

MINUTES

MONTANA SENATE 51st LEGISLATURE - REGULAR SESSION

COMMITTEE ON LABOR AND EMPLOYMENT RELATIONS

Call to Order: By Chairman, Gary C. Aklestad on January 19, 1989, at 1:00 P.M. in the state Capitol building.

ROLL CALL

Members Present: All members were present.
Senator Tom Keating, Vice Chairman, Senator Sam Hofman, Senator J.D. Lynch, Senator Gerry Devlin, Senator Bob Pipinich, Senator Dennis Nathe, Senator Richard Manning, Senator Chet Blaylock, Senator Gary C. Aklestad, Chairman.

Members Excused: There were no members excused.

Members Absent: There were no members absent.

Staff Present: Tom Gomez, Legislative Council Analyst

Announcements/Discussion: There were no announcements or discussion.

HEARING ON SENATE BILL 67

Presentation and Opening Statement by Sponsor:

Senator Bill Norman, Senate District 28, sponsor of the bill, stated the bill evolved from the Interim Welfare Committee, and was influenced by the Federal Family Support Act. Senator Norman stated SB 67 relates to Medicaid. The federal consequence was noted by the committee, and the bill was generated. Senator Norman described a scenario of a welfare recipient, who also receives ancillary support: Food stamps, Absent Housing Allowances, heat bill help, and Medicaid. If the minimum wage is taken at \$3.34 per hour, and the client, most commonly a woman, is asked to move from welfare into the labor market, the system will meet strong resistance. The concept of working for \$3.35 per hour without ancillary benefits will further impoverish the client. Often times, the client does not have medical coverage, a sliding food stamp scale and other benefits are diminished or in jeopardy. If the client has children, she

risks losing medical coverage. The job may be temporary, baby sitting arrangements are difficult, and Medicaid is in danger. It is apparent the client would need a higher wage to be induced to enter the labor market. Senator Norman stated a Butte Ironworker candidly said he would not go to work for less than \$8.00 or \$9.00 with three children at home because of medical coverage. The Family Support Act was enacted in 1988, and supported by such outstanding liberal and conservative congressmen as New York Senator Moinahan and Utah Senator Hatch. Currently, Montana law states if a client leaves welfare to enter the labor force, the client is covered under Medicaid for nine months. SB 67 will increase Medicaid coverage to twelve months. The Federal cap is fifteen months. If the client leaves welfare and goes to work for \$3.35 an hour, the client would have Medicaid coverage up to one year, unless the wage was very high. The object of SB 67 is to induce the recipient to leave welfare. National Medical dollars are usually spent on the elderly. SB 67 earmarks money for the young. October 1990 is the deadline to comply with federal law in order to receive federal monies. Approximately 70% of Medicaid is Federal money, which is forty-one million dollars per year for Montana. The fiscal note should consider the number of new cases in compliance with the family support act, and how many welfare cases will be dissolved. Theoretically, there will be \$130 spend per month per client on Medicaid.

List of Testifying Proponents and What Group They Represent:

Chris Deveny, representing the League of Women Voters of Montana.

Brenda Nordlund, representing the Montana Women's Lobby.

Jim Smith, representing the HRDC Association.

John Ortwine, representing the Montana Catholic Conference.

Lisa Zear, representing the Montana Low Income Coalition.

Mignon Waterman, representing the Montana Association of Churches.

Testimony:

Christine Deveny, representing the League of Women Voters of Montana, stated one of the League's goals is to promote self-sufficiency for individuals and families. Ms. Deveny submitted written testimony in support of SB 67.
(Exhibit 1)

Brenda Nordlund, Montana Women's Lobby, stated support of SB

67. The Women's Lobby Group believes the increase in minimum wage is critical in taking women off AFDC. The child support revision law is critical. Retail jobs, most common to the type of job a AFDC women take to get off welfare, pays minimum wage for forty hours per week at a yearly rate of \$6,968. The fact is, the average retail work week is twenty-nine hours per week, and assuming the client works fifty-two weeks per year, the wage is slightly above \$5,000 a year. It does not make sense to leave the current system or the AFDC Program and loss adequate medical care. Nordlund urged passage of SB 67.

Jim Smith, Human Resource Development Councils, stated January 17, 1989's information, he submitted (Exhibit 1), gives support for the entire welfare legislation package, including SB 67 and SB 70. Smith stated SB 67 and SB 70 are important building blocks concerning the welfare issue. These bills may result in a genuine reform of Montana Welfare. Smith urged support of SB 67.

John Ortwein, Montana Catholic Conference, stated low-income persons want to be independent of welfare dependency, but stated the low-income persons are realistic enough to know they cannot take chances with their family's health. Mr. Ortwein presented written testimony in support of SB 67. (Exhibit 2)

Lisa Zear, Helena, MT, representing the Montana Low Income Coalition, stated the LMIC recommends eligibility be extended to 18 months after employment with another 6 months option of coverage if families would otherwise lose health benefits. The extension would allow workers time to adjust to a new work situation and advance in their job to the point where health benefits would be provided by the employer or afforded by the employee. Ms. Zear provided written testimony in support of SB 67. (Exhibit 3)

Mignon Waterman, representing the Montana Association of Churches, submitted written testimony in support of SB 67. (Exhibit 4)

There were no additional Proponents for SB 67.

List of Testifying Opponents and What Group They Represent:

Jim Smith, representing the Human Resource Development Council.

Testimony:

Jim Smith, Human Resource Development Council, stated a client, who leaves welfare, would have to be paid \$6.50 to

break even. Smith stated the \$6.50 amount encompasses the assistance program: AFDC, Medicaid, Food Stamps, Low Income Energy Assistance, and perhaps, rental assistance. The portion earmarked for medicaid represents approximately \$200 per month. Since 1980, many Montana women made the decision to get off welfare, to the extent they take low paying jobs, and put their family into risk. The current welfare condition is decapitating, and, in essence, tells the welfare recipient, if you can't get a \$6.50 job, you are better off staying on welfare.

Senator Devlin asked Senator Normal if SB 67 included medical and Dental Insurance. Yes.

Senator Hofman asked what is the Medicaid cut off date. Mr. Smith replied the new law stipulates twelve months. The state has the option of extending the time frame to fifteen months, using federal money to finance the interim. Senator Hofman asked about the point where the welfare recipient's pay becomes too much and the benefits are deleted. Senator Norman stated the single, AFDC mother welfare recipient must pay day care according to a sliding scale. Currently, Medicaid does not have a sliding scale.

Lee Tickell stated the twelve month Medicaid extension is one of the more complex provision of Welfare reform. Medicaid is available for twelve months, but on the condition the person leaves AFDC because of earning or loss of "disregards". There are two 6-month periods. The person can earn as much possible during the first 6-months. During the second 6-month period, the department will either buy the client a comparable health insurance policy and pay the monthly premium, or will put the client on a sliding scale payment schedule in order have participation.

In response to Senator Hofman's question concerning how much a person can make before being cut off. Mr. Smith stated the federal poverty level is \$12,113 for a three person family. The gross month income standard, the net month income standard, and the resource test must be passed before the client can qualify for welfare.

Mr. Blouke explained the fiscal note which shows the \$103,000 expenditures in 1990. The only expenses, which will occurred, will be in FY 91. Based on statistical information (Exhibit 5), approximately fifty cases per month lose eligibility due to loss of increase earned income. Under current federal and state law, the client can receive four months of Medicaid benefits. The first state cost for extending the cost benefits to 12 months will occur in August. The benefits will be extended through March, the tenth month, ending the Medicaid eligibility. During May, a

second fifty will be included in September until March, the twelfth month. The impact peaks in March by an additional 600 cases per month. 1991 Fiscal impact is \$1,038,000.

Senator Aklestad asked what was the assumption of the original fiscal note. Mr. Blouke suggested the department might have included the four original months at an additional cost.

Lee Tickell stated the department included the 1990 cost of the four month extension, which is in current levels and not a new cost. The second year would see a corresponding decline of \$1.4 million. The department is currently generating new figures for the revised fiscal note. Both figures are accommodated within the modified Governor's Executive Budget.

The hearing was closed on SB 67.

SB 70
Presentation and Opening Statement by Sponsor:

Senator Bill Norman, Senate District 29, sponsor of the bill, stated the welfare federal involvement began during the depression, and the Mother's Allowance or Widow's Pension began in 1937. Federal involvement for the state of Montana substantially changed in 1967 when the legislature adopted Montana Medicaid participation. Medicaid, approximately \$140 million, is 70% federal funded. Senator Norman stated the Family Support Act of 1988 has wide congressional support. A cardinal feature of the legislation is welfare is now tied to work. When the potential recipient applies for welfare, the burden is "why can't you work." The bill provides exceptions, such as a 8 year old boy, a 85 year old man or woman, the disabled, the sole caretaker of an elderly person, and, perhaps, others. The bill's objective is to take welfare recipients off welfare. The person will be trained, job searches will be activated, the high school student will resume their high school education. In short, all the difficulties encountered will be rectified. After pregnancy, the mother can remain at home until the child is three years of age, however, the state can insist the mother go back to work when the child is one year of age. If the mother chooses not to participate, sanctions will be carried out. Child care will be provided. Perhaps, Medicaid or the State Fund will buy into an employee health program, if the person works.

List of Testifying Proponents and What Group They Represent:

Brenda Nordland, representing the Montana Women's Lobby.

Christine Deveny, representing the League of Women Voters of Montana.

Jim Smith, representing the HRDC Association.

Testimony:

Brenda Nordland, Montana Women's Lobby, stated the bill is critical for welfare to be successful, and ducktail with HB 200. The Green Book reports 88.8% of the welfare population is female.

Christine Deveny, League of Women Voters, stated strong support of SB 70. Ms Deveny stated SB 70 is the first step to break the vicious cycle of national and Montana poverty. The league strongly supports section nine, calling for the provision of child care assistance for the program participants. Lack of quality child care is one of the major barriers public recipients face while breaking out of the welfare cycle. Deveny urged passage of SB 70.

Jim Smith, Resource Development Council, stated the federal legislation, Family Support Act of 1988, sets a chain reaction of all state capitols in the nation. Implementation of the act will evolved the Department of Social and Rehabilitation Services, Department of Labor and Industry, Department of Revenue, Department of Family Services, Department of Health and Environmental Health Sciences, and the Office of Public Instructions. The local level will provide human resource councils, displaced homemakers centers, child care facilities, local and county health departments. The effective date of the bill is July 1, 1990. Montana could opt to implement the jobs program of the Family Support Act by July 1, 1989. Smith stated all people concerned should work together to escalate the implementation of the Act.

There were no further proponents of SB 70

List of Testifying Opponents and What Group They Represent:

Lisa Zier, representing the Montana Low Income Coalition

Testimony:

Lisa Zier, Montana Low Income Coalition, stated membership groups represent over 6,000 people. Membership includes the elderly, low income, people who are trying to work, but have minimum wage jobs, and people who are on assistance. These people will be strongly impacted by the provisions of SB 70. Ms. Zier presented written testimony. (Exhibit 4)

Questions from the Committee Members:

Senator Blaylock asked about the concern of post secondary education. Virginia Jellison stated post education is education past twelfth grade. Jellison questioned the meaning of appropriate cases, and who makes the decisions.

Senator Nathe asked if there is a need for retraining and re-education of AFDC on Indian Reservation. Can the reservation contract with a higher institution. Lee Tickell stated separate programs are offered on Indian Reservation. There is a direct link between the federal government and the Reservation. Tom Gomez stated there an Indian Program provision to provide for their own program. The department believes the monies will flow directly from the Federal Government to the reservations.

Closing by Sponsor:

Senator Norman stated there has been much talk, considerable mounting tension concerning federal and state relationships. The federal government plays a minor role in the school foundation and higher education. Many people argue that all welfare, Medicaid, AFDC, etc, should be the federal government's responsibility. The composition of the American welfare person is so varied from local to local, and state to state. If Welfare is to be fair, the federal government must be involved. Negotiation on the federal level make the act credible. Senator Norman stated, if the committee varies the bill substantially, financial regrets will follow. There is flexibility, but the with federal money comes federal restraints. In the future, the federal government may begin to pull out as the federal government goes further into bankruptcy, leaving the financing to the state. The bill could substantially change the attitude and the country's welfare program. The state cannot take all the responsibility of the total welfare package. Senator Norman urged passage of SB 70.

Further Questions by the Committee:

Senator Blaylock asked if any amendments would put the bill out federal government law compliance. Senator Norm stated, with laws such as SB 70, he would be very hesitant to make substantial changes, such as changing the age from a three years old to six years old.

Lee Tickell stated the act is clear, the options are three years, or the state option of one year. The social issue has been debated by the federal government and the decision has been made.

Senator Blaylock asked if the federal government is saying you cannot go past the three year level. Tickell replied yes.

DISPOSITION OF SENATE BILL

Senator Manning stated the committee should consider the nine welfare bill together. The tenth welfare bill will be held in Judiciary on Monday. Executive action must be taken soon to have Senate floor debate. The House bill, which is the eleventh bill, is an appropriation bill.

Senator Keating asked if the interim committee wanted the bills to remain as a package. The bills are procedures to establish law. Funding will require a separate appropriation bill. The bill could be enacted, but depending on the budget, the funding could be in question. The committee does not have to support every bill in the package.

ADJOURNMENT

There being no further business before the Committee, the meeting was adjourned at 2:15 P.M.



Senator Gary C. Aklestad, Chairman

GCA/mfe

ROLL CALL

LABOR COMMITTEE

51st LEGISLATIVE SESSION

DATE: *January 19, 1989*

	PRESENT	ABSENT	EXCUSED
SENATOR TOM KEATING	X		
SENATOR SAM HOFMAN	X		
SENATOR J.D. LYNCH	X		
SENATOR GERRY DEVLIN	X		
SENATOR BOB PIPINICH	X		
SENATOR DENNIS NATHE	X		
SENATOR RICHARD MANNING	X		
SENATOR CHET BLAYLOCK	X		
SENATOR GARY AKLESTAD	X		

**MONTANA
LOW-INCOME
COALITION**



**P.O. BOX 1029
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(406) 443-0012**

SENATE LABOR & EMPLOYMENT
EXHIBIT NO. 1 page 1 of 1
DATE 1-17-89
BILL NO. SB 67

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COMMUNITY UNION
113 HAMILTON
BUTTE 59701 • 782-0670

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226 EAST KOCH
BOZEMAN 59715 • 587-3736

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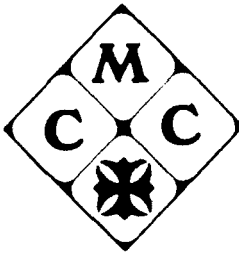
POWELL COUNTY
NEIGHBORHOOD
SUPPORT GROUP
BOX 342
DEER LODGE 59722 • 846-3437

Mr. Chairman, Members of the Committee, my name is Lisa Zier. I'm from Helena and I represent the Montana Low Income Coalition. MLIC supports SB 67, which provides for an extension of eligibility for medical assistance to people, who leave AFDC and enter the workfare.

It has long been the position of MLIC to support programs that truly assist public assistance recipients in obtaining self-sufficiency and maintaining independence.

However, MLIC recommends that eligibility be extended to 18 months after employment with another 6 months option of coverage if families would otherwise lose health benefits. This would allow workers the time needed to adjust to a new work situation and advance in their job to the point of health benefits being provided by the employer or afforded by the employee.

We urge the Committee to give a "do pass" to S.B. 67.



Montana Catholic Conference

SENATE LABOR & EMPLOYMENT
EXHIBIT NO. 2 page 1 of 1
DATE 1-19-89
BILL NO. SB 67

January 19, 1989

CHAIRMAN AKELSTAD AND MEMBERS OF THE SENATE LABOR COMMITTEE

I am John Ortwein representing the Montana Catholic Conference.

The Montana Catholic Conference has worked with a great number of low-income groups through the years in the effort to help them break out of dependence upon the welfare system. We have found that low-income persons want to be independent of dependency on welfare but they are also realistic enough to know that they cannot take chances with their families health. Senate Bill 67 will allow individuals on AFDC to seek betterment for themselves and their families without losing medical benefits due to employment.

The Montana Catholic Conference endorses SB 67.



**MONTANA
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SENATE LABOR & EMPLOYMENT
EXHIBIT NO. 3 page 1 of 1
DATE 1-19-89
BILL NO. SB 67

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It has long been the position of MLIC to support programs that truly assist public assistance recipients in obtaining self-sufficiency and maintaining independence.

However, MLIC recommends that eligibility be extended to 18 months after employment with another 6 months option of coverage if families would otherwise lose health benefits. This would allow workers the time needed to adjust to a new work situation and advance in their job to the point of health benefits being provided by the employer or afforded by the employee.

We urge the Committee to give a "do pass" to S.B. 67.

Montana
Association of
Churches

MONTANA RELIGIOUS LEGISLATIVE COALITION • P.O. Box 745 • Helena, MT 59624

SENATE LABOR & EMPLOYMENT

EXHIBIT NO. 4

DATE 1-19-89

BILL NO. SB 67

WORKING TOGETHER:

American Baptist Churches
of the Northwest

Christian Churches
of Montana
(Disciples of Christ)

Episcopal Church
Diocese of Montana

Evangelical Lutheran
Church in America
Montana Synod

Presbyterian Church (U. S. A.)
Glacier Presbytery

Presbyterian Church (U. S. A.)
Yellowstone Presbytery

Roman Catholic Diocese
of Great Falls - Billings

Roman Catholic Diocese
of Helena

United Church
of Christ
Mt.-N. Wyo. Cont.

United Methodist Church
Yellowstone Conference

January 19, 1989

CHAIRMAN AKLESTAD AND MEMBERS OF THE SENATE LABOR COMMITTEE:

I am Mignon Waterman and I represent the Montana Association of Churches.

We support SB67 because it will help remove one of the barriers to employment that faces AFDC recipients.

One of the greatest fears of an AFDC parent is the lack of medical coverage when they accept a minimum wage job that does not provide benefits. This legislation will allow for a transition period during which a person can gain training and jobs skills to advance to a position that provides essential benefits.

Although we are aware of the cost of implementing this legislation, we believe it is important to remove this disincentive and to help AFDC recipients break out of the hellish cycle of poverty.

I urge your support of SB67.

SENATE LABOR & EMPLOYMENT

EXHIBIT NO. 5 January 19, 1987
 DATE Page 1 of 1
 BILL NO. SB

Month	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
APRIL	50														
MAY		50													
JUNE			50												
JULY				50											
AUG					50										
SEPT						50									
OCT							50								
NOV								50							
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JAN										50					
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JUN															50

ADDITIONAL MEDICAD CASELOAD

SENATE LABOR & EMPLOYMENT
 EXHIBIT NO. 5 page 1 of 1
 DATE 2-19-87
 BILL NO. SB 67

Handwritten signature

MISSOULA COUNTY

BOARD OF COUNTY COMMISSIONERS

• Missoula County Courthouse • Missoula, Montana 59802
(406) 721-5700

SENATE LABOR & EMPLOYMENT

EXHIBIT NO. 5a

DATE 1-19-89

BILL NO. SB 67

BCC-89-032
January 13, 1989

Pete Story, Chair
Senate Finance and Claims Committee
Montana State Senate
Capitol Station
Helena, MT 59624

Dear Senator Story and Committee Members:

We are writing in support of SB-67, which would extend medical assistance eligibility for people who lose eligibility for Aid to Families with Dependent Children when they become employed. As people move off AFDC and become employed, they often remain in a period of transition for some time and, although basic needs may be met, they often can't afford health insurance and so are not able to provide basic medical care for themselves and their families.

Extending medical assistance eligibility as proposed under this bill makes sense because transitional help would be provided to these families so that they can continue receiving basic level medical care. It also seems that this would be an added incentive to enable people who are making the transition between AFDC and employment to remain employed.

Thank you for your consideration of our comments.

Sincerely,

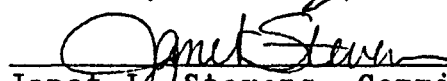
MISSOULA BOARD OF COUNTY COMMISSIONERS



Barbara Evans, Chairman



Ann Mary Dussault, Commissioner



Janet L. Stevens, Commissioner

BCC/lm

cc: Carole Graham, Director
Missoula County Human Services
Missoula Legislators

MONTANA LOW-INCOME COALITION



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SENATE LABOR & EMPLOYMENT

EXHIBIT NO. 6 page 1 of 2

DATE 1-19-89

BILL NO. SB 70

Mr. Chairman and Committee Members:

My name is Lisa Zier. I'm here today representing Montana Low Income Coalition. I am an active member of Montanans for Social Justice, the member group of MLIC, here in Helena.

MLIC is made up of member groups representing over 6,000 people who are elderly, low income, working or on assistance and who will be strongly impacted by the provisions of Senate Bill 70.

We have testified before this Committee and other Committeesthat MLIC supports programs that truly assist low-income people to obtain and maintain independence rather than smother them in a system that promotes dependency. Our members are the very people, who are effected by the new Welfare Reform legislation more than anyone else.

MLIC opposes the following parts of SB 70:

1. Parents or others, who personally care for children between the age of 3 and school age, will be required to enter programs or work. We believe this is to the detriment of the child and the integrity of the family. Usually, single mothers are on AFDC due to divorce, abuse, abandonment or neglect and a child of 3, 4, or 5 is in emotional turmoil under these circumstances. To add to that child's insecurity by taking away the custodial parent, who now must divide her time between work, training or education and emotional support for the family could severely harm a child's emotional security at a stage in life when security and safty are extremely important. MLIC reccomends that the age of the youngest child be 6 years or entering the first grade before a parent is required to participate in a work/training program.

2. The sanctions for non-participation are too severe. It will be the children who suffer most. If the work programs are to be effective, they must be offered voluntarily rather than mandated. It has been our experience in the past, with our members that they will voluntarily enter programs, if they are offered real positive incentives rather than a punitive approach.

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SENATE LABOR & EMPLOYMENT

EXHIBIT NO. 6 page 2 of 2

DATE 1-19-89

BILL NO. SB 70

3. In Section 4, sub (2), additional services, we question what the guidelines are for "appropriate cases" for participation in postsecondary education. Our main concern is that guidelines meet the needs of those affected where the option is open to all who wish to participate and not be discriminatory.

Providing for child care assistance is a good point. MLIC supports the continuation of fully subsidized child care for 12 months for families leaving public assistance for employment. And we think it's positive that you are addressing the child support and health coverage issues.

Unless Senate Bill 70 includes the above provisions, we urge the Committee to recommend "do not pass" to SB 70. Thank you.



SENATE LABOR & EMPLOYMENT
EXHIBIT NO. 7
DATE 1-19-89
BILL NO. SB 70

Senate Bill 70
Labor and Employment
Relations Committee
January 19, 1989
LWVM Contact: Chris Deveny
442-2617

Mr. Chairman, members of the committee, my name is Christine Deveny, here today representing the League of Women Voters of Montana.

The League supports the establishment of a job search, education, training and work program for recipients of AFDC, and believes it is an important step toward promoting self-sufficiency for individuals and families. This is one of the first efforts needed to break the vicious cycle of poverty in our nation and in Montana. However, in order for this legislation to reduce the long-term need for public assistance, it must also be coupled with policies and programs that work to increase job opportunities.

The League strongly supports Section 9 of the bill which calls for the provision of child care assistance for persons participating in the program. The lack of quality child care is one of the major barriers that public assistance recipients face when struggling to break out of the welfare cycle. Elimination of this barrier will greatly enhance the overall success of the job search, education, training and work program.

The League of Women Voters of Montana urges your support of SB 70.

Exhibit 8
SB70
1-19-89

Montana Association of Churches



MONTANA RELIGIOUS LEGISLATIVE COALITION • P.O. Box 745 • Helena, MT 59624

WORKING TOGETHER:

American Baptist Churches
of the Northwest

Christian Churches
of Montana
(Disciples of Christ)

Episcopal Church
Diocese of Montana

Evangelical Lutheran
Church in America
Montana Synod

Presbyterian Church (U. S. A.)
Glacier Presbytery

Presbyterian Church (U. S. A.)
Yellowstone Presbytery

Roman Catholic Diocese
of Great Falls - Billings

Roman Catholic Diocese
of Helena

United Church
of Christ
MT-N. Wyo. Cont.

United Methodist Church
Yellowstone Conference

January 19, 1989

CHAIRMAN AKLESTAD AND MEMBERS OF THE SENATE LABOR COMMITTEE:

I am Mignon Waterman of Helena and I represent the Montana Association of Churches.

The Montana Association of Churches supports SB70 because we believe it will increase the training and job opportunities for individuals receiving AFDC.

We recognize the cost involved in implementing this legislation but we believe that it is only through efforts such as this and SB67 that low income individuals can receive the training and support necessary to become productive members of Montana's workforce.

We urge your support of SB70.

