

training within or without the state shall be furnished where there is need;

(5) 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 where there is need;

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

(7) Services provided for under this section may be furnished to clients from other agencies of this or other states for a fee which shall not be less than the actual cost of such services.

Passed the House February 7, 1961.

Passed the Senate March 6, 1961.

Approved by the Governor March 20, 1961.

CHAPTER 235.

[H. B. 404.]

PUBLIC ASSISTANCE—INCOME DEFINED.

AN ACT relating to public assistance; amending section 74.04.005 of chapter 26 of the Laws of 1959 and RCW 74.04.005.

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

SECTION 1. Section 74.04.005 of chapter 26 of the Laws of 1959 and RCW 74.04.005 are each amended to read as follows:

RCW 74.04.005 amended.

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

Public assistance, general provisions. Definitions.

(1) "Public assistance" or "assistance"—Public aid to persons in need thereof for any cause, including services, assistance grants, disbursing orders, work relief, general assistance and federal-aid assistance.

(2) "Department"—The department of public assistance.

(3) "County office"—The administrative office for one or more counties.

(4) "Director"—The director of the state department of public assistance.

(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, including old age assistance, aid to dependent children, aid to the permanently and totally disabled persons, aid to the blind, child welfare services and any other programs of public assistance which are authorized by this title for which provision for federal aid may from time to time be made.

(6) "General assistance"—Shall include aid to unemployable persons and unemployed employable persons who are not eligible to receive or are not receiving federal-aid assistance.

(a) Unemployable persons are those persons who by reason of bodily or mental infirmity or other cause are incapacitated from gainful employment.

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

(7) "Budgetary basis"—A basis taking into consideration an applicant's need and resources, and shall be measured in relation to a basic minimum family budget determined by the department.

(8) "Committee"—The public assistance committee created by this title.

(9) "Direct relief"—Payment by cash or voucher to provide the necessities of life to a person and his dependents, and shall include materials furnished or

services rendered for such purposes to such person and dependents in his own home.

(10) "Grant-in-aid" — An allocation of public funds by the state to counties for public assistance purposes.

(11) "Institutional care" — Care provided by counties through hospitals, sanatoria and homes or farms.

(12) "Work relief" — Wages paid by a body politic or corporate to persons who are unemployed, or whose employment is inadequate to provide the necessities of life to themselves and dependents, out of money specifically appropriated or contributed for that purpose, for the performance of services or labor connected with work undertaken by such body independent of work under contract or for which an annual appropriation is made: *Provided*, That the expenditure of moneys made available for assistance purposes under this title in connection with work relief programs shall be limited to the payment of wages exclusively.

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

(14) "Recipient" — Any person receiving assistance or currently approved to receive assistance at any future date and in addition those dependents whose needs are included in the recipient's grant.

(15) "Income" — Net income in cash or kind available to an applicant or recipient, the receipt of which is regular and predictable enough that an applicant or recipient may rely upon it to contribute appreciably toward meeting his needs: *Provided*, That in determining the amount of assistance to which a recipient of aid to the blind is entitled or to which any dependent of such recipient may be entitled under any category of public assistance, the department shall disregard as a resource the first eighty-five dollars per month of earned income plus

half of earned income in excess of eighty-five dollars per month of such blind recipient who is otherwise eligible for an aid to the blind grant: *Provided further*, That a recipient of aid to the blind may accumulate without penalty from such exempt income, an amount not to exceed the maximum value of personal property as established by the department pursuant to this section less other cash, marketable securities, cash surrender value of insurance and/or car held by such recipient. In formulating rules and regulations pursuant to this chapter the department shall define "earned income" in such a manner as to meet with the approval of the federal security agency.

(16) "Need"—The amount by which the requirements of an individual for himself and the dependent members of his family, as measured by the standards of the department, exceed all income and resources available to such individual in meeting such requirements.

(17) "Resource" — Any asset, tangible or intangible, which can be applied toward meeting an applicant's or recipient'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. Whenever a recipient shall cease to use such property for residential purposes, either by himself or his dependents, the property shall be considered a resource which can be made available to meet need. If the person or his dependents absent themselves from the home for a consecutive period of ninety days such absence shall raise a presumption of abandonment: *Provided*, That hospitalization of a

recipient or absence from the recipient's home for health reasons for a period in excess of ninety days shall not raise such a presumption.

(b) Household furnishings and personal clothing used and useful to the person.

(c) An automobile.

(d) Cash of not to exceed two hundred dollars for a single person or four hundred dollars for a family unit, or marketable securities of such value.

(e) Life insurance having a cash surrender value not in excess of five hundred dollars for a single person or one thousand dollars for a family unit: *Provided*, That this maximum allowance shall be decreased by the amount of cash held by the person or the family unit under item (d) above.

(f) Other personal property and belongings which are used and useful or which have great sentimental value to the applicant or recipient. Whenever such person ceases to make use of such personal property and belongings, the same shall be considered a resource available to meet need.

(g) If the federal laws permit, the first fifty dollars per month of earned income of any recipient of old age assistance, aid to dependent children, or disability assistance who is otherwise eligible.

The department shall by rule and regulation fix the ceiling value for the individual or family unit for all personal property and belongings as defined in items (c), (d) and (e) of this section. If an applicant for or recipient of public assistance possesses personal property and belongings of a value in excess value, such person shall be ineligible for public assistance: *Provided*, That in the determination of need of applicants for or recipients of general assistance no resources 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

when such resources are determined to be necessary to the applicant's or recipient's restoration to independence.

(18) 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.

Passed the House February 13, 1961.

Passed the Senate March 6, 1961.

Approved by the Governor March 20, 1961.

CHAPTER 236.

[H. B. 448.]

REEF NET FISHING AREAS—LUMMI ISLAND.

AN ACT relating to reef net fishing areas; and amending section 2, chapter 276, Laws of 1955, as amended by section 1, chapter 309, Laws of 1959 and RCW 75.12.140.

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

RCW 75.12.140 amended.

SECTION 1. Section 2, chapter 276, Laws of 1955, as amended by section 1, chapter 309, Laws of 1959 and RCW 75.12.140 are each amended to read as follows:

Reef net fishing areas created.

The following reef net fishing areas are hereby created: *Provided*, That nothing in this section and RCW 75.12.150 and 75.12.160 shall be interpreted as prohibiting other types of legal gear from fishing within the areas created:

(1) Point Roberts reef net fishing area includes those waters within 250 feet on each side of a line projected 129° true from a point at longitude 123° 01' 15" W. latitude 48° 58' 38" N. to a point one mile distant, as such description is shown upon the United