

CHAPTER 90

BLIND
RELIEF OF ADULT BLIND

(Initiated by Petition under the Initiative and Referendum)

AN ACT

FOR THE RELIEF OF THE ADULT BLIND.

Be It Enacted by the People of the State of Colorado:

Commission
created

Section 1. There is hereby created a commission to be known and designated as the Blind Benefit Commission.

Terms of office

Section 2. The said Commission shall be composed of three members, namely the Auditor of State and the Superintendent of Public Instruction, ex-officio, together with one other member to be appointed by the Governor for a term of two years and until his successor is appointed and qualified; *provided, however*, that no superintendent or other officer or employe of any state institution shall be appointed as a member of said Commission.

Salary and ex-
penses

Section 3. The Auditor of State and Superintendent of Public Instruction shall receive no compensation for the services required of them in the discharge of their respective duties as members of the Commission under this act. The third member of said Commission, appointed by the Governor, shall act as secretary of said Commission, and shall receive as compensation the sum of \$300.00 annually, and each member shall be entitled to receive his necessary traveling and incidental expenses, to be paid out of the Blind Benefit Fund.

Section 4. The Commission shall organize by the selection of one of its members as president, who shall serve as such until the next annual meeting and until his successor is duly qualified. The Commission shall make all needful rules and regulations for the discharge of its duties in accordance with the provisions of this act.

Organization

Power to make rules

Section 5. The Commission shall meet at the office of the Auditor of State on the fourth Tuesday in January of each year, and, on the call of the secretary, at such other times and places within the state as may be necessary and examine carefully allowing or disallowing or continuing for further evidence or information, all applications filed under this act as hereinafter provided.

Meetings

Section 6. No male under the age of twenty-one years, and no female under the age of eighteen years, and no persons who are charges of any charitable institution of this state or of any county or city therein, and no persons having an income through earnings or otherwise, of more than three hundred and sixty dollars (\$360.00) per annum, and no persons who have not resided within the State of Colorado continuously for three consecutive years and in their respective counties for two consecutive years before applying for relief hereunder, shall be entitled to the provisions of this act; *provided, however*, that the removal of any person receiving benefit hereunder from one county to another county within the state, shall not work a forfeiture of such relief, but the person benefited shall receive the relief from the county to which he has removed as though he had been a resident of such county when the relief was originally granted.

When relief is not granted

Removal to another county

Section 7. Each person claiming the benefit provided herein shall file with the County Clerk and Recorder of his county an application, accompanied by an affidavit of the facts which bring him or her within the provisions of this act. Moreover, two citizens, residents of that county, shall be required to make affidavit as to residential and other

Application for benefit—affidavit

qualifications of the applicant required by this act. The County Clerk and Recorder shall immediately refer the application to the county physician of that county for examination.

Examination of applicants

Section 8. It shall be the duty of said county physicians, without delay, to examine the applicant referred to him by the County Clerk and Recorder and to endorse on the application a statement subscribed to by him, showing the condition of said applicant's eyesight. Said county physician shall keep a record in which he shall enter the facts contained in each certificate. He shall be paid from the county treasury for his services the sum of two dollars for each applicant so examined.

Compensation of physician

Certify application

Section 9. The County Clerk shall register the name, address and number, and date of examination of each applicant. He shall then certify to the Commission the application, together with the affidavits and the county physician's certificate of examination, together with any further information or evidence in his possession.

Record to be kept

Section 10. The Commission shall, as soon as practical, consider said application, requiring any other or further evidence necessary for a proper determination of the case, and shall maintain a complete and permanent record of each case.

Amount of relief

Section 11. If the Commission be satisfied that the applicant is blind or practically blind and is otherwise qualified for relief hereunder, it shall fix the amount in such sum as it finds necessary, considering the circumstances of the applicant, not to exceed three hundred dollars (\$300.00) per annum, and shall certify its findings to the County Clerk and Recorder of the county from which the application was received. Such relief so allowed shall be payable quarterly on the first of January, April, July and October by warrant properly drawn by the County Commissioners on the county treasury of the county in which the appli-

Relief, when payable

cant resides. Such relief shall be in lieu of all other relief of a public nature.

Section 12. It shall be the duty of the Board of County Commissioners of each county, including the proper officer or officers of the City and County of Denver to appropriate from time to time such sums as may be necessary to carry out the provisions of this act.

County makes appropriations

Section 13. The Blind Benefit Commission shall, on or before the first day of October of each year, certify to the State Board of Equalization an amount of money equal to one-half of the total amount necessary or required to be paid out by all the counties in reliefs and expenses arising under this act. The State Board of Equalization shall, at the time of making the general levy for state purposes, levy a sufficient sum to produce the amount so certified, together with the salary and necessary expenses, not to exceed six hundred dollars (\$600.00), of the Blind Benefit Commission, which tax, when collected, shall be known as the Blind Benefit Fund, and the same is hereby appropriated as a continuing appropriation for the purpose of carrying out the provisions of this act.

Commission certify amount

Tax levy provided

Continuing appropriation

Section 14. The Board of County Commissioners of each county shall, on or before November 30th of each year, certify to the Blind Benefit Commission the sum or sums of money paid out under the provisions of this act during the preceding twelve months. Whereupon the Blind Benefit Commission shall draw its voucher in favor of each respective county, in a sum equal to one-half of the total amount so paid out by each county, and the Auditor of State shall draw warrants on the Blind Benefit Fund of the state in payment thereof.

Commission draw vouchers

Section 15. If the Blind Benefit Commission, in the examination of the qualifications of any person filing a claim for relief hereunder, or of any person who may have been allowed relief by such Commission, shall determine upon the evidence of a registered physician and surgeon, that such person or persons making such claim or already

When benefit may be used for payment of operation

receiving relief, may have such disability benefited or removed by proper surgical operation or medical treatment, and such person files his consent in writing thereto, then the Blind Benefit Commission may direct that there be expended for the purpose of such surgical operation or medical treatment, all or any portion of the relief which the Commission may award or may have awarded to such person for one year under the provisions of this act, and in such case shall direct the payment of the sum so determined to the person or persons entitled to pay for such surgical operation or medical treatment, instead of to the applicant.

Commission
may change
amount or dis-
continue

Section 16. The Blind Benefit Commission may at any time during the year inquire into the qualifications and examine as to the disability and needs of any person, theretofore awarded relief, and in case said Commission finds that any person is not qualified to draw further relief, or that such disability has been removed in whole or in part, then said Commission may at any time modify or change the amount theretofore awarded, or discontinue relief entirely.

False state-
ments deemed
perjury

Section 17. Whoever, to secure for himself or another the benefits provided in this chapter, makes a false statement, shall be deemed guilty of perjury, and upon conviction punished accordingly.

Submitted to People at General Election held November 5, 1918. Approved by 131,469 votes "Yes" to 9,440 votes "No."