

ditional real estate contiguous to such site without a vote of the district: *Provided further*, That a schoolhouse or other building already built on a site which has been selected by a majority vote of the district shall not be removed to a new site without a two-thirds vote of the district at a regular or special election; nor shall a schoolhouse site that has been selected by a majority vote of the district, but upon which no schoolhouse has been built, be changed except by a two-thirds vote of the district voting at a regular or special election.

**Repeal.**

SEC. 3. Section 9, page 300, Laws of 1909, as last amended by section 1, chapter 289, Laws of 1927, and section 13, page 303, Laws of 1909, as last amended by section 2, chapter 289, Laws of 1927, and RCW 28.63.180 are each repealed.

Passed the House February 13, 1959.

Passed the Senate March 9, 1959.

Approved by the Governor March 17, 1959.

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CHAPTER 170.

[ H. B. 228. ]

UNEMPLOYMENT COMPENSATION—FUNDS.

AN ACT relating to the use of money credited to the account of the state of Washington in the unemployment trust fund by the secretary of the treasury of the United States of America pursuant to section 903 of the social security act, as amended; and amending section 60, chapter 35, Laws of 1945, as amended by section 2, chapter 286, Laws of 1955 and RCW 50.16.010; section 62, chapter 35, Laws of 1945 and RCW 50.16.030; section 64, chapter 35, Laws of 1945, as amended by section 13, chapter 215, Laws of 1947 and RCW 50.16.050; and section 67, chapter 35, Laws of 1945 and RCW 50.16.060.

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

RCW 50.16.010  
amended.

SECTION 1. Section 60, chapter 35, Laws of 1945, as amended by section 2, chapter 286, Laws of 1955

and RCW 50.16.010 are each amended to read as follows:

There shall be maintained as special funds, separate and apart from all public moneys or funds of this state, an unemployment compensation fund and an administrative contingency fund, which shall be administered by the commissioner exclusively for the purposes of this title, and to which RCW 43.01-.050 shall not be applicable. The unemployment compensation fund shall consist of

Unemployment compensation fund—Administrative contingency fund.

(1) all contributions collected pursuant to the provisions of this title,

(2) interest earned upon any moneys in the fund,

(3) any property or securities acquired through the use of moneys belonging to the fund,

(4) all earnings of such property or securities,

(5) any moneys received from the federal unemployment account in the unemployment trust fund in accordance with Title XII of the social security act, as amended,

(6) all money recovered on official bonds for losses sustained by the fund,

(7) all money credited to this state's account in the unemployment trust fund pursuant to section 903 of the social security act, as amended, and

(8) all moneys received for the fund from any other source.

All moneys in the unemployment compensation fund shall be commingled and undivided.

The administrative contingency fund shall consist of all interest on delinquent contributions collected pursuant to this title after June 20, 1953, all fines and penalties collected pursuant to the provisions of this title, and all sums recovered on official bonds for losses sustained by the fund. The amount in this fund in excess of one hundred thousand dollars on the close of business of the last day of each calendar quarter shall be immediately transferred

to this state's account in the unemployment trust fund. Moneys available in the administrative contingency fund shall be expended upon the direction of the commissioner, with the approval of the governor, whenever it appears to him that such expenditure is necessary for:

(a) The proper administration of this title and no federal funds are available for the specific purpose to which such expenditure is to be made, provided, the moneys are not substituted for appropriations from federal funds which, in the absence of such moneys, would be made available.

(b) The proper administration of this title for which purpose appropriations from federal funds have been requested but not yet received, provided, the administrative contingency fund will be reimbursed upon receipt of the requested federal appropriation.

RCW 50.16.030  
amended.

Withdrawals  
from federal  
unemployment  
trust  
fund.

SEC. 2. Section 62, chapter 35, Laws of 1945 and RCW 50.16.030 are each amended to read as follows:

(1) Moneys shall be requisitioned from this state's account in the unemployment trust fund solely for the payment of benefits and repayment of loans from the federal government to guarantee solvency of the unemployment compensation fund in accordance with regulations prescribed by the commissioner, except that money credited to this state's account pursuant to section 903 of the social security act, as amended, shall be used exclusively as provided in RCW 50.16.030 (5). The commissioner shall from time to time requisition from the unemployment trust fund such amounts, not exceeding the amounts standing to its account therein, as he deems necessary for the payment of benefits for a reasonable future period. Upon receipt thereof the treasurer shall deposit such moneys in the benefit account and shall issue his warrants for the payment of benefits solely from such benefit account.

(2) Expenditures of such moneys in the benefit account and refunds from the clearing account shall not be subject to any provisions of law requiring specific appropriations or other formal release by state officers of money in their custody, and section 5501 of Remington's Revised Statutes, as amended, shall not apply. All warrants issued by the treasurer for the payment of benefits and refunds shall bear the signature of the treasurer and the counter signature of the commissioner, or his duly authorized agent for that purpose.

(3) Any balance of moneys requisitioned from the unemployment trust fund which remains unclaimed or unpaid in the benefit account after the expiration of the period for which sums were requisitioned shall either be deducted from estimates for, and may be utilized for the payment of, benefits during succeeding periods, or, in the discretion of the commissioner, shall be redeposited with the secretary of the treasury of the United States of America to the credit of this state's account in the unemployment trust fund.

(4) Money credited to the account of this state in the unemployment trust fund by the secretary of the treasury of the United States of America pursuant to section 903 of the social security act, as amended, may be requisitioned and used for the payment of expenses incurred for the administration of this title pursuant to a specific appropriation by the legislature, provided that the expenses are incurred and the money is requisitioned after the enactment of an appropriation law which:

(a) specifies the purposes for which such money is appropriated and the amounts appropriated therefor,

(b) limits the period within which such money may be obligated to a period ending not more than

Withdrawals  
from federal  
unemployment  
trust fund.

two years after the date of the enactment of the appropriation law, and

(c) limits the amount which may be obligated during a twelve-month period beginning on July 1st and ending on the next June 30th to an amount which does not exceed the amount by which (i) the aggregate of the amounts credited to the account of this state pursuant to section 903 of the social security act, as amended, during the same twelve-month period and the four preceding twelve-month periods, exceeds (ii) the aggregate of the amounts obligated pursuant to RCW 50.16.030 (4), (5) and (6) and charged against the amounts credited to the account of this state during any of such five twelve-month periods. For the purposes of RCW 50.16.030 (4), (5) and (6), amounts obligated during any such twelve-month period shall be charged against equivalent amounts which were first credited and which are not already so charged; except that no amount obligated for administration during any such twelve-month period may be charged against any amount credited during such a twelve-month period earlier than the fourth preceding such period: *Provided*, That any amount credited to this state's account under section 903 of the social security act, as amended, which has been appropriated for expenses of administration, whether or not withdrawn from the trust fund shall be excluded from the unemployment compensation fund balance for the purpose of experience rating credit determination.

(5) Money credited to the account of this state pursuant to section 903 of the social security act, as amended, may not be withdrawn or used except for the payment of benefits and for the payment of expenses of administration and of public employment offices pursuant to RCW 50.16.030 (4), (5) and (6).

(6) Money requisitioned as provided in RCW 50.16.030 (4), (5) and (6) for the payment of ex-

penses of administration shall be deposited in the unemployment compensation fund, but until expended, shall remain a part of the unemployment compensation fund. The commissioner shall maintain a separate record of the deposit, obligation, expenditure and return of funds so deposited. Any money so deposited which either will not be obligated within the period specified by the appropriation law or remains unobligated at the end of the period, and any money which has been obligated within the period but will not be expended, shall be returned promptly to the account of this state in the unemployment trust fund.

SEC. 3. Section 64, chapter 35, Laws of 1945, as amended by section 13, chapter 215, Laws of 1947 and RCW 50.16.050 are each amended to read as follows:

RCW 50.16.050 amended.

There is hereby established a fund to be known as the unemployment compensation administration fund. All moneys which are deposited or paid into this fund are hereby made available to the commissioner. All moneys in this fund shall be expended solely for the purpose of defraying the cost of the administration of this title, and for no other purpose whatsoever. All moneys received from the United States of America, or any agency thereof, for said purpose pursuant to section 302 of the social security act, as amended, shall be expended solely for the purposes and in the amounts found necessary by the secretary of labor for the proper and efficient administration of this title. All moneys received from the United States employment service, United States department of labor, for said purpose pursuant to the act of congress approved June 6, 1933, as amended or supplemented by any other act of congress, shall be expended solely for the purposes and in the amounts found necessary by the secretary of labor for the proper and efficient administration

Unemployment compensation administration fund.

of the public employment office system of this state. The unemployment compensation administration fund shall consist of all moneys received from the United States of America or any department or agency thereof, or from any other source, for such purpose. All moneys in this fund shall be deposited, administered, and disbursed by the treasurer of the unemployment compensation fund under rules and regulations of the commissioner and none of the provisions of section 5501 of Remington's Revised Statutes, as amended, shall be applicable to this fund. The treasurer last named shall be the treasurer of the unemployment compensation administration fund and shall give a bond conditioned upon the faithful performance of his duties in connection with that fund. All sums recovered on the official bond for losses sustained by the unemployment compensation administration fund shall be deposited in said fund. Notwithstanding any provision of this section, all money requisitioned and deposited in this fund pursuant to RCW 50.16.030(6) shall remain part of the unemployment compensation fund and shall be used only in accordance with the conditions specified in RCW 50.16.030 (4), (5) and (6).

RCW 50.16.060  
amended.

Replacement  
of federal  
funds.

SEC. 4. Section 67, chapter 35, Laws of 1945 and RCW 50.16.060 are each amended to read as follows:

The state of Washington hereby pledges that it will replace within a reasonable time any moneys paid to this state under Title III of the social security act, and the Wagner-Peyser act, which, because of any action or contingency, have been lost or have been expended for purposes other than, or in amounts in excess of, those found necessary by the secretary of labor for the proper administration of the Washington employment security act.

Passed the House February 18, 1959,

Passed the Senate March 9, 1959.

Approved by the Governor March 17, 1959.