

**SENATE . . . . . No. 1736**

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**The Commonwealth of Massachusetts**

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SENATE, February 4, 1982.

The committee on Human Services and Elderly Affairs, to whom was referred the petition (accompanied by bill, Senate, No. 640) of Gerard D'Amico for legislation to require legislative approval of federal options which substantially change public benefit programs, reports the accompanying bill (Senate, No. 1736).

For the Committee,

**JACK H. BACKMAN**

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-two.

AN ACT REQUIRING LEGISLATION TO BE PASSED BEFORE THE ADOPTION OF ANY FEDERAL OPTION WHICH SUBSTANTIALLY CHANGES A PUBLIC BENEFIT PROGRAM.

*Whereas*, the deferred operation of this act would tend to defeat its purpose, which is to immediately require that legislation be adopted before the election of options made available to the commonwealth under federal law for public benefit programs, therefore it is hereby declared to be an emergency law, necessary for the public convenience.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Chapter 18 of the General Laws, as most recent-  
2 ly amended by chapter 266 of the acts of 1980, is hereby fur-  
3 ther amended by inserting after section 2 the following sec-  
4 tion: —

5 *Section 2A.* Notwithstanding any special or general law to  
6 the contrary, the department shall not implement, by a change  
7 in its regulations or otherwise, any option provided to the  
8 commonwealth by any change in federal law, which reduces  
9 or terminates the benefits provided under this chapter or chap-  
10 ter one hundred and eighteen, chapter one hundred and eight-  
11 een A, or chapter one hundred and eighteen E to groups or  
12 classes of individuals or which alters the existing conditions  
13 of eligibility of any benefit program administered by the de-  
14 partment under the authority of said chapters, including the  
15 federal food stamp program, unless and until such option shall  
16 be approved through legislation enacted in accordance with  
17 law.

1 SECTION 2. If any provision of this act, or the application of  
2 this act, or any provision thereof, to any option, or any part  
3 of any option, provided to the commonwealth by any change  
4 in federal law shall be held by a court to be invalid, such in-  
5 validity shall not affect the validity of any other provision of

6 this act, or the validity of the application of this act, or any  
7 provision thereof, to any other such option, or part of any  
8 option.

1 SECTION 3. Section one of this act shall apply to any option  
2 provided to the commonwealth by the Omnibus Budget Recon-  
3 ciliation Act, P.L. 97-35, or by any subsequent change in fed-  
4 eral law regardless of whether implementation of any such  
5 option has begun, provided, however, that if such effective date  
6 shall be found by a court to be invalid, with respect to any  
7 option, the application of such section to such option shall take  
8 effect upon passage of this act.

The first part of the report is devoted to a general description of the country and its resources. It is followed by a detailed account of the various industries and occupations of the people. The author then discusses the state of agriculture and the progress of commerce and trade. The concluding part of the report contains some observations on the general condition of the country and the prospects for the future.

The second part of the report is devoted to a detailed description of the various industries and occupations of the people. It is followed by a detailed account of the state of agriculture and the progress of commerce and trade. The author then discusses the general condition of the country and the prospects for the future.

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