

at retail prices including all taxes. No more than two such licenses may be issued to any one nonprofit organization during a calendar year.

Sec. 48. Section 1, chapter 38, Laws of 1969 ex. sess. and RCW 66.44-.340 are each amended to read as follows:

Employers holding class E and/or F licenses exclusively are permitted to allow their employees, between the ages of eighteen and twenty-one years, to sell beer or wine in, on or about any establishment holding a class E and/or class F license exclusively: PROVIDED, That there is ((direct supervision by)) an adult twenty-one years of age or older ((in an adjacent check stand)) on duty supervising the sale of liquor at the licensed premises: PROVIDED, That minor employees may make deliveries of beer and/or wine purchased from licensees holding class E and/or class F licenses exclusively, when delivery is made to cars of customers adjacent to such licensed premises but only, however, when the minor employee is accompanied by the purchaser.

NEW SECTION. Sec. 49. The following acts or parts of acts are each hereby repealed:

- (1) Section 39, chapter 62, Law of 1933 ex. sess. and RCW 66.20.130;
  - (2) Section 53, chapter 62, Laws of 1933 ex. sess. and RCW 66.20.135;
  - (3) Section 54, chapter 62, Laws of 1933 ex. sess. and RCW 66.20.137;
- and
- (4) Section 35, chapter 62, Laws of 1933 ex. sess. and RCW 66.44.110.

NEW SECTION. Sec. 50. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 51. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect July 1, 1981.

Passed the Senate April 28, 1981.

Passed the House April 28, 1981.

Approved by the Governor May 18, 1981.

Filed in Office of Secretary of State May 18, 1981.

---

## CHAPTER 6

[Reengrossed Substitute Senate Bill No. 4299]  
SOCIAL AND HEALTH SERVICES

AN ACT Relating to social and health services; reenacting and amending section 74.04.005, chapter 26, Laws of 1959 as last amended by section 1, chapter 8, Laws of 1981 and RCW 74.04.005; amending section 74.04.015, chapter 26, Laws of 1959 as last amended by section 2, chapter 8, Laws of 1981 and RCW 74.04.015; amending section 74.04.050, chapter 26, Laws of 1959 as last amended by section 3, chapter 8, Laws of 1981 and

RCW 74.04.050; amending section 74.04.200, chapter 26, Laws of 1959 as last amended by section 4, chapter 8, Laws of 1981 and RCW 74.04.200; amending section 6, chapter 172, Laws of 1969 ex. sess. as amended by section 5, chapter 8, Laws of 1981 and RCW 74.04.510; amending section 3, chapter 10, Laws of 1973 2nd ex. sess. as amended by section 6, chapter 8, Laws of 1981 and RCW 74.04.620; amending section 6, chapter 10, Laws of 1973 2nd ex. sess. as amended by section 7, chapter 8, Laws of 1981 and RCW 74.04.650; amending section 74.08.025, chapter 26, Laws of 1959 as last amended by section 8, chapter 8, Laws of 1981 and RCW 74.08.025; amending section 10, chapter 172, Laws of 1969 ex. sess. as amended by section 11, chapter 8, Laws of 1981 and RCW 74.08.043; amending section 74.08.060, chapter 26, Laws of 1959 as amended by section 6, chapter 173, Laws of 1969 ex. sess. and RCW 74.08.060; amending section 74.08.070, chapter 26, Laws of 1959 as last amended by section 1, chapter 92, Laws of 1979 ex. sess. and RCW 74.08.070; amending section 74.08.120, chapter 26, Laws of 1959 as last amended by section 12, chapter 8, Laws of 1981 and RCW 74.08.120; amending section 74.09.010, chapter 26, Laws of 1959 as last amended by section 17, chapter 8, Laws of 1981 and RCW 74.09.010; amending section 4, chapter 30, Laws of 1967 ex. sess. as last amended by section 19, chapter 8, Laws of 1981 and RCW 74.09.510; amending section 5, chapter 30, Laws of 1967 ex. sess. as last amended by section 20, chapter 8, Laws of 1981 and RCW 74.09.520; amending section 74.12.010, chapter 26, Laws of 1959 as last amended by section 21, chapter 8, Laws of 1981 and RCW 74.12.010; amending section 7, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 5, chapter 302, Laws of 1977 ex. sess. and RCW 7.68.070; amending section 8, chapter 122, Laws of 1973 1st ex. sess. as amended by section 4, chapter 176, Laws of 1975 1st ex. sess. and RCW 7.68.080; adding a new section to chapter 43.20A RCW; adding a new section to chapter 71.20 RCW; adding a new section to chapter 74.04 RCW; adding new sections to chapter 74.08 RCW; adding new sections to chapter 74.09 RCW; creating a new section; repealing section 2, chapter 174, Laws of 1980 and RCW 74.04.001; repealing section 74.04.250, chapter 26, Laws of 1959 and RCW 74.04.250; repealing section 74.08.040, chapter 26, Laws of 1959, section 9, chapter 8, Laws of 1981 and RCW 74.08.040; repealing section 1, chapter 35, Laws of 1973 1st ex. sess. and RCW 74.08.047; repealing section 2, chapter 35, Laws of 1973 1st ex. sess. and RCW 74.08.048; repealing section 74.08.112, chapter 26, Laws of 1959 and RCW 74.08.112; repealing section 2, chapter 51, Laws of 1973 1st ex. sess., section 13, chapter 8, Laws of 1981 and RCW 74.08.540; repealing section 74.09.020, chapter 26, Laws of 1959 and RCW 74.09.020; repealing section 74.09.030, chapter 26, Laws of 1959, section 334, chapter 141, Laws of 1979 and RCW 74.09.030; repealing section 74.09.070, chapter 26, Laws of 1959, section 336, chapter 141, Laws of 1979 and RCW 74.09.070; repealing section 74.10.010, chapter 26, Laws of 1959, section 346, chapter 141, Laws of 1979 and RCW 74.10.010; repealing section 74.10.020, chapter 26, Laws of 1959, section 5, chapter 169, Laws of 1971 ex. sess. and RCW 74.10.020; repealing section 74.10.030, chapter 26, Laws of 1959, section 347, chapter 141, Laws of 1979 and RCW 74.10.030; repealing section 74.10.070, chapter 26, Laws of 1959, section 348, chapter 141, Laws of 1979 and RCW 74.10.070; repealing section 1, chapter 60, Laws of 1967 ex. sess., section 349, chapter 141, Laws of 1979 and RCW 74.10.090; repealing section 2, chapter 60, Laws of 1967 ex. sess. and RCW 74.10.100; repealing section 9, chapter 302, Laws of 1977 ex. sess., section 10, chapter 219, Laws of 1979 ex. sess. and RCW 7.68.065; providing an effective date; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

\*Section 1. Section 74.04.005, chapter 26, Laws of 1959 as last amended by section 1, chapter 8, Laws of 1981 and RCW 74.04.005 are each re-enacted and amended to read as follows:

For the purposes of this title, unless the context indicates otherwise, the following definitions shall apply:

- (1) "Public assistance" or "assistance"—Public aid to persons in need thereof for any cause, including services, medical care, assistance grants, disbursing orders, work relief, general assistance and federal-aid assistance.
- (2) "Department"—The department of social and health services.

(3) "County or local office"—The administrative office for one or more counties or designated service areas.

(4) "Director" or "secretary" means the secretary of social and health services.

(5) "Federal-aid assistance"—The specific categories of assistance for which provision is made in any federal law existing or hereafter passed by which payments are made from the federal government to the state in aid or in respect to payment by the state for public assistance rendered to any category of needy persons for which provision for federal funds or aid may from time to time be made, or a federally administered needs-based program.

(6) "General assistance"—~~((Shall include))~~ Aid to unemployable persons ~~((and unemployed employable persons))~~ in need who:

~~(a) Are not eligible to receive ((or are not receiving)) federal-aid assistance ((: PROVIDED, That general assistance shall be granted temporarily to any person eligible for and receiving supplemental security income whose need, as defined in this section, is not met by such supplemental security income grant because of separation from a spouse.~~

~~(a) "Unemployable persons" are those persons who by reason of bodily or mental infirmity or other cause are substantially incapacitated from gainful employment as determined by the secretary and the commissioner of the employment security department in accordance with rules adopted pursuant to RCW 74.04.001.~~

~~(b) "Unemployed employable persons" are those persons who although capable of gainful employment are unemployed.~~

~~(7) "Medical indigents"—Are persons without income or resources sufficient to secure necessary medical services); and~~

~~(b) Are incapacitated from gainful employment by reason of:~~

~~(i) Bodily or mental infirmity;~~

~~(ii) Participation in an approved drug or alcoholism treatment program;~~

~~or~~

~~(iii) Being sixty-five years of age, or over: PROVIDED, That such incapacity in (b) (i) through (iii) of this subsection, as determined by the department, will last at least sixty days from the date of application, except that persons in approved alcoholism and/or drug programs may be eligible for less than a sixty-day period in accordance with the terms of their treatment plan.~~

~~((8)) (7) "Applicant"—Any person who has made a request, or on behalf of whom a request has been made, to any county or local office for assistance.~~

~~((9)) (8) "Recipient"—Any person receiving assistance and in addition those dependents whose needs are included in the recipient's assistance.~~

~~((10) "Requirement" — Items of goods and services included in the state department of social and health services standards of assistance and required by an applicant or recipient to maintain a defined standard of living.~~

~~((11)) (9) "Standards of assistance" — The level of income required by an applicant or recipient to maintain a level of living specified by the department.~~

**(10) "State payment level" means the aggregate expenditure authority within the limits of funds appropriated for the income maintenance program.**

(11) "Resource" — Any asset, tangible or intangible, owned by or available to the applicant at the time of application, which can be applied toward meeting the applicant's need, either directly or by conversion into money or its equivalent: PROVIDED, That an applicant may retain the following described resources and not be ineligible for public assistance because of such resources.

(a) A home, which is defined as real property owned and used by an applicant or recipient as a place of residence, together with a reasonable amount of property surrounding and contiguous thereto, which is used by and useful to the applicant. Whenever a recipient shall cease to use such property for residential purposes, either for himself or his dependents, the property shall be considered as income which can be made available to meet need, and if the recipient or his dependents absent themselves from the home for a period of ninety consecutive days such absence, unless due to hospitalization or health reasons or a natural disaster, shall raise a rebuttable presumption of abandonment: PROVIDED, That if in the opinion of three physicians the recipient will be unable to return to the home during his lifetime, and the home is not occupied by a spouse or dependent children or disabled sons or daughters, such property shall be considered as income which can be made available to meet need.

(b) Household furnishings and personal effects and other personal property having great sentimental value to the applicant or recipient.

(c) Term and burial insurance for use of the applicant or recipient.

(d) Vehicle(s) used and useful having an equity value not to exceed one thousand five hundred dollars.

(e) Life insurance having a cash surrender value not to exceed seven hundred fifty dollars until July 1, 1981, and thereafter one thousand five hundred dollars.

(f) Cash, marketable securities, and any excess of values exempted under (d) and (e) of this section, not to exceed seven hundred fifty dollars for a single person or one thousand two hundred fifty dollars for a family unit of two or more until July 1, 1981, and thereafter one thousand five hundred dollars for a single person or two thousand two hundred fifty dollars for a family unit of two or more.

(g) If an applicant for or recipient of public assistance possesses property and belongings in excess of the ceiling value, such value shall be used in determining the need of the applicant or recipient (~~(- PROVIDED, That in the determination of need of applicants for or recipients of general assistance for unemployed employables no resources or income shall be considered as exempt per se, but the department may by rule and regulation adopt standards which will permit the exemption of the home and personal property and belongings from consideration as an available resource or income when such resources or income are determined to be necessary to the applicant's or recipient's restoration to independence. The department may by rule and regulation exempt personal property and belongings and income-producing property which can be used by the applicant or recipient to decrease his or her need for public assistance or aid in rehabilitating the applicant or recipient or his or her dependents))~~), but the department may exempt resources or income when the income and resources are determined necessary to the applicant's or recipient's restoration to independence, to decrease the need for public assistance, or to aid in rehabilitating the applicant or recipient or a dependent of the applicant or recipient.

(12) "Income"—All appreciable gains in real or personal property (cash or kind) or other assets, which are received by or become available for use and enjoyment by an applicant or recipient after applying for or receiving public assistance: PROVIDED, That all necessary expenses that may reasonably be attributed to the earning of income shall be considered in determining net income: PROVIDED FURTHER, That the department may by rule and regulation exempt income received by an applicant for or recipient of public assistance which can be used by him to decrease his need for public assistance or to aid in rehabilitating him or his dependents, but such exemption shall not, unless otherwise provided in this title, exceed the exemptions of resources granted under this chapter to an applicant for public assistance: PROVIDED FURTHER, That in determining the amount of assistance to which a recipient of aid to families with dependent children is entitled, the department is hereby authorized to disregard as a resource or income the earned income exemptions consistent with federal requirements: PROVIDED FURTHER, The department may permit the above exemption of earnings of a child to be retained by such child to cover the cost of special future identifiable needs even though the total exceeds the exemptions or resources granted to applicants and recipients of public assistance, but consistent with federal requirements. In formulating rules and regulations pursuant to this chapter the department shall define "earned income" consistent with federal requirements. All resources and income not specifically exempted, and any income or other economic benefit derived from the use of, or appreciation in value of, exempt resources, shall be considered in determining the need of an applicant or recipient of public assistance.

(13) "Need"—The difference between the applicant's or recipient's ~~((cost of requirements))~~ standards of assistance for himself and the dependent members of his family, as measured by the standards of the department, and value of all nonexempt resources and nonexempt net income received by or available to the applicant or recipient and the dependent members of his family.

(14) In the construction of words and phrases used in this title, the singular number shall include the plural, the masculine gender shall include both the feminine and neuter genders and the present tense shall include the past and future tenses, unless the context thereof shall clearly indicate to the contrary.

**\*Section 1. was partially vetoed, see message at end of chapter.**

Sec. 2. Section 74.04.015, chapter 26, Laws of 1959 as last amended by section 2, chapter 8, Laws of 1981 and RCW 74.04.015 are each amended to read as follows:

The secretary of social and health services shall be the responsible state officer for the administration of, and the disbursement of all funds, goods, commodities and services, which may be received by the state in connection with ~~((; old age assistance, medical assistance to the aged, aid to families with dependent children, aid to the blind, disability assistance, child welfare services, vocational rehabilitation, and including, but not limited to other))~~ programs of public assistance or services related directly or indirectly to assistance programs, and all other matters included in the federal social security act approved August 14, 1935, or any other federal act or as the same may be amended excepting those specifically required to be administered by ~~((the superintendent of public instruction or the state commission for vocational education and those required to be administered and disbursed in connection with public health services such as communicable disease control, maternal and child health, sanitation, and vital statistics services))~~ other entities.

He shall make such reports and render such accounting as may be required by the federal agency having authority in the premises.

Sec. 3. Section 74.04.050, chapter 26, Laws of 1959 as last amended by section 3, chapter 8, Laws of 1981 and RCW 74.04.050 are each amended to read as follows:

The department shall serve as the single state agency to administer public assistance. The department is hereby empowered and authorized to cooperate in the administration of such federal laws, consistent with the public assistance laws of this state, as may be necessary to qualify for federal funds for:

- (1) ~~((Old age assistance;~~
- ~~(2)))~~ Medical assistance ~~((to the aged));~~
- ~~((3)))~~ (2) Aid to dependent children;
- ~~((4))~~ Aid to the needy blind;

~~(5))~~ (3) Child welfare services; and  
~~((6) Aid to permanently and totally disabled;~~  
~~(7))~~ (4) Any other programs of public assistance for which provision for federal grants or funds may from time to time be made.

The state hereby accepts and assents to all the present provisions of the federal law under which federal grants or funds, goods, commodities and services are extended to the state for the support of programs administered by the department, and to such additional legislation as may subsequently be enacted as is not inconsistent with the purposes of this title, authorizing public welfare and assistance activities. The provisions of this title shall be so administered as to conform with federal requirements with respect to eligibility for the receipt of federal grants or funds.

The department shall periodically make application for federal grants or funds and submit such plans, reports and data, as are required by any act of congress as a condition precedent to the receipt of federal funds for such assistance. The department shall make and enforce such rules and regulations as shall be necessary to insure compliance with the terms and conditions of such federal grants or funds.

Sec. 4. Section 74.04.200, chapter 26, Laws of 1959 as last amended by section 4, chapter 8, Laws of 1981 and RCW 74.04.200 are each amended to read as follows:

It shall be the duty of the department of social and health services to establish ~~((uniform))~~ state-wide standards which may vary by geographical areas to govern the granting of assistance in the several categories of this title and it shall have power to compel compliance with such ~~((uniform))~~ standards as a condition to the receipt of state and federal funds by counties for social security purposes.

Sec. 5. Section 6, chapter 172, Laws of 1969 ex. sess. as amended by section 5, chapter 8, Laws of 1981 and RCW 74.04.510 are each amended to read as follows:

The department shall promulgate rules and regulations conforming to federal laws, rules and regulations required to be observed in maintaining the eligibility of the state to receive from the federal government and to issue or distribute to recipients, food stamps or coupons under a food stamp plan. Such rules and regulations shall relate to and include, but shall not be limited to: (1) The classifications of and requirements of eligibility of households to receive food stamps or coupons. (2) The periods during which households shall be certified or recertified to be eligible to receive food stamps or coupons under this plan. ~~((3) The establishment of a purchase payment schedule for coupons graduated on the basis of the incomes and the number of persons in an eligible household:))~~

\*NEW SECTION. Sec. 6. There is added to chapter 74.04 RCW a new section to read as follows:

The department shall establish a consolidated emergency assistance program for families with children who are not eligible for any federally aided grant assistance provided through other programs. Assistance may be provided in accordance with this section.

(1) Benefits provided under this program shall not be provided for more than two months of assistance in any consecutive twelve-month period.

**(2) No more than the value of sixty percent of a full grant for aid to families with dependent children shall be allocated in the first month.**

(3) Benefits under this program shall be provided to alleviate emergent conditions resulting from insufficient income and resources to provide for food, shelter, clothing, medical care, or other necessary items. Benefits shall be provided only in an amount sufficient to cover the cost of the specific need, subject to the limitations established in this section.

(4) In determining eligibility for this program, the department shall consider all cash resources as being available to meet need.

(5) The department shall, by rule, establish assistance standards and eligibility criteria for this program in accordance with this section. Eligibility for this program does not automatically entitle a recipient to medical assistance. Eligibility standards and resource levels for this program shall be stricter than the standards for eligibility and resource levels for the aid to families with dependent children program.

**\*Sec. 6. was partially vetoed, see message at end of chapter.**

Sec. 7. Section 3, chapter 10, Laws of 1973 2nd ex. sess. as amended by section 6, chapter 8, Laws of 1981 and RCW 74.04.620 are each amended to read as follows:

The department is authorized to establish a program of state supplementation to the national program of supplemental security income consistent with Public Law 92-603 and Public Law 93-66 to those persons who are in need thereof in accordance with eligibility requirements established by the department.

The department is authorized to establish reasonable standards of assistance and resource and income exemptions specifically for such program of state supplementation which shall be consistent with the provisions of the Social Security Act.

The department is authorized to make payments to applicants for supplemental security income, pursuant to agreements as provided in Public Law 93-368, who are otherwise eligible for general assistance.

Sec. 8. Section 6, chapter 10, Laws of 1973 2nd ex. sess. as amended by section 7, chapter 8, Laws of 1981 and RCW 74.04.650 are each amended to read as follows:

Notwithstanding any other provisions of RCW 74.04.600 through 74.04.650 ((for)), those individuals who have been receiving supplemental security income assistance and failed to comply with any federal



requirements, including those relating to drug abuse and alcoholism treatment and rehabilitation, shall be ~~((required to reapply for state assistance programs to be eligible))~~ ineligible for state assistance.

Sec. 9. Section 74.08.025, chapter 26, Laws of 1959 as last amended by section 8, chapter 8, Laws of 1981 and RCW 74.08.025 are each amended to read as follows:

Public assistance shall be awarded to any applicant:

(1) Who is in need and otherwise meets the eligibility requirements of department assistance programs; and

(2) Who has not made a voluntary assignment of property or cash for the purpose of qualifying for an assistance grant; and

(3) Who is not an inmate of a public institution except as a patient in a medical institution or except as an inmate in a public institution who could qualify for federal aid assistance: PROVIDED, That the assistance paid by the department to recipients in nursing homes, or receiving nursing home care, may cover the cost of clothing and incidentals and general maintenance exclusive of medical care and health services. The department may pay a grant to cover the cost of clothing and personal incidentals in public or private medical institutions and institutions for tuberculosis. The department shall allow recipients in nursing homes to retain, in addition to the grant to cover the cost of clothing and incidentals, wages received for work as a part of a training or rehabilitative program designed to prepare the recipient for less restrictive placement to the extent permitted under Title XIX of the federal social security act.

\*NEW SECTION. Sec. 10. There is added to chapter 74.08 RCW a new section to read as follows:

(1) Grants shall be awarded on a state-wide basis, which may vary by geographical area, in accordance with standards of assistance established by the department. The standards of assistance for any family size shall be adjusted on July 1 of each year. Except in the consolidated emergency assistance program, the standards shall be the United States department of agriculture thrifty food plan, in effect on January 1, 1981, adjusted for family size for the continental United States and as adjusted in this section for the state of Washington as provided according to the following schedules. The department shall update the standards annually to take inflation into account.

(a) For the aid to families with dependent children and the general assistance—unemployable programs, the following schedule applies.

Number of					
Persons in			Thrifty Food		Standards of
Assistance	State Multiplier		Plan Benefit		Assistance
Unit	Area I	Area II	Level	Area I	Area II

1	4.03	3.72	70	282	260
2	2.65	2.24	128	339	287
3	2.27	2.02	183	415	370
4	2.15	1.94	233	501	452
5	2.14	1.97	277	593	546
6	2.02	1.87	322	671	621
7	2.12	1.99	367	778	730
8	2.05	1.93	419	859	809
9	1.99	1.89	472	939	892
10 or more	1.94	1.85	525	1,019	971

(b) For the supplemental security income program, the following schedule applies.

Number of Persons in Assistance Unit	State Multiplier		Thrifty Food Plan Benefit Level	Standards of Assistance	
	Area I	Area II		Area I	Area II
1	4.33	4.01	70	303	281
2	3.36	3.13	128	430	401

(2) The standards of assistance shall take into account the economy of joint living arrangements. The department may, by rule, prescribe maximums and rateable reductions for grants. The department may adjust the standards of assistance for shelter provided at no cost and for supplied shelter under the supplemental security income program.

(3) Nothing in this section shall prohibit the department from complying with minimum payment requirements of the supplemental security income program.

**(4) For the purposes of this chapter, "state payment level" means the aggregate expenditure authority within the limits of funds appropriated for the income maintenance program.**

\*Sec. 10. was partially vetoed, see message at end of chapter.

NEW SECTION. Sec. 11. There is added to chapter 74.08 RCW a new section to read as follows:

There shall be included in the standards of assistance a monthly amount designated as an energy allowance. For supplemental security income recipients, the energy allowance shall be equal to the state supplemental standard for supplemental security income for individuals and couples in which both spouses are eligible for supplemental security income. For recipients of other federally aided assistance programs and general assistance to unemployable persons, the energy assistance allowance shall be determined according to the following schedule.

## NUMBER OF PERSONS IN THE ASSISTANCE UNIT

Fiscal Year	1	2	3	4	5	6	
1982	88	94	100	106	112	118	Note 1
1983	102	109	116	123	130	137	Note 2

Note 1: For each additional person, add six dollars.

Note 2: For each additional person, add seven dollars.

Sec. 12. Section 10, chapter 172, Laws of 1969 ex. sess. as amended by section 11, chapter 8, Laws of 1981 and RCW 74.08.043 are each amended to read as follows:

In determining the living requirements of otherwise eligible applicants and recipients of (~~old age assistance, aid to the blind, disability assistance~~) supplemental security income and general assistance, the department is authorized to consider the need for personal and special care and supervision due to physical and mental conditions.

Sec. 13. Section 74.08.060, chapter 26, Laws of 1959 as amended by section 6, chapter 173, Laws of 1969 ex. sess. and RCW 74.08.060 are each amended to read as follows:

The department shall be required to approve or deny the application within forty-five days after the filing thereof and shall immediately notify the applicant in writing of its decision: PROVIDED, That if the department is not able within forty-five days, despite due diligence, to secure all information necessary to establish his eligibility, the department is charged to continue to secure such information and if such information, when established, makes applicant eligible, the department shall pay his grant from date of authorization or forty-five days after date of application whichever is sooner.

Any person entitled to relief but under temporary disability from making application, or any person about to become sixty-five years of age or the parent of an unborn child who upon birth will become a dependent child may at any time after forty-five days prior to the occurrence of any of said events make application as herein provided.

The department is authorized, in respect to work requirements, to provide employment and training services, including job search, job placement, work orientation, and necessary support services to verify eligibility.

Sec. 14. Section 74.08.070, chapter 26, Laws of 1959 as last amended by section 1, chapter 92, Laws of 1979 ex. sess. and RCW 74.08.070 are each amended to read as follows:

Any applicant or recipient feeling himself aggrieved by the decision of the department or any authorized agency of the department shall have the right to a fair hearing to be conducted by the secretary of the department or by a duly appointed, qualified hearing examiner especially appointed by the secretary for such purpose. An applicant for or recipient of public assistance

is not entitled to a fair hearing solely on the basis of a state or federal law which requires grant adjustments for a class of recipients.

The hearing shall be conducted in the county in which the appellant resides, and a tape recording of the testimony shall be made and included in the record, the costs of which shall be borne by the department. A copy of this tape recording shall be provided the appellant if request for same is made in writing by the appellant or his attorney of record.

In the event an appellant feels aggrieved by the decision in a fair hearing under this section, and if the appellant files an appeal to the superior court for judicial review in accordance with chapter 34.04 RCW as now or hereafter amended, the appellant is entitled to a typed transcript of the tape recordings or such portion thereof as the applicant requests from the department, if the request is made by the appellant or the appellant's attorney of record.

Any appellant who desires a fair hearing shall within ninety days after receiving notice of the decision of the department or an authorized agency of the department, file with the secretary a notice of appeal from the decision. The department shall notify the appellant of the time and place of said hearing at least twenty days prior to the date thereof by registered mail or by personal service upon said appellant, unless otherwise agreed by appellant and the department.

At any time after the filing of the notice of appeal with the secretary, any appellant or attorney for appellant with written authorization or next of kin shall have the right of access to, and can examine any files and records of the department related to the case ~~((of {on}))~~ on appeal.

It shall be the duty of the department within seventy-five days after receipt of the notice of appeal to notify the appellant of the decision of the secretary: PROVIDED, That any overpayment which the department may be entitled to recover as a result of such decision shall be limited to the amount recoverable up to the sixtieth day after receipt of the notice of appeal.

If the decision of the secretary is made in favor of the appellant, assistance shall be paid from the date of the denial of the application or forty-five days following the date of application, whichever is sooner; or in the case of a recipient, from the effective date of the initial departmental county office decision.

Sec. 15. Section 74.08.120, chapter 26, Laws of 1959 as last amended by section 12, chapter 8, Laws of 1981 and RCW 74.08.120 are each amended to read as follows:

The term "funeral" shall mean the proper preparation, transportation within the local service area defined by the department, and care of the remains of a deceased person with needed facilities and appropriate memorial

services(~~(including)~~). "Burial" includes necessary costs of a lot or cremation and all services related to interment and the customary memorial marking of a grave.

The department is hereby authorized (~~(through the county offices)~~) to assume responsibility for payment for the funeral and burial of deceased persons dying without assets sufficient to pay for the minimum standard funeral herein provided: PROVIDED, HOWEVER, That the secretary may furnish funeral assistance for deceased recipients if they leave assets to a surviving spouse and/or to minor children and if the assets are resources permitted to be owned by or available to an eligible applicant or recipient under RCW 74.04.005, and the department shall thereby have a lien against said assets valid for six years from the date of filing with the county auditor and such lien claim shall have preference to all other claims except prior secured creditors. If the assets remain exempt, or if no probate is commenced, the lien shall automatically terminate without further action six years after filing. If the deceased person is survived by a spouse or is a minor child survived by his parent or parents, the department may take into consideration the assets of such surviving spouse, parent, or parents in determining whether or not the department will assume responsibility for the funeral.

The department shall not pay more than cost for a minimum standard service rendered by each vendor. Payments to the funeral director and to the cemetery or crematorium will be made by separate vouchers. The standard of such services and the uniform amounts to be paid shall be determined by the department after giving due consideration to such advice and counsel as it shall obtain from the trade associations of the various vendors and related state departments, agencies, and commissions. (~~The payments made by the department shall not be subject to supplementation by the relatives or friends of recipients. Whenever relatives or friends provide for other than the minimum standard service authorized, the state shall not participate in the payment of any part of the cost.~~) Payment made for any funeral or burial service by relatives, friends, or any other third party shall be subtracted from the payment made by the department.

NEW SECTION. Sec. 16. There is added to chapter 74.08 RCW a new section to read as follows:

It is the intent of the legislature that chore services be provided to eligible persons within the limits of funds appropriated for that purpose. Therefore, the department shall provide services only to those persons identified as at risk of being placed in a residential care facility in the absence of such services. Chore services shall be provided only to the extent necessary to maintain a safe and healthful living environment. In determining an individual's eligibility for chore services, the department shall consider the following:

- (1) The kind of services needed;

(2) The degree of service need, and the extent to which an individual is dependent upon such services to remain in his or her home or return to his or her home;

(3) The availability of personal or community resources which may be utilized to meet the individual's need; and

(4) Such other factors as the department considers necessary to insure service is provided only to those persons whose chore service needs cannot be met by relatives, friends, nonprofit organizations, or other persons.

In determining the level of services to be provided under this chapter, the department shall utilize a client review questionnaire designed to determine both the degree and level of service need and the individual's risk of institutionalization if such needs are not met by this chapter.

NEW SECTION. Sec. 17. There is added to chapter 74.08 RCW a new section to read as follows:

"Chore services," as used in this chapter, means services in performing light work and household and other personal tasks which eligible persons are unable to do for themselves because of frailty or handicapping conditions.

Persons eligible for services at no cost are adult recipients of supplemental security income and/or state supplementation and other individuals having income equal to or less than thirty percent of the state median income and resources less than a level determined by the department, and whose level of need for chore services and risk of being placed in a residential care facility have been determined by the department. Individuals determined by the department to be eligible for adult protective services are eligible to receive emergency chore services without regard to income if the services are essential to, and a subordinate part of, the adult protective services plan. Emergency chore services under adult protective services shall be provided only until the emergent situation has stabilized, not to exceed ninety days.

Those persons whose income is between thirty and forty percent of the state median income and whose level of need for chore services and risk of being placed in a residential care facility has been determined by the department are eligible for a reduced level of service based on their ability to purchase the services. The department shall develop a scale of reduced hours of service based on need and income level to be applied in these cases. Persons whose resources exceed the level determined by the department are not eligible for any reduced level service.

The department is authorized to provide chore services on a case-by-case basis to severely handicapped persons in need of attendant care whose income exceeds the criteria established in this section. Services may be provided for this purpose only to the extent necessary to allow the individual to remain in his or her own home, and no services may be authorized for more than ninety days at any one time: PROVIDED, That the department may

not extend authorization for chore services to more than thirty persons at any one time whose income exceeds fifty-seven percent of the state median income.

For clients whose chore services are authorized on an hourly basis, the department shall establish a monthly lid on chore service hours, which shall be allocated to the department's community service offices. This lid shall be established at a level set by the department. The department shall also establish a monthly rate lid to apply to clients whose chore services are authorized on a monthly rate basis.

Sec. 18. Section 74.09.010, chapter 26, Laws of 1959 as last amended by section 17, chapter 8, Laws of 1981 and RCW 74.09.010 are each amended to read as follows:

As used in this chapter:

- (1) "Department" means the department of social and health services.
- (2) "Secretary" means the secretary of social and health services.
- (3) "Internal management" means the administration of medical ~~((and related services to recipients of public))~~ assistance ~~((and))~~, medical ~~((indigent persons))~~ care services, and the limited casualty program.
- (4) "Medical ~~((indigents))~~ assistance" ~~((are persons without income or resources sufficient to secure necessary medical services))~~ means the federal aid medical care program provided to categorically needy persons as defined under Title XIX of the federal social security act.
- (5) "Medical care services" means the limited scope of care financed by state funds and provided to general assistance recipients.
- (6) "Limited casualty program" means the medical care program provided to medically needy persons as defined under Title XIX of the federal social security act, and to medically indigent persons who are without income or resources sufficient to secure necessary medical services.
- (7) "Nursing home" means nursing home as defined in RCW 18.51.010.

NEW SECTION. Sec. 19. There is added to chapter 74.09 RCW a new section to read as follows:

- (1) To the extent of available funds, medical care services may be provided to recipients of general assistance in accordance with medical eligibility requirements established by the department.
- (2) Determination of the amount, scope, and duration of medical care services shall be limited to coverage as defined by the department, except that chiropractic, adult dental, and routine foot care shall not be included.
- (3) The department shall establish standards of assistance and resource and income exemptions, which may include deductibles and co-insurance provisions. In addition, the department may include a prohibition against the voluntary assignment of property or cash for the purpose of qualifying for assistance.
- (4) Residents of skilled nursing homes, intermediate care facilities, and intermediate care facilities for the mentally retarded who are eligible for

medical care services shall be provided medical services to the same extent as provided to those persons eligible under the medical assistance program.

(5) Payments made by the department under this program shall be the limit of expenditures for medical care services solely from state funds.

(6) Medical care services received no more than seven days prior to the date of application shall be retroactively certified and approved for payment on behalf of a person who was otherwise eligible at the time the medical services were furnished: PROVIDED, That eligible persons who fail to apply within the seven-day time period for medical reasons or other good cause may be retroactively certified and approved for payment.

Sec. 20. Section 4, chapter 30, Laws of 1967 ex. sess. as last amended by section 19, chapter 8, Laws of 1981 and RCW 74.09.510 are each amended to read as follows:

Medical assistance may be provided in accordance with eligibility requirements established by the department of social and health services ~~((to an applicant: (1) Who is in need; (2) who has not made a voluntary assignment of property or cash for the purpose of qualifying for an assistance grant; (3) who is not an inmate of a public institution except as a patient in a medical institution or except as an inmate in a county or city jail or juvenile detention facility, or except as an inmate in a public institution who could qualify for federal aid assistance; and (4) who is a resident of the state of Washington)), including the prohibition against the voluntary assignment of property or cash for the purpose of qualifying for an assistance grant, as defined in the social security Title XIX state plan for mandatory categorically needy persons and: (1) Individuals who would be eligible for cash assistance except for their institutional status; (2) individuals who are under twenty-one years of age, who would be eligible for aid to families with dependent children, but do not qualify as dependent children and who are in (a) foster care, (b) subsidized adoption, (c) an intermediate care facility or an intermediate care facility for the mentally retarded, or (d) inpatient psychiatric facilities; and (3) the aged, blind, and disabled who: (a) Receive only a state supplement, or (b) would not be eligible for cash assistance if they were not institutionalized.~~

Sec. 21. Section 5, chapter 30, Laws of 1967 ex. sess. as last amended by section 20, chapter 8, Laws of 1981 and RCW 74.09.520 are each amended to read as follows:

The term "medical assistance" may include the following care and services: (1) Inpatient hospital services; (2) outpatient hospital services; (3) other laboratory and x-ray services; (4) skilled nursing home services; (5) physicians' services, which shall include prescribed medication and instruction on birth control devices; (6) medical care, or any other type of remedial care as may be established by the secretary; (7) home health care services; (8) private duty nursing services; (9) dental services; (10) physical therapy and related services; (11) prescribed drugs, dentures, and prosthetic devices;



and eyeglasses prescribed by a physician skilled in diseases of the eye or by an optometrist, whichever the individual may select; (12) other diagnostic, screening, preventive, and rehabilitative services; PROVIDED, That the department may not cut off any prescription medications, oxygen supplies, respiratory services, or other life-sustaining medical services or supplies.

"Medical assistance," notwithstanding any other provision of law, shall not include routine foot care, chiropractic, or dental services delivered by any health care provider, that are not mandated by Title XIX of the social security act.

NEW SECTION. Sec. 22. There is added to chapter 74.09 RCW a new section to read as follows:

(1) To the extent of available funds, medical care may be provided under the limited casualty program to persons not otherwise eligible for medical assistance or medical care services who are medically needy as defined in the social security Title XIX state plan and medical indigents in accordance with medical eligibility requirements established by the department. This includes residents of skilled nursing homes, intermediate care facilities, and intermediate care facilities for the mentally retarded who are aged, blind, or disabled as defined in Title XVI of the federal social security act and whose income exceeds three hundred percent of the federal supplement security income benefit level.

(2) Determination of the amount, scope, and duration of medical coverage under the limited casualty program shall be the responsibility of the department, subject to the following:

(a) Only inpatient hospital services; outpatient hospital and rural health clinic services; physicians' and clinic services; prescribed drugs, dentures, prosthetic devices, and eyeglasses; skilled nursing home services, intermediate care facility services, and intermediate care facility services for the mentally retarded; home health services; other laboratory and x-ray services; and medically necessary transportation shall be covered;

(b) A patient deductible not to exceed one-half the payment the department makes for the first day's stay for inpatient hospital care, shall be included for the medically needy component of the program;

(c) Persons who are medically indigent and are not eligible for a federal aid program shall satisfy a deductible of not less than one thousand five hundred dollars in any twelve-month period;

(d) Medical care services provided to the medically indigent and received no more than seven days prior to the date of application shall be retroactively certified and approved for payment on behalf of a person who was otherwise eligible at the time the medical services were furnished: PROVIDED, That eligible persons who fail to apply within the seven-day time period for medical reasons or other good cause may be retroactively certified and approved for payment.

(3) The department shall establish standards of assistance and resource and income exemptions. All nonexempt income and resources of limited casualty program recipients shall be applied against the cost of their medical care services. In addition, the department may include a prohibition against the voluntary assignment of property or cash for the purpose of qualifying for assistance.

(4) The department shall, to the maximum extent possible, recover the cost of medical care provided under this section from future income and resources. Future income and resources shall be limited to those available up to twenty-four months following the provision of care.

Sec. 23. Section 74.12.010, chapter 26, Laws of 1959 as last amended by section 21, chapter 8, Laws of 1981 and RCW 74.12.010 are each amended to read as follows:

For the purposes of the administration of aid to families with dependent children assistance, the term "dependent child" means any child in need under the age of eighteen years who has been deprived of parental support or care by reason of the death, continued absence from the home, or physical or mental incapacity of the parent, and who is with his father, mother, grandmother, grandfather, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle, aunt, first cousin, nephew, or niece, in a place of residence maintained by one or more of such relatives as his or their homes. The term a "dependent child" shall, notwithstanding the foregoing, also include a child who would meet such requirements except for his removal from the home of a relative specified above as a result of a judicial determination that continuation therein would be contrary to the welfare of such child, for whose placement and care the state department of social and health services or the county office is responsible, and who has been placed in a licensed or approved child care institution or foster home as a result of such determination and who: (1) Was receiving an aid to families with dependent children grant for the month in which court proceedings leading to such determination were initiated; or (2) would have received aid to families with dependent children for such month if application had been made therefor; or (3) in the case of a child who had been living with a specified relative within six months prior to the month in which such proceedings were initiated, would have received aid to families with dependent children for such month if in such month he had been living with such a relative and application had been made therefor, as authorized by the Social Security Act(~~(- PROVIDED, That the secretary shall have discretion to provide that aid to families with dependent children assistance shall be available to any child in need who has been deprived of parental support or care by reason of the unemployment of a parent or stepparent liable under this chapter for the support of such child, to the extent that matching funds are available from the federal government)).~~)).

"Aid to families with dependent children" means money payments, services, and remedial care with respect to a dependent child or dependent children and the needy parent or relative with whom the child lives and may include the spouse of such relative if living with him and if such relative is the child's parent and the child is a dependent child by reason of the physical or mental incapacity ((or ~~unemployment~~)) of a parent or stepparent liable under this chapter for the support of such child.

**\*NEW SECTION. Sec. 24.** *There is added to chapter 71.20 RCW a new section to read as follows:*

*Moneys appropriated by the state for developmental disabilities programs of the department of social and health services shall not be allocated on a block grant basis, with the exception of appropriations to developmental disability centers and county discretionary funds. The block grants shall be awarded each biennial quarter. It shall be a condition of receipt of these funds that no county may take an action which will, in the option of the department, lessen the service level provided by state funding. The department shall establish necessary rules to carry out this section.*

\*Sec. 24. was vetoed, see message at end of chapter.

**NEW SECTION. Sec. 25.** *There is added to chapter 43.20A RCW a new section to read as follows:*

The department is authorized to charge fees for services provided by the department unless otherwise prohibited by law. The fees may be sufficient to cover the full cost of the service provided if practical or may be charged on an ability-to-pay basis if practical. This section does not supersede other statutory authority enabling the assessment of fees by the department. Whenever the department is authorized by law to collect total or partial reimbursement for the cost of its providing care of or exercising custody over any person, the department shall collect the reimbursement to the extent practical.

Sec. 26. Section 7, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 5, chapter 302, Laws of 1977 ex. sess. and RCW 7.68-.070 are each amended to read as follows:

The right to benefits under this chapter and the amount thereof will be governed insofar as is applicable by the provisions contained in chapter 51-.32 RCW as now or hereafter amended except as provided in this section:

(1) The provisions contained in RCW 51.32.015, 51.32.030, 51.32.072, 51.32.073, 51.32.180, 51.32.190 and 51.32.200 as now or hereafter amended are not applicable to this chapter.

(2) Each victim injured as a result of a criminal act committed prior to the effective date of this 1981 act, or his family or dependents in case of death of the victim, are entitled to benefits in accordance with this chapter, and the rights, duties, responsibilities, limitations and procedures applicable

to a workman as contained in RCW 51.32.010 as now or hereafter amended are applicable to this chapter.

(3) The limitations contained in RCW 51.32.020 as now or hereafter amended are applicable to claims under this chapter. In addition thereto, no person or spouse, child, or dependent of such person shall be entitled to benefits under this chapter when the injury for which benefits are sought, was:

(a) The result of consent, provocation or incitement by the victim;

(b) The result of an act or acts committed by a person living in the same household with the victim;

(c) The result of an act or acts committed by a person who is at the time of the criminal act the spouse, child, parent, or sibling of the victim by the half or whole blood, adoption or marriage, or the parent of the spouse of or sibling of the spouse of the victim by the half or whole blood, adoption, or marriage, or the son-in-law or daughter-in-law of the victim, unless in the director's sole discretion it is determined that:

(i) The parties to the marriage which establishes the relationship between the person committing the criminal act and the victim described above are estranged and living apart, and

(ii) The interests of justice require otherwise in the particular case;

(d) The result of the victim assisting, attempting, or committing a criminal act; or

(e) Sustained while the victim was confined in any county or city jail, federal jail or prison or in any other federal institution, or any state correctional institution maintained and operated by the department of social and health services, prior to release from lawful custody; or confined or living in any other institution maintained and operated by the department of social and health services.

(4) The benefits established upon the death of a workman and contained in RCW 51.32.050 as now or hereafter amended shall be the benefits obtainable under this chapter and provisions relating to payment contained in that section shall equally apply under this chapter: PROVIDED, That in the event the criminal act results in the death of a victim who was not gainfully employed at the time of the criminal act, and who was not so employed for at least three consecutive months of the twelve months immediately preceding the criminal act;

(a) Benefits payable to an eligible surviving spouse, where there are no children of the victim at the time of the criminal act who have survived him or where such spouse has legal custody of all of his children, shall be limited to burial expenses as provided in RCW 51.32.050 as now or hereafter amended and a lump sum payment of seven thousand five hundred dollars without reference to number of children, if any;

(b) Where any such spouse has legal custody of one or more but not all of such children, then such burial expenses shall be paid, and such spouse

shall receive a lump sum payment of three thousand seven hundred fifty dollars and any such child or children not in the legal custody of such spouse shall receive a lump sum of three thousand seven hundred fifty dollars to be divided equally among such child or children;

(c) If no such spouse survives, then such burial expenses shall be paid, and each surviving child of the victim at the time of the criminal act shall receive a lump sum payment of three thousand seven hundred fifty dollars up to a total of two such children and where there are more than two such children the sum of seven thousand five hundred dollars shall be divided equally among such children.

No other benefits shall be paid or payable under these circumstances.

(5) The benefits established in RCW 51.32.060 as now or hereafter amended for permanent total disability proximately caused by the criminal act shall be the benefits obtainable under this chapter, and provisions relating to payment contained in that section shall apply under this chapter: **PROVIDED**, That in the event a victim becomes permanently and totally disabled as a proximate result of the criminal act and was not gainfully employed at the time of the criminal act, such victim shall receive monthly during the period of such disability the following percentages, where applicable, of the average monthly wage determined as of the date of the criminal act pursuant to RCW 51.08.018 as now or hereafter amended:

(a) If married at the time of the criminal act, twenty-nine percent of such average monthly wage.

(b) If married with one child at the time of the criminal act, thirty-four percent of such average monthly wage.

(c) If married with two children at the time of the criminal act, thirty-eight percent of such average monthly wage.

(d) If married with three children at the time of the criminal act, forty-one percent of such average monthly wage.

(e) If married with four children at the time of the criminal act, forty-four percent of such average monthly wage.

(f) If married with five or more children at the time of the criminal act, forty-seven percent of such average monthly wage.

(g) If unmarried at the time of the criminal act, twenty-five percent of such average monthly wage.

(h) If unmarried with one child at the time of the criminal act, thirty percent of such average monthly wage.

(i) If unmarried with two children at the time of the criminal act, thirty-four percent of such average monthly wage.

(j) If unmarried with three children at the time of the criminal act, thirty-seven percent of such average monthly wage.

(k) If unmarried with four children at the time of the criminal act, forty percent of such average monthly wage.

(1) If unmarried with five or more children at the time of the criminal act, forty-three percent of such average monthly wage.

(6) The benefits established in RCW 51.32.080 as now or hereafter amended for permanent partial disability shall be the benefits obtainable under this chapter, and provisions relating to payment contained in that section shall equally apply under this chapter.

(7) The benefits established in RCW 51.32.090 as now or hereafter amended for temporary total disability shall be the benefits obtainable under this chapter, and provisions relating to payment contained in that section shall apply under this chapter: PROVIDED, That no person shall be eligible for temporary total disability benefits under this chapter if such person was not gainfully employed at the time of the criminal act, and was not so employed for at least three consecutive months of the twelve months immediately preceding the criminal act.

(8) The benefits established in RCW 51.32.095 as now or hereafter amended for continuation of benefits during vocational rehabilitation shall be benefits obtainable under this chapter, and provisions relating to payment contained in that section shall apply under this chapter.

(9) The provisions for lump sum payment of benefits upon death or permanent total disability as contained in RCW 51.32.130 as now or hereafter amended shall apply under this chapter.

(10) The provisions relating to payment of benefits to, for or on behalf of workmen contained in RCW 51.32.040, 51.32.055, 51.32.100, 51.32.110, 51.32.120, 51.32.135, 51.32.140, 51.32.150, 51.32.160 and 51.32.210 as now or hereafter amended shall be applicable to payment of benefits to, for or on behalf of victims under this chapter.

(11) No person or spouse, child, or dependent of such person shall be entitled to benefits under this chapter where the person making a claim for such benefits has refused to give reasonable cooperation to state or local law enforcement agencies in their efforts to apprehend and convict the perpetrator(s) of the criminal act which gave rise to the claim.

Sec. 27. Section 8, chapter 122, Laws of 1973 1st ex. sess. as amended by section 4, chapter 176, Laws of 1975 1st ex. sess. and RCW 7.68.080 are each amended to read as follows:

The provisions of chapter 51.36 RCW as now or hereafter amended shall govern the provision of medical aid under this chapter to victims injured as a result of a criminal act committed prior to the effective date of this 1981 act, except that:

(1) The provisions contained in RCW 51.36.030 and 51.36.040 as now or hereafter amended shall not apply to this chapter;

(2) The specific provisions of RCW 51.36.020 as now or hereafter amended relating to supplying emergency transportation shall not apply: PROVIDED, That when the injury to any victim is so serious as to require his being taken from the place of injury to a place of treatment, reasonable

transportation costs to the nearest place of proper treatment shall be reimbursed from the fund established pursuant to RCW 7.68.090.

NEW SECTION. Sec. 28. The following acts or parts of acts are each repealed:

- (1) Section 2, chapter 174, Laws of 1980 and RCW 74.04.001;
  - (2) Section 74.04.250, chapter 26, Laws of 1959 and RCW 74.04.250;
  - (3) Section 74.08.040, chapter 26, Laws of 1959, section 9, chapter 8, Laws of 1981 and RCW 74.08.040;
  - (4) Section 1, chapter 35, Laws of 1973 1st ex. sess. and RCW 74.08.047;
  - (5) Section 2, chapter 35, Laws of 1973 1st ex. sess. and RCW 74.08.048;
  - (6) Section 74.08.112, chapter 26, Laws of 1959 and RCW 74.08.112;
  - (7) Section 2, chapter 51, Laws of 1973 1st ex. sess., section 13, chapter 8, Laws of 1981 and RCW 74.08.540;
  - (8) Section 74.09.020, chapter 26, Laws of 1959 and RCW 74.09.020;
  - (9) Section 74.09.030, chapter 26, Laws of 1959, section 334, chapter 141, Laws of 1979 and RCW 74.09.030;
  - (10) Section 74.09.070, chapter 26, Laws of 1959, section 336, chapter 141, Laws of 1979 and RCW 74.09.070;
  - (11) Section 74.10.010, chapter 26, Laws of 1959, section 346, chapter 141, Laws of 1979 and RCW 74.10.010;
  - (12) Section 74.10.020, chapter 26, Laws of 1959, section 5, chapter 169, Laws of 1971 ex. sess. and RCW 74.10.020;
  - (13) Section 74.10.030, chapter 26, Laws of 1959, section 347, chapter 141, Laws of 1979 and RCW 74.10.030;
  - (14) Section 74.10.070, chapter 26, Laws of 1959, section 348, chapter 141, Laws of 1979 and RCW 74.10.070;
  - (15) Section 1, chapter 60, Laws of 1967 ex. sess., section 349, chapter 141, Laws of 1979 and RCW 74.10.090;
  - (16) Section 2, chapter 60, Laws of 1967 ex. sess. and RCW 74.10.100;
- and
- (17) Section 9, chapter 302, Laws of 1977 ex. sess., section 10, chapter 219, Laws of 1979 ex. sess. and RCW 7.68.065.

NEW SECTION. Sec. 29. For the purposes of Substitute Senate Bill No. 3636, section 17 of this act constitutes the continuation of RCW 74.08.540.

NEW SECTION. Sec. 30. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 31. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state

government and its existing public institutions, and shall take effect July 1, 1981.

Passed the Senate April 28, 1981.

Passed the House April 28, 1981.

Approved by the Governor May 19, 1981, with the exceptions of Section 1(10), 6(2), 10(4), and 24, which are vetoed.

Filed in Office of Secretary of State May 19, 1981.

Note: Governor's explanation of veto is as follows:

"I am returning herewith without my approval as to Sections 1 (10), 6 (2), 10 (4) and 24 Substitute Senate Bill No. 4299:

"AN ACT Relating to Social and Health Services; reenacting and amending certain sections of RCW 74 and other sections and declaring an emergency."

Sections 1 (10) and 10 (4) define "state payment level" as the aggregate expenditure authority within the limits of funds appropriated for the Income Maintenance program. These provisions would prevent the imposition of rateable reductions unless the entire Income Maintenance program appropriation was in danger of overexpenditure. This program represents a large part of the total DSHS appropriation; rateable reductions will probably be needed if adverse financial conditions are experienced.

Section 6 (2) would unnecessarily restrict the appropriate administration of AFDC grants.

Section 24 provides block grant funding for Developmental Disabilities Centers. Such a mechanism would unnecessarily limit the agency's ability to monitor and control specific purchased services for clientele.

With the exceptions of the above mentioned sections, Substitute Senate Bill No. 4299 is approved."