

State highway
commission.
Members—
Removal.

cause based upon a determination of incapacity, incompetence, neglect of duty, or malfeasance in office by the superior court of the state of Washington in and for Thurston county upon petition and show cause proceedings duly brought therefor in said court and directed to the commissioner in question.

Emergency.

SEC. 2. 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 immediately.

Passed the Senate March 21, 1965.

Passed the House March 24, 1965.

Approved by the Governor March 26, 1965.

CHAPTER 2.

[House Bill No. 643.]

PUBLIC ASSISTANCE.

AN ACT relating to public assistance; amending section 74.04.005, chapter 26, Laws of 1959 as last amended by section 1, chapter 228, Laws of 1963, and RCW 74.04.005; and repealing section 74.08.270, chapter 26, Laws of 1959 and RCW 74.08.270.

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

RCW 74.04.005
amended.

SECTION 1. Section 74.04.005, chapter 26, Laws of 1959 as last amended by section 1, chapter 228, Laws of 1963 are each amended to read as follows:

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Definitions.

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 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, medical assistance for the aged, aid to families with dependent children, aid to the permanently and totally disabled persons, aid to the blind, child welfare services, medical care services, and any other programs of public assistance for which provision for federal funds or 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 substantially incapacitated from gainful employment.

(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.

(8) "Community work and training"—A plan jointly entered into between the state department of public assistance and an agency, department, board or commission of the state or federal government, county, city or municipal corporation which is sub-

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ject to approval of the state department of public assistance under which the state or federal government, county, city or municipal corporation undertakes to provide work in and about public works or improvements, utilizing labor and services required to be performed by applicants or recipients of public assistance.

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

(10) "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.

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

(12) "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 consecu-

tive days such absence, unless due to hospitalization or health reasons, shall raise a 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 clothing used and useful to the person.

(c) An automobile used and useful to the person.

(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 (1) The applicant enters into a written agreement with the state department of public assistance that, unless he obtains the consent of the department, he will not: (a) Surrender the insurance contract for its cash value; (b) Assign the insurance contract or its proceeds; (c) Change the beneficiary under the insurance contract; and (2) The beneficiary under the insurance contract enters into a written agreement with the state department of public assistance that he will pay all costs necessary to provide a decent burial for the applicant unless his designation as beneficiary under the insurance contract is changed with the consent of the department: *Provided further*, That if by the terms of the policy or operation of law the applicant is unable to change the beneficiary designated in the policy, and the beneficiary refuses or is unable to agree to provide a burial for the applicant, the policy shall be considered an exempt resource, but the depart-

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ment by rule and regulation shall decrease the maximum cash surrender value allowed by the amount of cash held by the person or the family under (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 any of the property specified in items (b), (c) and (f) of this section, the same shall be considered as income available to meet need: *Provided*, That the department may by rule and regulation exempt such personal property and belongings which can be used by the applicant or recipient to decrease his need for public assistance or aid in rehabilitating him or his dependents.

(g) The department shall by rule and regulation fix the ceiling value for the individual or family unit for all property and belongings as defined in items (c), (d) and (e) of this section. 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 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.

(13) "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. The department may also allow the setting aside of funds derived from earnings of a child to cover the cost of special future identifiable needs of the child: *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 the blind is entitled or to which any dependent of such recipient may be entitled under any category of public assistance, the department is hereby authorized to disregard as a resource or income the first eighty-five dollars per month of any earned income plus one-half of earned income in excess of eighty-five dollars per month and for a period of not in excess of thirty-six months such additional amounts of other income and resources, in the case of an individual who has a plan for achieving self-support approved by the department, as may be necessary for the fulfillment of such plan of such blind recipient who is otherwise eligible for an aid to the blind grant: *Provided further*, That in determining the amount of assistance to which a recipient of old age assistance is entitled, the department is hereby authorized to disregard as a resource or income the first ten dollars per month of any earned income plus one-half of additional earnings up to fifty dollars of such recipient who is otherwise eligible for an old age assistance grant; but the total amount of earnings or other income if accumulated

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shall not, when added to the amount of cash or marketable securities exempted under (d) of subsection (12) of this section, exceed two hundred dollars for a single person or four hundred dollars for a family unit: *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 department of health, education and welfare: *Provided further*, That the director may by rule exempt as a resource or income the first eighty-five dollars and one-half of any excess of eighty-five dollars of any payment made to or on behalf of any applicant or recipient with respect to any month under Title I or II of the Economic Opportunity Act (public law 88-452), and may exempt any income or other economic benefit derived from the use of, or appreciation in value of, said exempted payment; and *Provided further*, That 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.

(14) "Need"—The difference between the applicant's or recipient's cost of requirements 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.

(15) 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.

SEC. 2. Section 74.08.270, chapter 26, Laws of 1959 and RCW 74.08.270 are each repealed. Repeal.

Passed the House March 16, 1965.

Passed the Senate March 19, 1965.

Approved by the Governor March 29, 1965.

CHAPTER 3.

[House Bill No. 256.]

HAIRDRESSING AND BEAUTY CULTURE.

AN ACT relating to hairdressing and beauty culture; amending section 2, chapter 281, Laws of 1927 as last amended by section 1, chapter 324, Laws of 1959 and RCW 18.18.010; amending section 1, chapter 215, Laws of 1937 and RCW 18.18.030; amending section 2, chapter 324, Laws of 1959 and RCW 18.18.065; amending section 4, chapter 180, Laws of 1951 as amended by section 5, chapter 52, Laws of 1957 and RCW 18.18.070; amending section 9, chapter 215, Laws of 1937 and RCW 18.18.080; amending section 5, chapter 180, Laws of 1951 as last amended by section 4, chapter 324, Laws of 1959 and RCW 18.18.090; amending section 7, chapter 215, Laws of 1937 and RCW 18.18.100; amending section 2, chapter 168, Laws of 1953 and RCW 18.18.104; amending section 4, chapter 313, Laws of 1955 and RCW 18.18.110; amending section 14, chapter 215, Laws of 1937 as amended by section 6, chapter 180, Laws of 1951 and RCW 18.18.120; amending section 7, chapter 180, Laws of 1951 as last amended by section 5, chapter 324, Laws of 1959 and RCW 18.18.140; amending section 8, chapter 180, Laws of 1951 as amended by section 9, chapter 52, Laws of 1957 and RCW 18.18.190; amending section 9, chapter 180, Laws of 1951 as amended by section 10, chapter 52, Laws of 1957 and RCW 18.18.210; amending section 16, chapter 215, Laws of 1937 and RCW 18.18.230; amending section 11, chapter 52, Laws of 1957 as amended by section 9, chap-