

SENATE No. 1679

The Commonwealth of Massachusetts

SENATE, May 7, 1974.

The committee on Social Welfare, to whom was referred the petition (accompanied by bill, Senate, No. 1259) of Lillian Backman, Jack H. Backman, other members of the General Court and others for legislation to provide for children's and family rights; the recommendation of the State Advisory Board of the Department of Public Welfare (House, No. 147); the petition (accompanied by bill, House, No. 2459) of Barney Frank, John A. Businger, Melvin H. King, Doris Bunte, Thomas H. D. Mahoney, Robert Owens and John G. King that provision be made for minimum adequate income for needy children; the petition (accompanied by bill, House, No. 3013) of Charles F. Flaherty, Jr., that provision be made for cost-of-living adjustments for recipients of disability assistance, aid to families with dependent children, general relief and veteran's benefits; and the petition (accompanied by bill, House, No. 3573) of John A. Businger that provision be made for cost of living adjustments for recipients of disability assistance and to families with dependent children and general relief reports the accompanying bill (Senate, No. 1679).

For the Committee,

JACK H. BACKMAN.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Four

AN ACT PROVIDING FOR CHILDREN'S AND FAMILY RIGHTS.

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is in part to bring assistance payments into conformity with recent increases in the cost of living, it is hereby declared to be an emergency law, necessary for the immediate preservation of 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. The General Laws are hereby amended so as to
2 entitle Chapter 118, as follows:

3 CHAPTER 118

4 Children's and Family Rights Act.

1 SECTION 2. Section 1 of chapter 117 of the General Laws as
2 most recently amended by chapter 569 of the acts of 1972, is
3 hereby amended by inserting in the second sentence after the
4 word "department" the second time it appears the following:
5 "provided, however, that families with dependent children
6 shall be eligible for the same monthly cash benefits as families
7 with children receiving benefits under chapter 118."

1 SECTION 3. Section 1 of chapter 118 is amended by inserting
2 before the first paragraph thereof the following new para-
3 graphs:

4 *Section 1.* This act shall be known as the "Massachusetts
5 children's and family rights act." It is the inherent right of
6 every individual child to be granted the opportunity for the
7 fulfillment of a meaningful life in accordance with his capacity.

8 This includes the right to decent shelter, food and medical
9 attention. However, a meaningful life also includes the op-
10 portunity of self development to one's full potential.

11 The intention of this act is that every child of the common-

12 wealth is assured that his family has an income sufficient for
13 the maintenance of a decent and healthy life. The income
14 levels which the plan provides are such that it will be possible
15 for every child to be afforded adequate amounts of food, cloth-
16 ing and shelter at today's prices and other necessities of well
17 being regardless of whether or not his family has an income
18 equal to the cost of these necessities. The plan is designed not
19 only to supplement a family's income but to do so without dis-
20 couraging the productive and creative drives inherent in that
21 family.

22 In determining the needs of a child to grow and develop to
23 full potential the standard of an adequate family budget must
24 be at least equal to the low standard budget established by
25 the United States department of labor, bureau of labor statis-
26 tics, pursuant to the policy of this commonwealth enacted
27 by the legislature on November 30, 1973 for the elderly, blind
28 and disabled.

1 SECTION 4. Section 2 of chapter 118 of the General Laws,
2 as most recently amended by section 18 of chapter 885 of the
3 acts of 1969, is hereby further amended by inserting after the
4 first paragraph the following paragraph: —

5 Effective July 1, 1974 and every year thereafter the level
6 of the basic assistance grant for each living arrangement in
7 effect at such time shall be increased by a percentage amount
8 equal to the percentage rise in the United States consumer
9 price index for January first of that year over the level of
10 said index for January first of the previous year plus such
11 additional percentage amount as is recommended annually by
12 the department and appropriated by the general court. In
13 determining said additional percentage amount, consideration
14 shall be given to the goal of reaching, within a reasonable
15 time, a total income level equal to or consistent with the
16 current annual budget at the low level of living for a family
17 of four established by the United States department of labor,
18 bureau of labor statistics, for the metropolitan Boston area.
19 For the purpose of this paragraph, the level of the basic
20 assistance grant shall include an amount equal to a pro-rated
21 portion of any flat grant payment that is issued generally to

22 recipients of aid under this chapter on a quarterly basis.

23 Any amount granted for extra allowances and recurring
24 special needs shall also be increased by the same cost of living
25 factor.

1 SECTION 5. Section 2 of chapter 118 of the general laws as
2 most recently amended by section 18 of chapter 885 of the
3 acts of 1969 is hereby further amended by striking the words
4 "five hundred dollars" from the last paragraph and inserting
5 in place thereof "nine hundred dollars".

1 SECTION 6. Section 3 of chapter 118 of the General Laws, as
2 appearing in section 20 of chapter 885 of the acts of 1969, is
3 hereby amended by inserting in the first line after the word
4 shall, the words: " , in accordance with the provisions of sec-
5 tion two,"

1 SECTION 7. On March one, nineteen hundred and seventy-
2 five the level of the basic assistance grant for each living
3 arrangement in effect at such time for recipients of aid under
4 the provisions of chapter 118 of the General Laws, shall be
5 each increased by a percentage amount equal to ten per cent.

6 For the purpose of this section, the level of the basic
7 assistance grant shall include an amount equal to a pro-rated
8 portion of any flat grant payment that is issued generally to
9 recipients of aid under chapter 118 of the General Laws on a
10 quarterly or other regular periodic basis.

11 Any amount granted for extra allowances and recurring
12 special needs under chapter 118 shall also be increased by the
13 same percentage amount.

1 SECTION 8. This act shall take effect upon passage.