

By Mr. Backman, a 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. Social Welfare.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Seventy-Four.

**AN ACT PROVIDING FOR CHILDREN'S AND FAMILY RIGHTS.**

*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. Chapter 6 of the General Laws is hereby  
2 amended by inserting after section 166A, as appearing in sec-  
3 tion 9 of chapter 1210 of the acts of 1973, the following new  
4 section:

5 *Section 166B:* There shall be in the executive office of hu-  
6 man services a commission on children's and family rights con-  
7 sisting of the commissioner of public welfare or his designee  
8 who shall serve as chairman, the secretary of human services  
9 or his designee, the secretary of administration or his designee,  
10 the director of the office for children or his designee, three  
11 state representatives to be appointed by the speaker of the  
12 house of representatives, two state senators to be appointed  
13 by the president of the senate and six parents who are re-  
14 cipients of aid under chapter one hundred and eighteen, to  
15 be appointed by the governor. The commission shall annually  
16 review monitor and evaluate generally the effects of the chil-  
17 dren and family rights act and the status of children in the  
18 commonwealth with regard to the concept that all children  
19 are entitled to the following basic human rights:

- 20 1. Every child is entitled to grow and develop in an environ-  
21 ment that includes decent housing, food and clothing.
- 22 2. Every child is entitled from birth to good health and  
23 medical care.
- 24 3. Every child is entitled to an educational opportunity to  
25 develop his full potential in life.
- 26 4. Every child is to be assisted in regard to any special  
27 personal needs due to physical or emotional or social dis-  
28 abilities.
- 29 5. Every child shall be provided with child care if this is  
30 the desire of his parents.
- 31 6. Every child is entitled to be free from abusive or neglect-  
32 ful treatment by his parents or caretakers.

1 SECTION 3. 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 fami-  
7 lies with children receiving benefits under chapter 118."

1 SECTION 4. 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 sta-  
26 tistics, 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 5. 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 first of every year, the level of the basic as-  
6 sistance grant for each living arrangement in effect at such  
7 time shall be increased by a percentage amount equal to the  
8 percentage rise in the United States consumer price index for  
9 January first of that year over the level of said index for  
10 January first of the previous year plus such additional per-  
11 centage amount as is recommended annually by the depart-  
12 ment and appropriated by the general court. In determining  
13 said additional percentage amount, consideration shall be given  
14 to the goal of reaching, within a reasonable time, a total in-  
15 come level equal to or consistent with the current annual  
16 budget at the low level of living for a family of four established  
17 by the United States department of labor, bureau of labor sta-  
18 tistics, for the metropolitan Boston area. For the purpose of  
19 this paragraph, the level of the basic assistance grant shall in-  
20 clude an amount equal to a pro-rated portion of any flat grant  
21 payment that is issued generally to recipients of aid under this  
22 chapter on a quarterly basis.

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-five  
2 the level of the basic assistance grant for each living arrange-  
3 ment in effect at such time for recipients of aid under the  
4 provisions of chapter 118 of the General Laws, shall be in-  
5 creased by a percentage amount equal to ten percent.

6 For the purpose of this section, the level of the basic as-  
7 sistance 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.

1 SECTION 8. On or before January first, nineteen hundred  
2 seventy-seven, the commission on children's and family rights  
3 established pursuant to section 166B of chapter 6 of the Gen-  
4 eral Laws, inserted by section 2 of this act, shall submit a de-  
5 tailed report on its findings including recommendations for  
6 legislative action to the governor, the state secretary, the  
7 speaker of the house and the president of the senate.