training programs for graduates that are placed in a job and for graduates that remain in their post-training job for at least one year are increased from \$9,000 to \$11,000 per graduate. Raises income and asset eligibility limits for training participants (income raised from \$11,000 to \$12,000 per year; assets raised from \$7,000 to \$10,000). ➤ The existing Urban Initiative Program, which gives grants to nonprofits who in turn provide loans to minority-owned businesses in low-income areas in the Twin Cities, is renamed the “Minnesota Emerging Entrepreneur Program,” and will give grants to nonprofits who provide loans to businesses in Greater Minnesota or in low-income areas of the Twin Cities that are owned by minorities, women, veterans, or people with disabilities. \$500,000 is available in FY17 and \$750,000 in each succeeding year. An additional \$357,000 is available in FY17 for the seven-county Twin Cities area. Grants are awarded through DEED. ➤ \$1.5M in FY17 and \$750,000 in each succeeding fiscal year is awarded to the Neighborhood Development Center for small business development for immigrants in suburban communities, for outreach and training in Greater Minnesota, and for a small business incubator program. ➤ Grants to organizations that provide support services to low-income communities, to young adults from families with a history of intergenerational poverty, and to communities of color. “Support services” include job readiness and job training,
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		internships, job assistance to fathers, financial literacy, academic and behavioral interventions for low-performing students, and youth intervention. \$2M in FY17 and \$1.5M in each succeeding year. Grants are awarded through DEED. ➤ \$1M in FY17 and \$250,000 in each succeeding year to YWCA-St. Paul for job training and workforce development programs. ➤ \$750,000 in FY17 and \$375,000 in each succeeding year to YWCA-Minneapolis to provide low-income persons with job training and placement in early childhood education careers. ➤ \$4.25M in FY17 and \$1M in each succeeding year to EMERGE Community Development for job readiness, training and support services, and a “general education development fast track adult diploma program” in communities with the highest concentrations of African and African-American unemployment. Primarily serves North Minneapolis and Cedar Riverside areas. ➤ \$2.5M in FY 17 and \$1.175M in each succeeding year to Metropolitan Economic Development Association (MEDA) for statewide business development, with priority to minority-owned businesses and businesses that create jobs for unemployed and underemployed people. ➤ Grant to Minneapolis Foundation for North@Work (Northside Funders Group) program: job training and placement for African American men. \$1M in FY17 and \$2M in FY 18-19. ➤ Twin Cities RISE. Job training. \$1.2M FY17 and \$1.2M in FY18-19. \$407,000 of the FY17 amount is for the Metro Transit Technician training program. ➤ Hennepin County Career Connections Pathways. As a way to serve people who face barriers to employment or who are underrepresented in the workforce, and to increase diversity, Hennepin County offers employees in certain jobs tuition-free job training and professional support to help them advance their careers. \$2.5M in FY17, with \$300,000 of this amount to be used for a Career Connections Pilot Program in Greater Minnesota. ➤ High-wage, high-demand, nontraditional job training and placement grants for women of color. Grants may also be for approved job training or apprenticeship programs for girls of color. Grants may be used for support services for women in nontraditional jobs, services such as family caregiving and financial assistance for childcare, transportation and safe and stable housing. \$1.5M in FY17 and \$2M in FY18-19. Grants awarded through DEED. ➤ Youth-at-Work competitive grant program. Workforce development for economically disadvantaged or at-risk youth, ages 14-24. (“At-risk” includes young people who are pregnant or parents, and young people with limited English proficiency.) Priority is
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		given to programs that serve youth from communities of color or youth with disabilities. \$1M FY17 and \$2M FY18-19. Grants awarded through DEED. ➤ Competitive grants to organizations working to relieve economic disparities in the Southeast Asian community. \$2M in FY17 and \$2M in FY18-19. Grants awarded through DEED. ➤ \$1.5M FY17 and \$750,000 in each succeeding year to CLUES (Comunidades Latinas Unidas en Servicio) to address employment and education skill gaps for working parents and underserved youth. At least 50% must be targeted to Greater Minnesota. ➤ \$880,000 in FY17 and \$250,000 in each succeeding year to American Indian Opportunities and Industrialization center (AIOIC) and Northwest Indian Community Development Center to reduce educational disparities in the American Indian community. ➤ \$500,000 in FY17 and \$125,000 in each succeeding year to the White Earth Nation for the White Earth Nation Integrated Business Development System. ➤ Additional funding for existing Pathways to Prosperity grant program. Workforce development (basic skills education and career-specific training in high-demand occupations) for individuals who lack basic educational and occupational skills. Includes educational and experiential opportunities for teens and young adults in the construction industry. \$1M in FY17 and \$2M in FY18-19. Grants awarded through DEED. ➤ \$320,000 FY17 and \$1M in each succeeding year for a new DEED capacity building grant program to help nonprofit organizations who provide or seek to provide workforce and economic development services. ➤ \$2M in FY17 for DEED grants to organizations that service Somali youth. \$1M of this amount must go to Youthprise. If possible, 50% of funds must go to Greater Minnesota. ➤ \$600,000 in FY17 and in each succeeding year to Ujamaa Place to train young (age 18-30), economically disadvantaged African American men in St. Paul in the construction trades, to provide housing for these men, and to build organizational capacity for Ujamaa Place. ➤ \$1.75M in FY17 and \$875,000 in each succeeding year to Enterprise Minnesota (a state-funded corporation that provides business development services and products and financial assistance to small- and medium-sized manufacturing businesses) for small business development, focusing on Greater Minnesota. ➤ \$1M in FY17 and \$500,000 in each succeeding year for grants to centers for independent living for persons with disabilities. ➤ \$1M in FY17 and \$500,000 in each succeeding year to the State Services for the Blind for services for senior citizens who are becoming blind.
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		➤ \$2M in FY17 and \$1M in each succeeding year to the Construction Careers Foundation to educate teens (starting in middle school) and young adults in construction careers. Priority given to teens and young adults that are economically disadvantaged or historically underrepresented in the construction industry, including women, veterans, and members of minority and immigrant groups. ➤ \$500,000 in FY17 and \$500,000 in each succeeding year for a grant to Build Wealth MN for a family stabilization program including financial literacy education and budget and debt counseling. Focus on families with low to moderate incomes in underserved communities. ➤ “Landlord Guarantee Fund” pilot program to reduce landlord financial risks for renting to families or persons younger than age 22 who are homeless or at risk of being homeless. \$250,000 in FY17. Grants awarded through the Housing Finance Agency. ➤ State contracts up to \$25,000 for goods, services, or construction may be awarded to small targeted group businesses, small veteran-owned businesses, or small businesses located in an economically disadvantaged area without a competitive bid process. (Targeted group businesses are businesses owned by women, persons with disabilities, or minorities.) The Dept. of Administration may require prime contractors in state contracts for construction or professional or technical services to subcontract part of the contract to a veteran-owned small business or to a small business located in an economically disadvantaged area. (Current law already gives this discretion for small targeted group businesses.) The Dept. of Administration may require specific state contracts for goods or services be awarded only to veteran-owned small businesses or only to small businesses located in an economically disadvantaged area. (Current law already gives this discretion for small targeted group businesses.) All of the above provisions in this state contracting section also apply to combinations of small targeted group businesses, veteran-owned small businesses or small businesses located in an economically disadvantaged area. Note that a business must be certified by the State of Minnesota as a targeted group business, veteran-owned business, or business in an economically disadvantaged area to be eligible for this new provision. ➤ \$1M in FY17 to Dept. of Administration to assess and upgrade its targeted group business software. ➤ The existing development, evaluation, and peer coaching program for teachers is amended to be directed to provide all students with “improved and equitable access to more effective and diverse teachers” and to include mentoring and induction programs for teachers who reflect the diversity of students.
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		➤ The existing “Achievement and Integration for Minnesota” program, which aims to reduce academic disparities arising from students’ racial, ethnic, and economic backgrounds, is amended to include providing students with improved and equitable access to effective and more diverse teachers. ➤ The required school boards’ long-term plans to improve teaching and learning must include strategies to ensure that low-income and minority children are not taught at higher rates than other children by inexperienced, ineffective, or out-of-field teachers. ➤ Student data must be “disaggregated” (separated) into student categories of homelessness, ethnicity, race, home language, immigrant and refugee status, English learners, and free or reduced-price lunch. ➤ Creates a Student Discipline Working Group to analyze and submit recommendations to the Legislature on pre-K-12 school disciplinary policies and practices. ➤ Grants to low-income students in a teacher preparation program who are interested in teaching after graduation in a geographical or subject area with a shortage of teachers. \$2.8M in FY17 through the Office of Higher Education. ➤ “Grow Your Own” pilot program. Tuition scholarships or stipends to enable school paraprofessionals—teaching assistants or other non-licensed employees of a first class city (Minneapolis, St. Paul, Rochester, Duluth) school district or a school district with more than 40% minority students—to earn an education license through a new, nonconventional teacher residency program. \$1.5M in FY17 and \$1M in each succeeding year. ➤ \$1.5M in FY17 to the Sanneh Foundation for academic and behavioral interventions for low-performing students, with a focus on low-income students and students of color. ➤ \$1.5M in FY17 to Girls in Action, to continue and expand Twin Cities’ school- and community-based programs that encourage and support low-income girls, including low-income girls of color, to graduate from high school on time, complete a postsecondary preparation program, become community leaders, and participate in service learning. ➤ State-funded voluntary pre-K. A school district or charter school may establish a voluntary pre-kindergarten program. The voluntary pre-K program may contract with community-based organizations or child care centers to deliver the program. Priority for funding these voluntary pre-K programs will be given to high-poverty schools and to areas with a scarcity of quality child care programs. \$18.6M is appropriated in FY17, \$21.8M in FY18, and \$21.1M in FY19. ➤ \$2,350,000 in FY17 and \$350,000 in each succeeding year for the “Parent-Child Home Program”—a home-based literacy and school readiness program for low-income
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		children, ages 16 months to four years. The Parent-Child Home Program is administered by the Dept. of Education. ➤ \$430,000 in FY17 to a St. Cloud school district, to establish a preschool pilot program targeting low-income students and English learners. ➤ For FY17, there will be no charge to Minnesotans taking the GED test. ➤ Additional adult basic education aid for the International Education Center, the American Indian Opportunities Industrialization Center, and the Minnesota Office of Communication Service for the Deaf. A total of \$400,000 in FY17. ➤ \$150,000 in FY17 for a grant to the International Institute of Minnesota (serving refugees and immigrants) to establish a college readiness academy. ➤ \$150,000 in FY17 to Summit Academy OIC for GED and adult diploma programs leading to entry into career credentialing programs. ➤ \$100,000 for grants to adult basic education (ABE) programs to provide navigating and advising support services for ABE students. Priority for grants to programs already providing these services. Grants are awarded through the Dept. of Education. ➤ Grants to family medicine residency programs to support current and new family medicine residency positions in Greater Minnesota. \$1.035M in FY 2017 and \$1.035M in ea. succeeding year.
	Student Debt	➤ Prior legislation directed MnSCU to find a way to use free and low-cost teaching materials to lower students' college expenses. This year's legislation continues funding for this "Open Textbook Initiative," with \$100M in FY17 for development and adoption of open textbooks (on-line, free academic textbooks) and \$100M in FY17 for expansion of a statewide "open textbook library" for MnSCU. ➤ State Office Higher Education directed to develop and distribute informational materials to increase public awareness of federal public service student loan forgiveness programs. Employers must provide employees with information about their eligibility for these loan forgiveness programs. ➤ Office of Higher Education must gather and distribute information about the dual credit acceptance policies of each Minnesota public and private college and university. This pertains to Post-Secondary Enrollment Options (PSEO)—a state-funded program that allows high school students (grades 10, 11, and 12) to take courses that earn college credits. A high school student can graduate from high school with up to two years of college completed for free. ➤ Nursing facilities and boarding care homes must reimburse employees for costs of certain nursing assistant training.

		➤ FY17 funding for the existing teacher shortage loan forgiveness program (forgiveness of up to \$1,000/yr. for five years for student loans for teachers in areas with a teacher shortage) is increased from \$200,000 to \$2.2M.
	Child Care	➤ Expands eligibility for child care grants for college students. Previously, only undergraduate students were eligible; this year's legislation expands eligibility to include students in a graduate or professional program. Effective Aug. 1, 2016. ➤ \$500,000 in FY17 for grants to rural communities to increase the number of child care providers. Priority to communities with a shortage of child care providers. (Areas not eligible are the counties of Anoka; Carver; Dakota, excluding the city of Northfield; Hennepin, excluding the cities of Hanover and Rockford; Ramsey; Scott, excluding the city of New Prague; and Washington.) ➤ <i>See also</i> "voluntary pre-K" under "Equity" provisions of C. 189
	Women in Nontraditional Jobs	➤ \$250,000 in each of FY 17, 18, and 19 for the Dept. of Labor and Industry's apprenticeship program. This program is not specifically for women, but discrimination based on sex is expressly prohibited. Apprenticeship programs in the trades are an excellent path for women to gain skills for high-wage, high-demand occupations. ➤ <i>See also</i> "Equity" provisions of C. 189
	Affordable Housing	➤ Workforce and Affordable Homeownership Development Program. Grants to increase the supply of workforce and affordable housing throughout Minnesota. \$750,000 in FY17. Grants awarded through the Housing and Finance Agency. ➤ <i>See also</i> "Exploited Families Rental Assistance Program" under "Equity" provisions of C. 189.
	Surrogate Mothers	➤ Creates a new Legislative Commission on Surrogacy, with members being state senators and representatives, the commissioners of Human Services and Health, and a family court referee. This commission will develop public policy recommendations and proposed legislation regarding surrogacy.
	Sexually Exploited Youth	➤ Minnesota has a "Safe Harbor Law," for sexually exploited youth: youth under age 18 who engage in prostitution are considered victims and survivors, not criminals, and are directed to supportive services, shelter, and housing. This new provision expands the Safe Harbor Law to apply to youth age 24 or younger.
	Child Support	➤ Significant change to the way Minnesota calculates the amount of child support due (i.e., the "parenting expense adjustment"). Gradually decreases the amount of child support for each additional overnight the non-custodial parent has custody of the child. (Under

		current law, the amount of child support remains constant when the noncustodial parent has between 10% and 45% of custody. The amount of child support drops significantly when the noncustodial parent has one overnight of custody in excess of 45%.) Existing child support orders are subject to court review due to these legislative changes. Some custodial parents may have their child support payments reduced, although there is legislative language limiting modification of existing support amounts if the result would create a hardship for the obligor or obligee. Changes in the calculation of parenting expense adjustment are effective Aug. 1, 2018. ➤ Creates a three-year Child Support Task Force to continue examining and recommending changes to Minnesota’s child support laws and policy. Four parents, with equal representation between custodial and noncustodial parents, will be appointed by the Commissioner of Human Services to serve on this Task Force.
	Child Care, MFIP, MA, MinnesotaCare	Payments to families by the “income and child development in the first three year of life demonstration project” are not counted as income or assets for purposes of determining eligibility for child care assistance programs (CCAP), MFIP, the work benefit program, the diversionary work program, Minnesota Medical Assistance, or MinnesotaCare. (This federal demonstration project is to evaluate whether unconditional cash payments impact the cognitive, socioemotional, and brain development of infants and toddlers.)
	Substance Abuse and Pregnancy	Pilot project by MN Dept. of Human Services, using available federal funds, for substance use disorder treatment for pregnant and postpartum women, including opioid use disorder.
	Older Women	Spousal Impoverishment. Two provisions provide some protection from impoverishment of the “community spouse” due to requirements of <i>spend down</i>* of assets in order for the institutionalized spouse to be eligible for Medical Assistance (Minnesota’s version of Medicaid). • Increase in the maximum amount of assets a community spouse may retain to \$119,200, or the amount required by court order to be transferred to the community spouse, whichever is greater. This amount includes both assets owned by the community spouse and assets that may be transferred from the institutionalized spouse to the community spouse. The maximum amount is adjusted annually. • An institutionalized spouse may remain eligible for Medical Assistance in cases in which the community spouse retains assets in excess of the maximum allowable community spouse assets, if denial of eligibility would cause an undue hardship to the family due to the loss of retirement funds for the community spouse or the loss of assets retained in

		529 college savings plans for a child under age 25. Retirement assets are protected only until the community spouse is eligible to withdraw the retirement funds without penalty. <i>*Spend down</i> means that people with income/assets in excess of Medial Assistance eligibility levels are required to pay medical bills out of their funds until their income/assets are lowered to Medical Assistance eligibility levels.
	Pre- and Post-Partum Depression	Grants through the Health Dept. for screening and treating pregnant women and women who have given birth in the preceding 12 months for pre- and post-partum depression. Programs must be culturally competent. Depends on available federal funds.