

CHAPTER 132.

[S. B. 151.]

SOCIAL SECURITY, DIVISION OF—ASSISTANCE FOR
BLIND PERSONS.

AN ACT establishing within the Department of Social Security a division for improving the condition of the blind and for the prevention of blindness and prescribing the power and duties thereof; making an appropriation therefor; repealing certain acts and parts of acts in conflict herewith and declaring that this act shall take effect April 1, 1937.

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

SECTION 1. *Creation of a Division for the Blind.* There is hereby created within the Department of Social Security a division to be known as the Division for the Blind, which shall be charged with the duty of promoting, in the manner hereinafter set forth, the welfare of blind persons, persons with seriously impaired vision, and persons suffering from conditions which might lead to blindness.

Creation of
division for
the blind.

SEC. 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 selecting personnel, blind persons who are qualified and available, shall be employed wherever practicable.

Employees
of division.

SEC. 3. *Prevention of Blindness.* In cooperation with the Department of Public Health, there shall be

Prevention
of blindness.

established and maintained such service as is needed looking toward the prevention of blindness, the purpose of which shall be to determine the causes of blindness, and to inaugurate and cooperate in any preventive measures for the State of Washington as may appear practicable. Whenever a blind or partially blind person can be benefited by medical or surgical treatment for which he is unable to pay, arrangement shall be made for an examination, with the consent of the individual, and for the necessary treatment by an ophthalmologist or physician skilled in the diseases of the eye.

Vocational
aid and
training.

SEC. 4. *Vocational Aid and Training.* The Department of Social Security through the Division 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 aid blind persons in finding suitable remunerative employment;

(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 provide living maintenance to blind persons during their training or instruction in any suitable occupation, whenever the training or instruction in question will contribute to the self-support of such blind persons. When special educational oppor-

tunities cannot be had in this state, they may be arranged for, outside the state;

(e) To aid individual blind persons or groups of blind persons to become self-supporting by furnishing materials or machinery to them, 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.

SEC. 5. *Accounts and Audit for Industries.* There shall be separate books of accounts for the industries of the Division for the Blind, and all monies received from the sale of any products made at its training schools and/or work shops or from the sale of products made under its supervision to which it has title shall be paid into the State Treasury to be considered a part of the appropriation.

Accounts and
audit for
industries.

SEC. 6. *Supervision.* It shall be the duty of the Department of Social Security, through the Division for the Blind, to serve as the state supervising agency in the administration of assistance as provided in this act.

Supervision.

SEC. 7. *Administration of Assistance.* County Commissioners acting as a local administrative board shall be charged with the duty of administering financial assistance to needy individuals who are blind in the manner hereinafter provided.

Administra-
tion of
assistance.

SEC. 8. *Eligibility for Assistance.* Assistance shall be granted under this act to an applicant:

Eligibility for
assistance.

(a) Who is twenty-one years of age or over; or who has reached his sixteenth birthday and is found not to be acceptable for education at the State School for the Blind;

(b) Who has no vision or whose vision, with correcting glasses, is so defective as to prevent the performance of ordinary activities for which eyesight is essential;

(c) Who is unable to provide himself with the necessities of life; has insufficient means of his own

to support him, and whose total income and resources are less than \$900 per year;

(d) Who has resided in this state for five years during the nine years immediately preceding the date of application, or who suffered loss of sight while a resident of this state and has resided continuously in this state since such loss of sight; and who has resided in this state continuously for one year immediately preceding the date of application; and

(e) Who is not an inmate of any public institution: *Provided*, That an inmate of a public institution may make application while in such institution but the assistance if granted shall not be paid until after he ceases to be such an inmate; and

(f) Who is not, at the time of making application, suffering from mental or physical infirmity, which, in itself, would make him a charge upon any public institution or other public agency; and

(g) Who is not publicly soliciting alms in any part of this state. The term "publicly soliciting" shall be construed to mean the wearing, carrying, or exhibiting of signs denoting blindness and the carrying of receptacles for the reception of alms, or the doing of the same by proxy, or by begging.

Application.

SEC. 9. *Application.* Any person claiming benefit under this act shall file an application with the local administrative board in the county of residence. The local administrative board shall fully establish the facts set forth in the application and any other facts it deems necessary. An examination of the applicant's eyes by an ophthalmologist or physician skilled in the diseases of the eye shall be provided without charge to the applicant.

Monthly
payments,
amount.

SEC. 10. If the local administrative board is satisfied that the applicant is entitled to assistance under the provisions of the act, assistance shall be granted, said assistance to be paid in monthly payments from

the funds appropriated for public assistance. The amount of assistance which any person shall receive shall be determined with due regard to the resources and necessary expenditures of the individual and the conditions existing in each case and such assistance shall be, together with all other income and resources of the recipient, not less than \$40.00 per month.

On the death of a recipient of aid to the Blind, reasonable funeral expenses not to exceed one hundred dollars (\$100) shall be paid by the Department of Social Security if the estate of the deceased is insufficient to pay the same.

Funeral expenses.

SEC. 11. *Guardian.* If a person receiving assistance under this act is, on the testimony of reputable witnesses, found incapable of handling such money the payment may be directed to a legally appointed guardian.

Guardian.

SEC. 12. *Annual Reinvestigation.* A reinvestigation of the conditions of all recipients of assistance shall be made annually or more often as deemed to be necessary, and in case the condition of a recipient is found to have changed the amount of the assistance shall be increased, modified or discontinued as the changed conditions may warrant.

Annual re-investigation.

SEC. 13. *Right of Appeal.* Any blind applicant for or recipient of financial assistance who is dissatisfied with the action of the Division for the Blind regarding his application for benefit under this act may appeal to the local administrative board, if not satisfied an appeal may be made to the Director of Social Security, and upon such appeal shall be granted a further hearing. Written notice shall be given of the date and place of such hearing. The opportunity shall be given to present all facts with supporting evidence which bear upon the eligibility for assistance. The claimant and the Division for the Blind shall be duly notified of the decision which

Right of appeal.

shall be deemed to be the final decision, unless within ten days further appeal is initiated showing pertinent facts not filed at the time of hearing. In such instances the Director if he deems the facts to have a bearing upon the decision shall give written notice of rehearing.

Recipient of old age assistance not eligible.

SEC. 14. *Recipient of Old Age Assistance Not Eligible.* No assistance shall be given under the provision of this act to any individual for any period with respect to which he is receiving aid under chapter 182, Laws of 1935, of the State of Washington, or any acts amendatory thereof or supplemental thereto.

Fraudulent claim a misdemeanor.

SEC. 15. *Fraudulent Claim a Misdemeanor.* Any person who shall knowingly or wilfully procure or attempt to procure, directly or indirectly, any allowance for assistance under this act, for or on account of a person not entitled thereto, or who shall knowingly or wilfully pay or permit to be paid any allowance to a person not entitled thereto, shall be guilty of a misdemeanor.

Recovery from recipient.

SEC. 16. *Recovery from a Recipient.* 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.

Rules and regulations.

SEC. 17. *Rules and Regulations.* The Director of the Department of Social Security shall have the

power to make rules and regulations and take such action as may be necessary or desirable for carrying out the provisions of this act.

SEC. 18. *Cooperation with Federal Government.* The Department of Social Security is hereby empowered and authorized to cooperate with the Federal Social Security Board, created under the Social Security Act, approved August 14, 1935, and the United States office of Education in the administration of the Sheppard-Randolph Act approved June 20, 1936, in any reasonable manner as may be necessary to qualify for Federal assistance to the needy blind in conformity with the provisions of these acts; including the making of such reports in such form and containing such information as the Federal government may from time to time require, and comply with such provisions as the Federal government may from time to time find necessary.

Cooperation
with Federal
government.

SEC. 19. *Division May Receive Gifts.* The Department of Social Security through its Division for the Blind is authorized to receive monies by gifts or bequest and expend the same for any of the objects and purposes set forth under this act; and shall include in the annual report to the Director of Social Security a statement of the monies so received and expended.

Division may
receive gifts.

SEC. 20. *Report of Division.* The Supervisor of the Division for the Blind shall make a detailed report to the Director of Social Security within ninety days after the first of each calendar year showing all appropriations received and how the same have been expended, and covering its activities and accomplishments for the preceding year, and making recommendations therein for the further improvement of the condition of the blind and the prevention of blindness in the state.

Report of
division.

SEC. 21. *Validity.* If any portion of this act shall be declared unconstitutional, such declaration shall

Partial
invalidity.

not affect the validity of the remaining portions of this act, which shall remain in force as though such declaration had not been made.

Conflicting
acts
repealed.

SEC. 22. *Repeal.* Chapter 102, Laws of 1933, and chapter 106, Laws of 1935, and all acts or parts of acts in conflict herewith, are hereby repealed.

Effective
April 1, 1937.

SEC. 23. *Effective Date.* This act is necessary for the immediate preservation of public peace, health and safety and shall take effect April 1, 1937.

Passed the Senate March 1, 1937.

Passed the House March 9, 1937.

Approved by the Governor March 15, 1937.

CHAPTER 133.

[S. B. 154.]

CHATTEL MORTGAGES AND CONDITIONAL SALES CONTRACTS.

AN ACT relating to chattel mortgages and contracts of conditional sales of personal property or leases thereof; prescribing the mode of satisfaction or release thereof; imposing a penalty and amending section 8 of chapter XCVIII of the Session Laws of 1899 (Remington's Revised Statutes, section 3787) and adding thereto three new sections to be known as sections 9, 10 and 11 (Remington's Revised Statutes, sections 3787-1, 3787-2 and 3787-3).

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

Amends
§ 3787 Rem.
Rev. Stat.
(§ 9766 P. C.)

SECTION 1. Section 8 of chapter XCVIII of the Session Laws of 1899 (Remington's Revised Statutes, section 3787) is hereby amended to read as follows:

Certificate of
satisfaction.

Section 8. Whenever any mortgage or contract of conditional sale of personal property or lease thereof, which has been filed or recorded with the county auditor, has been paid, or the conditions thereof satisfied, the mortgagee, or vendor, or his