

SENATE
STATE OF MINNESOTA
EIGHTY-SEVENTH LEGISLATURE

S.F. No. 30

(SENATE AUTHORS: GAZELKA, Howe and Thompson)

DATE	D-PG	OFFICIAL STATUS
01/13/2011	49	Introduction and first reading Referred to Health and Human Services

1.1 A bill for an act
1.2 relating to human services; establishing an interstate payment standard for
1.3 new residents eligible for MFIP benefits; amending Minnesota Statutes 2010,
1.4 sections 256J.08, subdivision 55a, by adding a subdivision; 256J.12, by adding a
1.5 subdivision; proposing coding for new law in Minnesota Statutes, chapter 256J.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2010, section 256J.08, is amended by adding a
1.8 subdivision to read:

1.9 Subd. 50b. Interstate transitional standard. "Interstate transitional standard"
1.10 means a combination of the cash assistance a family with no other income would have
1.11 received in the state of previous residence and the Minnesota food portion for the
1.12 appropriate size family.

1.13 Sec. 2. Minnesota Statutes 2010, section 256J.08, subdivision 55a, is amended to read:

1.14 Subd. 55a. **MFIP standard of need.** "MFIP standard of need" means the
1.15 appropriate standard used to determine MFIP benefit payments for the MFIP unit and
1.16 applies to:

1.17 (1) the transitional standard, sections 256J.08, subdivision 85, and 256J.24,
1.18 subdivision 5; ~~and~~
1.19 (2) the shared household standard, section 256J.24, subdivision 9; and
1.20 (3) the interstate transition standard, section 256J.431.

1.21 Sec. 3. Minnesota Statutes 2010, section 256J.12, is amended by adding a subdivision
1.22 to read:

2.1 Subd. 3a. **Payment plan for new residents.** Assistance paid to an eligible family
2.2 in which all members have resided in this state for fewer than six consecutive calendar
2.3 months immediately preceding the date of application shall be at the standard and in the
2.4 form specified in section 256J.431.

2.5 Sec. 4. **[256J.431] INTERSTATE TRANSITIONAL STANDARDS.**

2.6 Subdivision 1. **Payment for nonresidents.** (a) Effective July 1, 2011, the amount
2.7 of assistance paid to an eligible family in which all members have resided in this state
2.8 for fewer than six calendar months immediately preceding the date of application shall
2.9 be the lesser of either the payment standard that would have been received by the family
2.10 from the state of immediate prior residence or the amount calculated in accordance with
2.11 this chapter. The lesser payment must continue until the family meets the six-month
2.12 requirement. Payment must be calculated by applying this state's budgeting policies, and
2.13 the unit's net income must be deducted from the payment standard in the other state or in
2.14 this state, whichever is lower. Payment shall be made in vendor form for rent and utilities,
2.15 up to the limit of the grant amount, and residual amounts, if any, shall be paid directly to
2.16 the assistance unit. This section applies whether or not the family received similar benefits
2.17 while residing in the state of previous residence.

2.18 (b) For the purposes of this section, "state of immediate prior residence" means:

2.19 (1) the state in which the applicant declares the applicant spent the most time in the
2.20 30 days prior to moving to this state; or

2.21 (2) the state in which an applicant who is a migrant worker maintains a home.

2.22 (c) Applicants must provide verification of their state of immediate prior residence,
2.23 in the form of tax statements; a driver's license; automobile registration; rent receipts; or
2.24 other forms of verification approved by the commissioner.

2.25 Subd. 2. **Length of assistance.** (a) During the first six months a family resides in
2.26 this state, the number of months that a family is eligible to receive MFIP benefits is limited
2.27 to the number of months the family would have been eligible to receive similar benefits
2.28 in the state of immediate prior residence.

2.29 (b) When a family moves to this state from another state where the family has
2.30 exhausted that state's time limit for receiving benefits under that state's TANF program,
2.31 the family must not be eligible to receive any MFIP benefits in this state for six months
2.32 from the date the family moves here.

2.33 Subd. 3. **Commissioner to verify.** The commissioner shall annually verify and
2.34 update all other states' payment standards as they are to be in effect in July of each year.

3.1 Subd. 4. **Migrant workers.** Migrant workers, as defined in section 256J.08, and
3.2 their immediate families are exempt from this section, provided the migrant worker
3.3 provides verification that the migrant family worked in this state within the last six months
3.4 and earned at least \$1,000 in gross wages during the time the migrant worker worked in
3.5 this state.

3.6 Subd. 5. **Temporary absence from Minnesota.** (a) For an assistance unit that has
3.7 met the requirements of section 256J.12, the number of months that the assistance unit
3.8 receives benefits under the interstate transitional standards in this section is not affected by
3.9 an absence from Minnesota for fewer than 30 consecutive days.

3.10 (b) For an assistance unit that has met the requirements of section 256J.12, the
3.11 number of months that the assistance unit receives benefits under the interstate transitional
3.12 standards in this section is not affected by an absence from Minnesota for more than
3.13 30 consecutive days but fewer than 90 consecutive days, provided the assistance unit
3.14 continues to maintain a residence in Minnesota during the period of absence.

3.15 Subd. 6. **Exception to the interstate payment policy.** Applicants who lived in
3.16 another state in the six months prior to applying for assistance are exempt from the
3.17 interstate payment policy for the months that a member of the unit:

3.18 (1) served in the United States armed services, provided the person returned to
3.19 Minnesota within 30 days of leaving the armed forces, and intends to remain in Minnesota;

3.20 (2) attended school in another state, and paid nonresident tuition or Minnesota
3.21 tuition rates under a reciprocity agreement, provided the person left Minnesota specifically
3.22 to attend school and returned to Minnesota within 30 days of graduation with the intent to
3.23 remain in Minnesota; or

3.24 (3) meets the following criteria:

3.25 (i) a minor child or a minor caregiver moves from another state to the residence of a
3.26 relative caregiver;

3.27 (ii) the minor caregiver applies for and receives family cash assistance;

3.28 (iii) the relative caregiver chooses not to be part of the MFIP assistance unit; and

3.29 (iv) the relative caregiver has resided in Minnesota for at least six months from the
3.30 date the assistance unit applies for cash assistance.

3.31 Subd. 7. **Ineligible mandatory unit members.** Ineligible mandatory family unit
3.32 members who have resided in Minnesota for six months immediately before the unit's
3.33 date of application establish the other assistance unit members' eligibility for the MFIP
3.34 transitional standard, or shared household or family wage level, whichever is applicable.