

reproduces the human voice or aids or abets either directly or indirectly in such broadcast or reproduction shall be chargeable with the publication of any matter so disseminated: *Provided*, That in any prosecution or action for libel it shall be an absolute defense if the defendant shows that the matter complained of was published without his knowledge or fault and against his wishes by another who had no authority from him to make such publication and was promptly retracted by the defendant with an equal degree of publicity upon written request of the complainant.

Passed the House March 8, 1935.

Passed the Senate March 7, 1935.

Approved by the Governor March 20, 1935.

CHAPTER 118.

[S. H. B. 584.]

EMERGENCY UNEMPLOYMENT RELIEF.

AN ACT providing for emergency unemployment relief; defining the powers and duties of the department of public welfare in relation thereto and providing for the administration of such relief by the director of public welfare subject to the supervision and control of the governor; providing funds for such relief; making appropriations and declaring its effective date.

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

Provision
for.

SECTION 1. Economic conditions which led to the enactment of chapters 8 and 65, Laws of 1933, have not improved to such an extent as to warrant abandonment of emergency unemployment relief. Either the state or its political subdivisions, acting independently or together, must provide means of alleviating distress and suffering brought about by continued unemployment. The financial ability of

local subdivisions under existing conditions has been exhausted. It remains, therefor, for the state, acting through a centralized agency, to undertake and carry forward a program of emergency relief during the ensuing biennium. The furnishing of such relief is hereby declared to be a matter of state concern and necessary to the preservation of the public peace, health and safety.

SEC. 2. It shall be the duty of the state to provide for the relief of the unemployed. Such relief shall be administered by the department of public welfare, through and by means of the division of relief, which agencies shall at all times be subject to the supervision and control of the governor.

Administered
by depart-
ment
public
welfare.

SEC. 3. Disbursements under this act shall be made to the end of relieving unemployed persons and their families or dependents by furnishing them with means of support compatible with health, decency and self-respect. Such relief may, in the discretion of the director, with the approval of the governor, be granted either as direct relief or as work relief, or for reconstruction and rehabilitation purposes including the establishment, maintenance and operation of self-help cooperatives, as defined by the Federal Emergency Relief Administration Manuals SH-1 and SH-10, Division of Self-Help Cooperatives. Such cooperatives shall be given preference and their formation encouraged and developed as rapidly as may be practical. The director, with the approval of the governor, shall determine the amount and nature of relief to be granted in all cases, taking into consideration the facts and circumstances of each case.

Relief of.

Manner of
relief.

Director
shall
determine.

SEC. 4. The director of public welfare shall establish such branch offices and create such subordinate agencies throughout the state as may be necessary to secure the efficient administration of the

Creation of
branch
offices.

provisions of this act. For the purpose of such administration the director may divide the state into relief districts, and, if necessary, he shall be empowered to employ existing county or local agencies in order more effectively to provide for the carrying out of the purposes of this act.

Federal funds.

SEC. 5. The department of public welfare shall be the responsible state agency for the expenditure of such federal funds as may be allocated to this state for public relief. Such expenditures, however, shall be subject to allotment of the governor. In the expenditure of funds allocated to this state by the federal government for relief purposes, the director shall comply with all provisions of federal law and the rules and regulations of the Federal Emergency Relief Administration or such other agency of the federal government as may have authority in the premises. He shall make all such reports and render such accounting to the appropriate federal authority as may be required in connection with federal grants. The state auditor shall audit at least twice each year the books, records and affairs of the department and such audits shall be construed to be public records.

Allotted by governor.

Shall make report.

Audit by state auditor.

Shall cooperate with federal government.

SEC. 6. The department of public welfare shall cooperate to the fullest possible extent with the emergency relief program of the federal government, and in the administration of this act shall endeavor, in so far as possible, to conform to the practice established by the appropriate federal authority for the administration of federal emergency relief and the disbursement of funds therefor. The department shall be empowered to cooperate with the federal government in the establishment and maintenance of rural rehabilitation projects for the rehabilitation of distressed citizens.

SEC. 7. The department of public welfare shall cause to be made, with the aid of such data as may be available, a thorough and comprehensive study and survey of unemployment within the state, the occupations, industries and trades most seriously affected thereby and the number of persons suffering or in want by reason thereof, and shall also ascertain the extent and nature of public work required or useful to be done by the state or any political subdivision thereof. The department shall have access to the records of any state or local department, board or other agency relating to the subject matter of public relief, and shall be entitled to the cooperation and assistance of each and every officer or employee thereof in carrying out the duties imposed by this act.

Survey of conditions.

Access to records.

SEC. 8. The director of public welfare, subject to the approval of the governor, shall make and enforce such rules and regulations not inconsistent with the provisions of this act as will best promote efficiency and effectiveness in the furnishing of emergency relief. A certified copy of such rules and regulations shall be filed in the office of the secretary of state within 30 days of the taking effect of this act.

Shall make rules.

Copy filed.

SEC. 9. Rules and regulations adopted by the director of public welfare under this act shall have the force and effect of law. The violation of any of the provisions of this act or of any rule of the director of public welfare subsequent to the certification and filing as herein provided shall constitute a misdemeanor and shall be punishable by a fine of not less than \$100 or more than \$1,000, or by imprisonment for not more than one year, or by both such fine and imprisonment. The penalty prescribed by this section shall not be exclusive, and if a rule be not obeyed the director of public welfare may carry

Rules; effect of law.

Violations thereof; misdemeanor.

out its provisions by the exercise of any power conferred by this act.

Shall succeed to powers granted by ch. 8, Laws of 1933.

SEC. 10. The department of public welfare shall succeed to all the powers and duties vested in and required to be performed by the emergency relief administration and the director of such administration under the provisions of chapter 8, Laws of 1933, but the transition effected by this act shall not be construed in any way to affect, impair or invalidate any act or proceeding of any officer or employee under the provisions of said chapter 8, Laws of 1933. The director of public welfare shall, among other things, succeed to the position heretofore held, and the duties exercised, by the director of the emergency relief administration with respect to the Washington rural rehabilitation corporation.

Emergency fund established; shall consist of.

SEC. 11. There is hereby established in the state treasury a special fund to be known as the state emergency relief fund which shall consist of (a) such moneys as remain unexpended in the state emergency relief fund created by chapter 8, Laws of 1933, on May 1, 1935, which unexpended portion of said fund is hereby transferred as of such date to the state emergency relief fund created by this act, (b) such moneys as may be allocated to the state emergency relief fund under the provisions of the revenue act or acts of 1935, (c) transfers from the general fund as provided by section 12 of this act and (d) such other moneys as may be provided by law: *Provided*, That the transfer effected by subdivision (a) of this section shall not disturb the status quo of any allotment heretofore made for any project or improvement, of moneys in the state emergency relief fund created by chapter 8, Laws of 1933, and any such allotment shall continue in the fund created by this act until expended or until revoked, altered or modified by the proper authority.

Projects heretofore allotted for.

SEC. 12. Whenever during the biennium ending March 31, 1937, the balance remaining in the state emergency relief fund shall prove insufficient to meet the requirements for emergency unemployment relief, the governor is hereby authorized, by formal order, to direct the transfer of sufficient moneys from the general fund to the said state emergency relief fund to make up the deficiency; but no such transfer shall be authorized which will cause the total obligations chargeable to the state emergency relief fund for said biennium to exceed the appropriation made by section 13 of this act, and any unobligated moneys remaining in the state emergency relief fund at the close of the biennium shall be transferred to the general fund.

Deficiency
in fund.

Transfer
from
general fund.

Transfer to
general fund.

SEC. 13. There is hereby appropriated from the state emergency relief fund created by section 11 of this act the sum of \$10,000,000, or so much thereof as shall be found necessary, for the purpose of carrying out and effectuating the purposes of this act, including the payment of the cost of administration, for the biennium ending March 31, 1937: *Provided*, That expenditures for administration shall be limited to amounts allotted therefor by the governor. So much of this appropriation as may be necessary, to be determined by the governor, shall be allocated to the state emergency relief fund established by chapter 8, Laws of 1933, for emergency relief purposes for the period ending May 1, 1935.

Appropriation.

Administration
expenses
limited.

SEC. 14. The sum of \$1,505,082.60, or as much thereof as shall be found necessary, is hereby re-appropriated out of the state emergency relief fund created by chapter 8, Laws of 1933, and, after May 1, 1935, from the fund created by this act for the purpose of completing payments on uncompleted projects or improvements for which allotments have heretofore been made, the same being the aggregate unexpended balance of the appropriations made by

Appropriation.

chapters 8 and 65, Laws of 1933, as shown by the state auditor's books. No expenditure under authority of this section shall in any event exceed the amount of such unexpended balance.

All valid claims shall be paid.

SEC. 15. All proper and valid claims against the state emergency relief fund created by chapter 8, Laws of 1933, presented for payment after May 1, 1935, shall when duly audited by the state auditor be paid out of the state emergency relief fund created by this act.

Partial invalidity.

SEC. 16. If any clause, sentence, paragraph or part of this act shall for any reason be adjudged invalid or unconstitutional, such adjudication shall not affect, impair or invalidate the remaining portions of the act, but shall be confined in its operation to the clause, sentence, paragraph or part directly involved in the controversy in which such adjudication shall have been made.

When effective.

SEC. 17. This act is necessary for the preservation of the public peace, health and safety, support of the state government and its existing public institutions and, except as to sections 11, 12, 13 and 14, shall take effect May 1, 1935. Sections 11, 12, 13 and 14 of this act shall take effect April 1, 1935.

Passed the House March 9, 1935.

Passed the Senate March 8, 1935.

Approved by the Governor March 20, 1935.