

each county shall apply the same to all new construction within, and as far as practicable and feasible to reconstruction of old roads comprising, the county primary road system. No deviation from such design standards as to such primary system shall be made without the approval of the Assistant State Director of Highways for state aid.

Counties shall apply standards.

SEC. 5. This act is necessary for the immediate preservation of the public peace, health, safety and welfare, and shall take effect immediately.

Emergency.

Passed the House March 8, 1949.

Passed the Senate March 6, 1949.

Approved by the Governor March 16, 1949.

CHAPTER 166.

[S. H. B. 276.]

SELF SUPPORT AID TO THE BLIND.

AN ACT providing for self-supporting aid to the blind; and amending sections 2 and 4, chapter 132, Laws of 1937, relating to aid for the needy blind.

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

SECTION 1. The purpose of this act is to provide a plan for this state whereby the blind residents of this state may be encouraged to take advantage of and to enlarge their economic opportunities, to the end that they may render themselves independent of public assistance and become entirely self-supporting.

Purpose of act.

To achieve this objective, resources and income beyond the necessities of bare decency and subsistence are required. This act, by allowing the retention of necessary income and resources by those of the blind showing a reasonable probability of being able and willing to undertake the acquisition of resources and income necessary for self-support, will

encourage them in their efforts to become self-supporting.

Act to be liberally construed.

SEC. 2. The provisions of this act shall be liberally construed to effect its objects and purposes.

Qualifications of recipient.

SEC. 3. Aid shall be granted under the provisions of this act to the applicant who:

16 years of age.

(a) Has reached his sixteenth (16th) birthday and is found not to be acceptable for education at the State School for the Blind;

Is blind.

(b) Is blind; that is, who is unable, by reason of loss or impairment of sight, to provide himself fully with the necessities of life;

Is without sufficient resources.

(c) Is without income and resources through his own means, as defined under this act, sufficient to provide a reasonable and decent standard of living;

Has been a resident of this state a certain number of years.

(d) Has been a resident of this state for a period of three (3) years immediately preceding the filing of his application if he is between the ages of sixteen (16) and twenty-one (21), or if over twenty-one (21) who has been a resident for at least five (5) years within the ten (10) years immediately preceding the date of such application; or who has become blind while a resident of this state and has been a resident of this state for a period of six (6) months immediately preceding the filing of his application;

Not an inmate of a state supported institution.

(e) Is not an inmate of an institution, supported in whole or in part by this state or any of its political subdivisions: *Provided*, That a patient of a public hospital, for a period not exceeding thirty (30) days, or an employee of a shop which, though supported by this state, does not furnish board and room, or a student attending any public high school or institution of higher learning, shall not be considered such an inmate: *And provided*, That any person may apply for aid under this act while he is such an inmate and may remain an inmate until he receives his first monthly payment, whereupon he shall cease

to be such inmate: *And provided further*, That if a recipient becomes ineligible for aid because of confinement in an institution or hospital, the order suspending his aid shall provide for its restoration if he is eligible immediately upon his discharge;

(f) Does not publicly solicit alms, whether in person or by proxy, and whether by the wearing, carrying, or exhibiting of signs denoting blindness for the purpose of securing alms, or by the carrying of receptacles therefor, or by begging;

Does not publicly solicit alms.

(g) Is not a recipient of aid under the old age assistance or aid to the needy blind laws of this state; and

Is not a recipient of other state aid.

(h) Possesses a reasonably adequate plan for self-support and gives evidence that he is attempting to carry out that plan through a sincere and sustained effort.

Possesses a plan of self support.

SEC. 4. Any person who, in order to obtain for himself or another the aid provided in this act, knowingly makes a false statement under oath shall be deemed guilty of perjury. Any aid or portion thereof fraudulently obtained under this act shall be restored to this state by the recipient and all actions necessary to secure restoration may be brought against him.

Use of false statements to obtain aid is perjury.

Restitution of funds.

SEC. 5. The applicant shall file with the County Welfare Department an application, accompanied by an affidavit signed by himself, stating his age, sex, places of residence, his financial resources and income, the degree of his blindness, how long he has been blind, what employment and education he has had, his general physical condition, and such other statistical data as may be essential to determine eligibility, and a statement of his plan looking toward self-support.

Application for aid and affidavit.

Contents of affidavit.

Investigation shall be completed within thirty (30) days from date of application and written notice of the decision shall be given the applicant. Failure

Investigation.

to complete determination of eligibility may be considered a denial.

If upon investigation, the County Welfare Department determines that the applicant is eligible for "self-supporting" aid under this act, it shall grant such aid the first of the month following completion of eligibility.

Annual review of each case.

The County Welfare Department shall review the case of each recipient at least once annually and shall redetermine whether he is eligible for aid under this section.

After acquired property and income of recipient.

SEC. 6. If at any time during the continuance of assistance the recipient thereof becomes possessed of any property or income in excess of the amount enjoyed at the time of the granting of assistance it shall be the duty of the recipient immediately to notify the local administrative office of the receipt or possession of such property or income and the local administrative board may, after investigation, either cancel the assistance or alter the amount thereof in accordance with the circumstances. Any assistance paid after the recipient has come into possession of such property or income and in excess of his need shall be recoverable by the state as a debt due to the state.

Ownership of real and personal property by blind person.

SEC. 7. No blind person shall receive "self-supporting" aid under the provisions of this act who owns personal or real property, or both, the assessed valuation of which, less all encumbrances thereon of record, is in excess of four thousand dollars (\$4,000).

Certain life insurance policies not personal property.

The term "personal property" shall not include a policy or policies of life insurance on the life of the applicant or recipient, which has or have been in effect at least five (5) years prior to the date of application if cash surrender value of the policy or policies does not exceed one thousand dollars (\$1,000).

No life insurance policy shall be valued at more than its cash surrender value to the applicant or recipient. Premiums paid on life insurance policies by other persons shall not be deemed income or resources and no deductions therefor shall be made from the amount of aid granted under this act.

Maximum value of policies.

Premiums paid by other persons.

Nor shall the term "personal property" include interment plots, or money placed in trust or insurance for interment or funeral expenses, or any contract rights connected therewith, if such money, insurance, or contract rights does not exceed five hundred dollars (\$500) in value.

Interment plots and funeral expense insurance not personal property.

An applicant's or recipient's share of any estate, which share has not been distributed, and of which he has no present economic use, does not constitute property for the purpose of this act.

Undistributed share of an estate not property.

SEC. 8. A recipient shall be entitled to that amount of aid which, when added to his net income in excess of one thousand and forty dollars (\$1,040), shall equal not more than sixty dollars (\$60) per month.

Amount of aid.

Net income from any one or more of the following sources shall be considered in computing the total value of one thousand and forty dollars (\$1,040) per annum:

(a) Income from applicant's or recipient's labor or services;

(b) The value of foodstuffs produced by him or his family for the use of himself or that of his family;

(c) The value of firewood and/or water produced on his own premises or given to him by another for his use;

(d) The value of gifts;

(e) The value of the use and occupancy of premises owned and occupied by him;

(f) The net income from real and personal property owned by him;

(g) Cash income from any other source.

Treatments and operations to prevent blindness or restore sight.

SEC. 9. The privilege of treatment and operations for the prevention of blindness or the restoration of sight available to the needy blind shall be available to the persons receiving self-supporting aid under this act.

Involuntary conversion of real property into personal property.

Any proceeds from involuntary conversion of real property into personal property (such as from condemnation or eminent domain proceedings) received by a self-supporting recipient shall be considered real property for a period of one (1) year from the time of its receipt.

Aid inalienable.

All aid given under this act shall be absolutely inalienable by any assignment, sale, attachment, execution, or otherwise, and in case of bankruptcy, the aid shall not pass through any trustee or other person acting on behalf of creditors.

Appeal from denial of aid.

SEC. 10. If the blind person's application for "self-supporting" aid is denied, he or she shall have the right to appeal in the same manner as provided for appeals by a "needy" blind person from an adverse ruling or decision of the State Department of Social Security.

Administration of "self-supporting" aid.

SEC. 11. The administration of "self-supporting" aid for bling persons is vested in the State Department of Social Security and in the counties to be administered in accordance with the provisions of law applicable to aid to the needy blind. Unless otherwise expressly provided in this act, all provisions of law applicable to the powers and duties of the Department and the counties with respect to the needy blind shall apply to the powers and duties of the Department and the counties with respect to "self-supporting" aid provided herein.

The Department of Social Security, through the Division of the Blind, shall supervise the administration of the provisions herein.

Cooperation with United States.

The State Director of the Department of Social Security is hereby empowered and authorized to

cooperate with the United States government or any of its agencies in any reasonable manner as may be necessary to qualify for Federal assistance to the "self-supporting" blind.

SEC. 12. If any section or provision of this act shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the act as a whole, or any section, provision, or part thereof, not adjudged invalid or unconstitutional.

Partial
invalidity.

SEC. 13. Section 2, chapter 132, Laws of 1937, is amended to read as follows:

Amendment.

Section 2. *Employees of Division.* The Director shall appoint and depute an Assistant Director to be known as the Supervisor of the Division for the Blind, who shall have charge and supervision of the Division and have power, with the approval of the Director of Social Security to appoint and employ such assistants and personnel as may be necessary to carry on the work of the Division. Such assistants and personnel shall be selected upon the basis of their experience and qualifications in the field of work among the blind, and to the fullest extent possible shall be residents of the State of Washington at the time of their selection. In appointing and employing supervisory and administrative assistants and personnel to carry into effect the provisions of this act, the Supervisor shall give preference under the merit system to qualified and available blind persons up to fifty per cent (50%) of said personnel.

Supervisor
of Division
for the
Blind.

Employment
of personnel.

Preference
to blind
persons.

SEC. 14. There is hereby appropriated from the General Fund to the Department of Social Security a sum sufficient to carry out the aid to "self-supporting blind" provisions of this act.

Appropriation.

SEC. 15. Section 4, chapter 132, Laws of 1937, is amended to read as follows:

Amendment.

Section 4. *Vocational Aid and Training.* The Department of Social Security through the Division

Vocation aid
and training.

for the Blind may maintain or cause to be maintained, in cooperation with the Division of Vocational Rehabilitation of the State Board of Vocational Education, services for vocational aid and training the objects of which shall be:

(a) To maintain a subdivision for the blind, supervised by a blind or partially blind person when available and qualified, and employing blind or partially blind persons when available and qualified and charged with the placing of blind persons in jobs and/or business enterprises in accordance with the abilities and interests of the applicant therefor;

(b) To teach blind persons trades or occupations which may be followed in their homes and to assist them in whatever manner may seem advisable in disposing of the products of their home industries;

(c) To establish and/or maintain one or more training schools and/or workshops to teach blind persons trades or occupations when such training is feasible and will contribute to the efficiency and/or self-support of such blind person and to devise means for the sale and distribution of the products thereof;

(d) To arrange for special education and/or training in the trades, business or professions under a vocational plan, and if the same cannot be obtained within the state arrangements shall be made for such purposes outside of the state. Living maintenance during the period of such education and/or training within or without the state shall be furnished where there is need.

(e) To aid individual blind persons or groups of blind persons to become self-supporting by furnishing materials and/or machinery to them, and/or by providing them with financial assistance to enable them to take advantage of all laws of the United States providing assistance and aid to the blind, in the form of matching funds, and also

(f) To provide home visitation and home teaching of subjects which will assist blind persons in the ease and enjoyment of daily living.

Passed the House March 3, 1949.

Passed the Senate March 7, 1949.

Approved by the Governor March 16, 1949.

CHAPTER 167.

[H. B. 302.]

AGRICULTURE—FEEDS, FERTILIZERS AND LIVESTOCK REMEDIES.

AN ACT relating to the Department of Agriculture, clarifying and enlarging the definitions of, and the labeling requirements for, concentrated commercial feeding stuffs, declaring unlawful certain practices in the preparation and sale of feeds and amending sections 9, 33, 36 and 37 of chapter 211, of the Laws of 1939, the same being sections 7016-9, 7016-33, 7016-36 and 7016-37, of Remington's Revised Statutes, 1939 Supp.

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

SECTION 1. Section 9, of chapter 211 of the Laws of 1939 (section 7016-9, Remington's Revised Statutes, 1939 Supp.) is hereby amended to read as follows: Amendment.

Section 9. Exclusive of the definitions provided in this act, the definitions and methods of analysis of commercial feeding stuff regulated by this act shall be as defined by the annual official publication of the Association of American Feed Control Officials, Inc., as of June 1, 1949; the definitions and methods of analysis of fertilizer terms regulated by this act shall be as defined by the official publication of the American Association of Official Agricultural Chemists as of June 1, 1949; and the definitions of livestock remedies shall be as defined in the official publication of the Pharmacopoeia of the United States of America as of June 1, 1949. The Director Feed stuffs and fertilizer defined.