

in the employ of the Territory by employees of the Territory shall be covered by the agreement; and,

Section 2. EMERGENCY CLAUSE. An emergency ^{Emergency clause.} is hereby declared to exist, and this Act shall be effective immediately upon its passage and approval.

Approved March 26, 1951.

CHAPTER 126

AN ACT

[S. B. 60]

Relating to providing Aid to the Blind; establishing eligibility factors and amount of assistance; providing penalties; and fixing an effective date.

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

Section 1. DEFINITIONS. As used in this Act:

Definitions

(a) "Welfare Department" means the Department of Public Welfare created by Chapter 3, Extraordinary Session Laws 1937 (51-1-1—51-1-5 ACLA 1949).

(b) "Needy blind resident" means any needy blind ^{Needy blind resident.} person 18 years of age or over, who has resided in the Territory for five (5) out of the last nine (9) years immediately preceding application for assistance, or who has lost his or her vision while a resident of the Territory.

(c) "A blind person" is one who has no vision or ^{Blind person} whose vision is so defective as to prevent the perform-

ance of ordinary activities for which eyesight is essential.

Assistance.

(d) "Assistance" means monthly money payments to or on behalf of a needy blind resident.

Section 2. ELIGIBILITY FOR ASSISTANCE.

Eligibility.
for
assistance.

Financial assistance, so far as practicable under the conditions in this Territory, shall be given under this Act to any needy blind resident of the Territory who is found eligible under rules and regulations established by the Board of Public Welfare. All rules and regulations and amendments as shall be made by the Board shall be made available to all interested persons. However, no application for Aid to the Blind shall be approved until a physician skilled in diseases of the eye or a registered Optometrist, whichever the individual may select, shall have examined the applicant and shall have certified his findings in the manner and form required by the Welfare Department.

Application.

Section 3. APPLICATION FOR ASSISTANCE. Any person requesting assistance shall make application therefor, either for himself or by another in his behalf, upon forms furnished and under the rules and regulations provided by the Welfare Department.

Amount.

Section 4. AMOUNT OF ASSISTANCE. The amount of assistance which shall be granted for any needy blind person shall be determined by the Welfare Department with due regard to the resources and necessary needs of the person, and the conditions existing in each case, and shall be sufficient to provide the applicant with reasonable subsistence compatible with decency and health, and according to Standards of Assistance established by the Welfare Department, but shall in no case exceed the rate of \$80.00 per month.

Section 5. RESIDENCE IN INSTITUTIONS. No pay-^{Residence}ment under the provisions of this Act may be made toⁱⁿ or in behalf of any individual who is an inmate of the^{institutions.} Alaska Pioneer's Home or any other public institution (except as a patient in a public medical institution) or any individual (a) who is a patient in an institution (either public or private) for tuberculosis or mental diseases, or (b) who has been diagnosed as having tuberculosis or psychosis and is a patient in a medical institution as a result thereof.

Any inmate of the Alaska Pioneer's Home or other institution may at any time he wishes to leave the institution make application for assistance under this program in lieu of the support and maintenance provided in such Home or institution.

Section 6. INVESTIGATION OF APPLICANT. Whenever the Welfare Department receives an application for Aid to the Blind, an investigation shall be made promptly to determine the applicant's eligibility according to the rules of the Board of Public Welfare.^{Investigation.}

Section 7. GRANTING OF ASSISTANCE: PAYMENTS. Upon the completion of its investigation, the Welfare Department shall decide whether the applicant is eligible for and should receive assistance under the provisions of this Act, the amount thereof, and the date on which the assistance shall begin. The Welfare Department shall notify the applicant of its decision.^{Payment of assistance.}

Section 8. APPEAL. Any applicant whose application is not acted upon, is denied, discontinued, or modified by the Department shall be granted an opportunity for fair hearing before a representative of the Welfare Department duly appointed for that purpose; such hearing shall be granted and shall be held within a reasonable time after demand therefor has been made; provided, however, that where a representative is designated to^{Appeal.}

conduct such hearing said representative shall be governed by the rules and regulations prescribed for that purpose by the Welfare Department.

Payment
to
guardian.

Section 9. PAYMENT WHEN RECIPIENT INCAPACITATED. Whenever it shall be ascertained that any person receiving assistance is incapable of taking care of himself or herself or of the funds granted hereunder, the Welfare Department may direct the payment thereof to his or her legally appointed guardian for his or her benefit.

Review
of
grants.

Section 10. REVIEW OF ELIGIBILITY. All assistance granted under the provisions of this Act shall be reconsidered by the Welfare Department as frequently as it may deem necessary. After such further investigation, the amount of assistance may be changed or assistance may be entirely withdrawn if the Welfare Department finds that the circumstances have changed sufficiently to warrant such action.

Exemption
from
process.

Section 11. ASSISTANCE INALIENABLE AND EXEMPT FROM PROCESS. All assistance granted under the provisions of this Act shall be inalienable by any assignment or transfer and shall be exempt from garnishment, levy, or execution under the laws of this Territory.

Claim
against
estate.

Section 12. AMOUNT OF ASSISTANCE AS CLAIM AGAINST RECIPIENT AND HIS ESTATE. 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.

Section 13. ACTION AGAINST PERSON LIABLE FOR CARE OF RECIPIENT. If at any time during the

continuance of any allowance the Welfare Department ascertains that anyone 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 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 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.

Section 14. RECOVERY AND DISPOSITION OF ALLOWANCES IMPROPERLY GRANTED. Should it be ascertained by the Welfare Department that any Aid to the Blind 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, the Welfare Department 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 may 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.

Recovery
of
improperly
granted
aid.

Section 15. PENALTY FOR FRAUDULENTLY OBTAINING ASSISTANCE. Any person who by means of any knowingly false statement or representation or impersonation, or other fraudulent device, obtains or attempts to obtain or aids or abets any person to obtain (1) any assistance to which he or she is not entitled, (2) greater assistance than that to which he or she is entitled, or (3) payment of any forfeited grant or al-

Fraud in
obtaining
assistance.

lowance; or aids and abets in buying or in any way disposing of the property of the recipient of assistance for the purpose of avoiding any liability for the assistance granted, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished as provided in Section 16 hereof.

Penalties.

Section 16. VIOLATIONS: MISDEMEANOR: PENALTY. Any person violating any of the provisions of this Act shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not to exceed \$500.00 or by imprisonment in the Federal Jail not to exceed six months, or by both such fine and imprisonment.

Section 17. EFFECTIVE DATE. This Act shall take effect September 1, 1951.

Approved March 26, 1951.

CHAPTER 127

AN ACT

[S. B. 43]

To authorize the Alaska Department of Fisheries to use its employees and to hire special hunters to kill and destroy hair seals, sea lions, and other fish predators; defining violations and prescribing penalties; making an appropriation; and declaring an emergency.

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

Predator
hunters.

Section 1. The Alaska Department of Fisheries shall have the authority to cause its employees and special