

CHAPTER 81.

[H. B. 72.]

APPROPRIATION FOR RELIEF OF CITIES AND TOWNS.

AN ACT making an appropriation of two million dollars (\$2,000,000) for the relief of cities and towns; prescribing a method for determining the beneficiaries of the appropriation and method and purpose of disbursement; and declaring that this act shall take effect immediately.

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

SECTION 1. There is hereby appropriated out of the General Fund of the State Treasury the sum of two million dollars (\$2,000,000) for relief of the incorporated and chartered cities and towns of the state, said monies to be paid as hereinafter specified:

Appropriation for relief of cities and towns.

(a) One million dollars (\$1,000,000) of said sum shall be paid to the chartered and incorporated cities and towns of the state on the basis of the 1940 Federal census in the proportion that the population of each city and town bears to the population of all chartered and incorporated cities and towns; and of said sum five hundred thousand dollars (\$500,000) shall be paid to such cities and towns on or before April 1, 1943, and five hundred thousand dollars (\$500,000) on or before January 1, 1944.

Apportionment of funds.

(b) One million dollars (\$1,000,000) of said sum, less expenses provided for in section 2 hereof, shall be paid to chartered and incorporated cities and towns of the state in which there has been an increase in population of three per cent (3%), or more, over the population of the official Federal census of 1940. The distribution of and payment of said one million dollars (\$1,000,000) to those cities and towns having such three per cent (3%) increase in population shall be in the direct proportion that the increase in population of each thereof bears to the total increase of population of all such cities and

towns. Payments under this subsection shall be made in four semi-annual installments, beginning April 1, 1943.

Census board to determine increase.

Membership of board.

Chairman.

Members to receive per diem.

Board may employ help.

May deduct cost.

SEC. 2. The question of whether any city or town has had an increase in population sufficient to entitle it to participate in the funds allocated by subsection (b) of section 1 hereof shall be determined by a fact finding board, to be designated as the census board, to consist of three (3) members, one of whom shall be a member of the faculty of the University of Washington, appointed by the president thereof, one a member of the faculty of the Washington State College, appointed by the president thereof, and one a member, or the executive secretary, of the Washington State Planning Council to be appointed by said council. In case of vacancy, a successor shall be appointed by the same authority and from the same group as is herein provided for the original appointment. The census board shall elect one of its members as chairman, who shall preside over meetings of the board, and when authorized by the board shall approve vouchers for warrants to cover expenditures of the board under this act. The members of the board shall receive no salary, but shall receive a per diem of ten dollars (\$10) per day, (which shall be additional to any other salary paid said members) for each day spent in the performance of the duties imposed by this act, plus actual and necessary traveling expenses. The board is empowered to employ any clerical assistance necessary. The per diem and expenses of the board herein authorized shall from time to time be paid out of the funds appropriated by subsection (b) of section 1 hereof upon vouchers and warrants in the usual manner: *Provided*, That as such expenses are paid the amount thereof shall be deducted from the next payment due cities and towns hereunder.

SEC. 3. On or before the 15th day of March, 1943, the census board shall determine the cities and towns qualified to participate in the appropriation made by subdivision (b) of section 1 and shall also fix in numbers the amount of the increase in population over the 1940 Federal census of each of such cities or towns as of the first day of March, 1943, and shall, on or before March 15, 1943, certify to the State Auditor the names of the cities and towns and numbers of population increase for each according to its determination. The census board shall make a like determination and certificate for the State Auditor on or before the 15th day of each succeeding six months period. In fixing the number of the increased population as herein provided, the census board may consider statistics of any rationing program of the Federal Government, the state sales tax collections, or any other factors which will reflect increased or decreased population. The State Tax Commission and any other state official or department shall upon request of the board furnish such information or aid and assistance as may be required by the board in performance of its duties. The action of the board shall be final and conclusive.

Date of determination.

Certify to State Auditor.

Manner of determination.

Action final.

SEC. 4. Any incorporated city or town not included in the 1940 Federal census shall be entitled to participate in the benefits of the appropriations made and payments directed by this act on the basis of the official population established in the incorporation proceedings; and such population figure shall be used by state officials for determining amounts payable under subdivision (a), section 1, and by the census board in determining whether any such city or town has had an increase in population, and the extent thereof, to entitle it to participate in the appropriations and payments under subdivision (b), section 1.

New incorporations included.

SEC. 5. The State Auditor, upon the filing with him of the certificate of the board as herein pro-

Auditor to issue warrants.

vided, shall make the computation as to the amounts payable to the respective cities and towns under subsection (b), section 1, and shall prepare, and the State Treasurer shall honor all warrants necessary to effectuate the disbursements herein authorized.

Treasurer shall honor.

"State Aid Fund" created.

Cities to expend.

Budget waiver.

SEC. 6. All monies paid to any city or town under the provisions of this act shall be placed in a city fund to be designated as the "State Aid Fund." The monies in said fund shall be expended through the usual fiscal officers as directed by the legislative authority of the city or town, as agents of the state, but shall only be expended for salaries and wages, supplies, material and equipment for police and fire protection, health and sanitation, libraries, parks, and civilian defense, all of which are hereby recognized as, and declared to be state purposes. During the calendar year 1943 expenditures of monies herein provided may be made without regard to budget laws, but expenditures during 1944 and 1945 shall be provided for and made in accordance with the budget laws.

Delayed payments authorized.

SEC. 7. If for any reason it is legally impossible to make any payments herein required within the time specified, the delayed payments shall be made as soon as practicable after removal of reason for failure to make payment.

Validity preserved.

SEC. 8. If any section, clause or part of this act, or the purposes of any particular appropriation, is adjudged invalid, such invalidity shall not affect any other part or purpose of appropriation not adjudged invalid.

Effective immediately.

SEC. 9. 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 House February 18, 1943.

Passed the Senate March 4, 1943.

Approved by the Governor March 10, 1943.