

Minnesota NOW - 2004 End of Session Legislative Report

Introduction

This year's legislative session ended without a bonding bill or a budget bill. The fact that a bonding bill was not passed prevented some of the more negative ideas on the table from being implemented. However, some important bonding requests, such as the \$20 Million for the first phase of a plan to end long-term homelessness were left unfulfilled. When it comes to the budget however, "no news is good news". Since Minnesota operates on a biennium, there was no real rush to pass a budget bill this session. Some of the budget cuts proposed by the House would have affected those who can afford it the least, especially in the area of health and human services. The good news is that legislators did not get the opportunity to slash funding for needed programs and initiatives, which are important to members of Minnesota NOW and their families. However, all of this means that the budget will be a major issue in the 2005 session. The state's budget deficit is estimated by the Minnesota Budget Project to be \$159.5 million in the 2004-05 biennium and \$442.2 million in the 2006-07 biennium.

Although members of the House and Senate leadership have been in negotiations and have met with the Governor to discuss the possibility of a special session, an agreement regarding the ground rules could not be reached. With an election and a large budget deficit looming, it is highly unlikely that a special session will take place.

The following is a summary of bills, which we followed this session. The information gathered is from the State of Minnesota website at <http://www.leg.state.mn.us/leg/legis.asp>.

Summary of Previously Discussed Bills:

ERA

Failed/Stalled in Committee - HF0629/SF0107 - "State Equal Rights Amendment" - would provide equal rights for women provided by Constitutional Amendment.

Reproductive Rights

Failed/Stalled in Committee - HF0436/SF0431 - "Super Gag Rule" would have enacted enormous restrictions on the use of family planning funding.

Failed/Stalled in Committee - HF0352/SF0570 - "Minor's Consent" was a proposed repeal of confidentiality in Minnesota's minor's consent law. It would require parental consent for certain medical treatments and permit parental access to a minor's medical records.

Failed/Stalled in Committee - HF2731/SF1665 - "Family life and sexuality education" seeks to increase and expand family planning and education, provide after-school enrichment programs, provide contraceptive information, create a family planning website, modify the ENABLE program and appropriate money for the program.

Failed/Stalled in Committee - HF2751/SF2570 - "Factual Accuracy of Informed Consent" would require the informed consent information provided under the woman's right to know act to be medically and factually accurate. It also defines medically and factually accurate.

Failed/Stalled in Committee - HF2026/SF2129 - "Stem Cell Research Restrictions" - Restricts human embryo and stem cell research funding.

GLBT Rights

Failed/Stalled in Committee - HF2798/SF2715 - "Same Sex Marriage Ban" - a proposal for a Constitutional amendment to bar the legal recognition of same-sex relationships in Minnesota. For the first time ever, the proposed legislation to amend the Minnesota's Constitution would require overt discrimination in the form of a ban against the legal recognition of same-sex relationships.

Freedom From Violence

Failed/Stalled in Committee - HF2149/SF2008 - "Civil Commitment for Level III Sex Offenders" - The creation of a Corrections Board to determine parole, and authorizing this board to refer selected level III sex offenders to the county attorney for civil commitment, and money appropriated.

Failed/Stalled in Committee - HF2308/SF2486 - "Sentencing changes for Level III Sex Offenders" - Sex offender sentencing provisions expanded including life penalties, indeterminate sentencing, and mandatory life sentences; Sex Offender Review Board established; and minimum sentences provided. In the House, this was re-referred to Judiciary Policy & Finance Committee on March 12th. In the Senate, this was referred to the Crime Prevention and Public Safety Committee and tabled on March 8th.

Opposition to Punitive Welfare Reform

Parts SF1991 were included in HF2277, Article 4, Section 32, 43 and 46-48, the original remaining bills listed as HF2108/SF1991 Failed/Stalled In Committee -

HF2108/SF1991 - "Repeal SSI Cut" - repeals the \$125 per person, per month MFIP grant cut to families with disabled family members. It also repeals the \$50 per month MFIP grant cut to families in subsidized housing.

- HF2277 - Modifies requirements related to case management services, childcare, MFIP, long-term care, and health care. It *does not* repeal either of the cuts mentioned above, but at least the House plan to *increase* the housing penalty to \$200 a month was avoided.

Eliminating Racism

No relevant state legislation at this time.

Other Topics:

Failed/Stalled in Committee - HF2241/SF2723 - "Child Care Assistance Reduction and Restriction" - Childcare assistance maximum rate paid modification, absent day reimbursement limitation.

Failed/Stalled in Committee - HF1602/SF1860 - "Death Penalty" - Authorizes the death penalty for first-degree murder under certain aggravating circumstances.

Failed/Stalled in Committee - HF2400/SF2333 - "Health Care Constitutional Amendment" - Proposes an amendment to the State Constitution that every resident of Minnesota has the right to affordable, basic health care.

Notes from Minnesota's Non-Profit Community:

Much of the information I post to the online Yahoo group is culled from literally hundreds of emails I receive from various Non-Profits Groups. Here are some highlights from this session for those of you who have not yet joined the Yahoo Group. By the way, if you would like to join the Yahoo group for Minnesota NOW members, please contact me at pattiann1960@yahoo.com

From HousingMinnesota:

Affordable housing supporters were disappointed in session outcomes despite the unprecedented energy and collaboration around some key housing issues. Their legislative agenda included four priorities:

1. Pass the \$20 million bonding request for supportive housing;
2. Provide property tax relief for affordable rental properties;
3. Provide additional funding to homeless shelters and transitional housing; and,
4. Improve tax increment financing for affordable housing.

All four of HousingMinnesota's initiatives were well positioned within several omnibus bills, but when negotiations stalled on the budget, the other omnibus bills floundered as well. On Monday, May 17th Governor Pawlenty unilaterally balanced the \$160 million deficit by tapping into the Healthcare Access Fund (\$110 million), canceling some previous bonding projects (\$18 million), increasing tax compliance (\$13 million) and by making administrative cuts to state agencies (\$17 million).

From the Affirmative Options Coalition:

Minnesota legislature adjourns without agreement on major bills: What does it mean for low-income Minnesotans? This means some good news for low-income families (no additional cuts to human service programs) and some bad news (no restoration of cuts from the 2003 session).

1. MFIP participants maintain access to 24 months of education/training because the House attempt to limit their education to 12 months failed in the Senate.
2. Work requirements for education/training remain restrictive because the Senate's attempt to reduce the hourly work requirement failed the House.
3. Similarly, the attempt by the Senate to allow sanctioned MFIP recipients to regain benefits after six months of compliance was not passed by the House.

From Child Care Works:

Neither the House nor the Senate passed legislation to restore childcare cuts in the Basic Sliding Fee (BSF) program. They did however agree to reinstate the At-Home Infant Care program.

From the Jobs Now Coalition:

The Senate passed a bill to raise the minimum wage to \$5.90 per hour as of July 1, 2004 and \$6.65 by July 1, 2005. The House refused to consider the bill.

From the Minnesota Budget Project:

The failure to pass any Health and Human Services finance bill means the Legislature lost the opportunity to fix some of the more pressing problems that which are a result of decisions made in the 2003 session, however the failure to act also means some particularly undesirable changes were avoided.

- The Governor and the House proposed co-payments of \$3 for non-preventative office visits and \$6 for non-emergency emergency room visits for adult MinnesotaCare participants, characterizing this as fixing an "oversight" from last session. This would have been in addition to the increase in MinnesotaCare premiums approved in 2003.

- The Governor and the House proposed to "align" the MinnesotaCare eligibility policy with medical assistance by eliminating coverage more quickly for enrollees whose income rises above the standards.
- Currently, nursing facilities receive \$0.25 per resident day to fund a scholarship program to allow their employees to pursue a degree or credential to advance their careers in Long Term Care. The Governor and the House proposed eliminating this program.
- The Governor and the House proposed suspending the automatic Cost of Living Adjustment (COLA) for medical assistance recipients' rates for certain nursing facilities through 2007. During the 2003 Session, the COLA for these nursing homes were suspended for 2004 and 2005.
- The Governor and the House proposed caseload limits for home and community-based services for persons with disabilities for the next biennium.
- The Health Care Access Fund (HCAF) is a dedicated funding source for the MinnesotaCare program, derives from a 2% provider tax on health care services, which nearly avoided being raided. The governor proposed transferring \$70 million into the general fund to help solve the state's budget deficit. Although no money was transferred out of the HCAF because the Legislature failed to take action during the session, the Governor did cancel a scheduled transfer of \$110 million from the General Fund to the HCAF to help fill the budget deficit.

However, the "do nothing" outcome of the session also prevented some of the more negative ideas on the table from being implemented. Many of the proposals described here, both good and bad, are likely to reappear in the 2005 Legislative Session.

A Preview of 2005

Governing Magazine recently published an interesting article, which outlines Minnesota's changing political climate. It analyzes the recent shift in spending on social programs and references an interview with House Speaker Steve Sviggum who says he is skeptical about claims that spending on some programs; building up after-school programs, say, in order to cut down on crime; actually saves dollars in the long run.

"For 30 years, we've heard that if you spent X dollars in a prevention program, you'll save six or seven times that in the out years," he says. "We never can quantify that. I think it's a fair question to ask when we're gonna see savings. Our budgets continue to go up." In fact, as state budget director Jim Schowalter points out, state spending on health and human services is still set to grow by double-digit amounts in the coming budget biennium, meaning more cuts will be the order of the day.

A copy of the full article is available at:

<http://www.governing.com/archive/2004/jun/welfare.txt>.