

## CHAPTER 33

## AN ACT

[H. B. 1]

Relating to Old Age Assistance, increasing maximum benefits thereunder; and amending Sections 51-2-51, 51-2-58, 51-2-64, 51-2-65, 51-2-66, Alaska Compiled Laws Annotated 1949, and declaring an emergency.

*Be it enacted by the Legislature of the Territory of Alaska:*

Section 1. That Section 51-2-51 Alaska Compiled Laws Annotated 1949 is hereby amended to read as follows:

Sec. 51-2-51. PERSONS ENTITLED TO ASSISTANCE: LIMITATION OF AMOUNT. Financial assistance, so far as practicable under the conditions in this Territory, shall be given under this Act to any aged, needy resident of the Territory who is a citizen of the United States and who has resided in the Territory for five (5) years during the nine (9) years immediately preceding the date of application, who has attained the age of 65 years and who has not made a voluntary assignment or transfer of property for the purpose of qualifying for such assistance, shall be eligible to apply for and receive old-age assistance under this Act. Such assistance granted shall be in such amount as will provide the applicant with a reasonable subsistence compatible with decency and health, but shall in no case exceed the rate of \$80.00 per calendar month, provided, that if any person given an allowance under the provisions hereof shall apply for admittance to and shall be admitted to the Alaska Pioneers' Home or any

Residence  
required.

Maximum  
benefits.

public institution, any allowance granted hereunder shall be suspended during the time such person shall be an inmate of the Home or any other public institution, and any inmate of the Home or other public institution, who is eligible to receive an allowance under the provisions hereof may at any time make application for such allowance in lieu of the support and maintenance provided for him or her in such Home or other public institution.

Section 2. That Section 51-2-58 Alaska Compiled Laws Annotated 1949, is hereby amended to read as follows:

Sec. 51-2-58. RECOVERY AND DISPOSITION OF ALLOWANCES IMPROPERLY GRANTED. Should it be ascertained by the Board that any old-age allowance has been improperly granted, an investigation shall be made, and if it appears as a result of such investigation that such assistance was improperly granted, it may cancel the allowance and notify the recipient to that effect, and the Territory shall have cause of suit or action against such person who has received such improper allowance, which action shall be instituted in the name of the Territory by the Attorney General to recover the amount paid to such person, with interest thereon, together with the necessary costs of such suit or action. The United States shall, if it so requires, be reimbursed out of such money on a pro-rata basis in proportion to the amount it has expended in such case, and the remaining amount shall be paid to the Territorial Treasurer for the Old Age Assistance Fund.

Recovery of  
improper  
payments.

Section 3. That Section 51-2-64 Alaska Compiled Laws Annotated 1949, is hereby amended to read as follows:

Sec. 51-2-64. AMOUNT OF ASSISTANCE AS CLAIM AGAINST RECIPIENT AND HIS ESTATE: PRO RATA DISBURSEMENT OF COLLECTIONS. The total amount paid in assistance to any recipient shall constitute a claim against such recipient and his or her estate. On the death of a person receiving assistance the total amount paid as assistance shall be allowed by the Court having jurisdiction over such estate, and when collected, the United States shall, if it so requires, be reimbursed out of such money on a pro-rata basis in proportion to the amount it has expended in such case, and the remaining amount shall be paid to the Territorial Treasurer for the Old Age Assistance Fund.

Section 4. That Section 51-2-65 Alaska Compiled Laws Annotated 1949, is hereby amended to read as follows:

Sec. 51-2-65. PROPERTY OF RECIPIENT: PLEDGE: FORECLOSURE. The Board may, in its discretion, require as a condition of granting financial assistance that the property of any recipient, except personal property to the amount of \$200.00, of such assistance be pledged as a guarantee for the reimbursement of the funds so granted and any instrument executed by such recipient, pledging such property, shall be made to the Board to be held by it for the Territory granting such relief. The Territory shall have the right to a lien against all the property of the recipient, except personal property to the amount of \$200.00, in an amount equal to that expended for his benefit, from and after the filing of a claim of lien in the office of the Recorder for the district in which said property is possessed or is located, par-

Reimbursement  
to United States  
and Territory.

Exemption.

Lien right of  
Territory.

ticularly describing the property. Suit to foreclose such a lien shall be instituted within six months after the cessation of assistance or as soon thereafter as possible. From and after the lien attaches, such property shall not be sold without the consent of the Territory, in which event the lien, if not satisfied by the purchasers, shall not be lost, nor shall the augmentation of the amount of the lien in proportion to expenditures made on behalf of the recipient, cease. Provided, that claim of lien shall be filed only in such cases as the Board, in its discretion, may deem proper. If the United States so requires, it shall be reimbursed out of the money realized upon such security on a pro-rata basis in proportion to the amount it has expended in behalf of the recipient in question, and the remaining amount shall be paid to the Territorial Treasurer for the Old Age Assistance Fund.

Foreclosure.

Section 5. That Section 51-2-66 Alaska Compiled Laws Annotated 1949, is hereby amended to read as follows:

Sec. 51-2-66. ACTION AGAINST PERSON LIABLE FOR CARE OF RECIPIENT: DISPOSITION OF AMOUNT RECEIVED. If at any time during the continuance of any allowance the Board ascertains that any one liable for the support of the recipient of such assistance is able to provide the necessary care and support of such recipient, and such person so liable for the care and support of such recipient fails or refuses to support and care for such recipient, then there shall exist a cause of suit or action for such assistance against the person or persons liable therefor, which said suit or action shall be brought in the name of the Territory by the Attorney General against such person or

Recovery by  
Territory.

persons so liable for the recovery of the amount of money, with interest thereon, paid to such recipient, together with the costs and disbursements of such suit or action. The United States shall, if it so requires, be reimbursed out of such money so collected on a pro-rata basis in proportion to the amount it has expended in such case, and the remaining amount shall be paid to the Territorial Treasurer for the Old Age Assistance Fund.

Section 6. An emergency is hereby declared to exist and following its passage and approval this Act shall be in full force and effect as of May 1, 1949.

Emergency  
clause.

Approved March 9, 1949.

---

## CHAPTER 34

### AN ACT

[H. B. 8]

Pertaining to Employer-Employee relationships; to amend Secs. 43-1-5 and 43-2-11, Alaska Compiled Laws Annotated, 1949, regarding powers of Commissioner of Labor, and detailing procedure for collection of wage claims; and repealing Sec. 43-1-8 and Secs. 43-4-1 to 43-4-7 inc. Alaska Compiled Laws Annotated, 1949.

*Be it enacted by the Legislature of the Territory of Alaska:*

Section 1. Section 43-1-5, Alaska Compiled Laws Annotated, 1949, is hereby amended to read as follows:

Section 43-1-5. In addition to administering and enforcing the provisions of this Act, the