

CHAPTER 216.

[S. B. 427.]

PUBLIC ASSISTANCE.

AN ACT relating to the care, support and relief of needy persons; defining terms; providing necessary means and procedure for the furnishing of public assistance to such persons; defining need and resources to govern the determination of eligibility of persons to assistance under this act, and fixing the responsibility of certain relatives with respect to support of needy persons; creating and/or defining the powers and duties of certain state and county officers in connection with the administration of public assistance; providing for appeals in certain cases; imposing penalties for violations of the act; providing for the levy of taxes; making appropriations; creating the Washington Welfare Survey Commission, defining its powers and duties and providing for its expenses; repealing chapter 180, Laws of 1937 excepting section 11, and all acts or parts of acts in conflict herewith, and declaring an emergency whereby the act shall become effective April 1, 1939.

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

- Definitions. SECTION 1. For the purposes of this act, unless otherwise clearly indicated by the context:
- "Assistance." The word "assistance" shall mean public aid to persons in need thereof for any cause, and shall include services, direct relief, work relief, medical and institutional care.
- "Budgetary basis." The term "budgetary basis" shall mean a basis taking into consideration an applicant's need and resources, and shall be measured in relation to a basic minimum family budget determined by the department.
- "Committee." The word "committee" shall mean the Social Security Committee created by this act.
- "Department." The word "department" shall mean the Department of Social Security.
- "Director." The word "director" shall mean the Director of the Department of Social Security.
- "Direct relief." The term "direct relief" shall mean payment by cash or voucher to provide the necessities of life to

a person and his dependents, and shall include materials furnished or services rendered for such purpose to such person and dependents in his own home.

The term "Federal-aid assistance" shall mean the specific categories of assistance for which provision is made in the Federal Social Security Act of August 14, 1935, including old-age assistance, aid to dependent children, services to crippled children, child welfare services, other handicapped persons, aid to the needy blind and any other category for which the Federal government provides or for which it may hereafter provide matching funds.

"Federal-aid assistance."

The term "general assistance" shall mean all assistance other than Federal-aid assistance as herein defined: *Provided*, That if Federal matching funds are hereafter made available by act of Congress for any category of general assistance, then and in that event that particular category shall for the purpose of securing the benefit of such matching be considered as Federal-aid assistance.

"General assistance."

The term "grant-in-aid" shall mean an allocation of public funds by the state to counties for public assistance purposes.

"Grant-in-aid."

The term "institutional care" shall mean care provided by counties through hospitals, sanatoria and homes or farms.

"Institutional care."

The term "public assistance" shall mean and include Federal-aid assistance and general assistance.

"Public assistance."

The term "work relief" shall mean wages paid by a body politic or corporate to persons who are unemployed, or whose employment is inadequate to provide the necessities of life to themselves and dependents, out of money specifically appropriated or contributed for that purpose, for the performance of services or labor connected with work undertaken by such body independent of work under contract or for which an annual appropriation is made: *Provided*, That the expenditure of moneys made available for

"Work relief."

assistance purposes under this act in connection with work relief programs shall be limited to the payment of wages exclusively.

In the construction of words and phrases used in this act, the singular number shall include the plural, the masculine gender shall include both the feminine and neuter genders and the present tense shall include the past and future tenses, unless the context thereof shall clearly indicate to the contrary.

State social
security
committee
created.

SEC. 2. There is hereby created a State Social Security Committee to consist of the Governor, the Director of Finance, Budget and Business and a third member to be appointed by the Governor, who shall not be a state officer or employee. The members of the committee shall serve without compensation for their services, but the appointive member shall be entitled to expenses actually incurred in the discharge of his duties which expenses shall be paid out of moneys appropriated to the Department of Social Security. The committee shall have control of the administration of this act and exercise such powers and perform such duties as are prescribed herein.

Personnel
selected
under merit
system.

SEC. 3. The personnel required to carry out the provisions of this act shall be selected under a merit system administered by the Social Security Committee under rules and regulations promulgated by it for that purpose. Such merit system shall be administered on such basis as will serve to comply with the minimum requirements of the Federal government in regard to personnel selection. The committee shall have power to employ sufficient clerical or other assistants to enable it to administer the merit system and to pay such assistants out of moneys appropriated to the Department of Social Security.

County
adminis-
trators.

SEC. 4. The County Commissioners of each county in the state shall appoint a County Administrator who shall have full charge of the administration of all public assistance within the county. Such

appointment shall be made from an eligible list submitted to the County Commissioners by the committee. Upon the appointment of the County Administrator, that officer shall have power to, and shall, employ such assistants, experts and other personnel within the county as may be necessary to carry out the provisions of this act which employment shall be on a merit basis in accordance with the rules and regulations of the committee: *Provided*, That this requirement shall not apply to the filling of non-executive positions. The County Administrator before qualifying shall furnish a surety company bond in such amount as may be fixed by the committee, but not less than \$5,000, conditioned that the administrator will faithfully account for all money and property that may come into his possession or control.

SEC. 5. The care, support and relief of needy persons is hereby declared to be a joint Federal, state and county function. The several counties of the state are hereby charged with the responsibility, by and through their respective Boards of County Commissioners, for the administration of public assistance to such persons; but they shall be subject to state supervision as in this act provided.

Relief of needy declared joint Federal, State and county function.

The state hereby undertakes to make available to the counties from state and Federal funds sufficient moneys to enable the counties to discharge their responsibility with respect to Federal-aid assistance; while the respective counties shall provide funds by means of the county tax, hereinafter required to be levied, to discharge their responsibility for general assistance.

SEC. 6. The Department of Social Security shall serve as the single state agency to supervise the administration of public assistance. The department shall periodically make application for Federal funds and submit such plans, reports and data, as are required by any act of Congress as a condition prece-

State agency duties and powers.

dent to the receipt of Federal matching funds for such assistance. The department, also, shall have power to make and enforce such rules and regulations as shall be necessary to insure compliance with the terms and conditions of public assistance grants. In the event of non-compliance with any such rules and regulations, the department shall have the power and it shall be its duty to take over the administration of public assistance programs in any county involved until compliance shall have been effected, during which time the department shall have power to authorize and approve the expenditure of all public assistance funds within the county.

State agency
may take
over county
adminis-
tration.

County plan.

SEC. 7. To the end that the department's supervision over county administration of public assistance funds may be made effective, it shall be the duty of the Board of County Commissioners of each county in the state to submit to the department, and through the department to the committee, not later than April 1, 1939, a county plan which shall include:

Agreement.

1. An agreement to submit an annual estimate at such time as may be fixed by the committee showing the county's requirements and resources for the ensuing year with respect to all public assistance and plans for the expenditure thereof.

2. An agreement to submit quarterly budgets at least thirty days in advance of each quarterly period showing the requirements and resources of the county with respect to public assistance, together with supporting records and data, based upon past expenditures for such purposes and anticipated demands for further funds.

3. An agreement to comply with the terms of this act respecting the issuance of warrants through the office of the State Auditor.

4. An agreement to keep such records, make such reports and use such blanks and forms as may be prescribed by the committee. Said records, re-

ports, blanks and forms shall not exceed in scope and extent the minimum requirements of the Federal government in respect thereof.

5. An agreement to provide a full and fair hearing to each applicant as provided in this act.

6. An agreement to make available for assistance purposes a sum equal to a three-mill tax levy upon the assessed valuation of its taxable property, together with such miscellaneous revenues as may accrue to the county through the operation of public assistance programs, and to apply such moneys in accordance with uniform standards prescribed by the department and submit quarterly reports of all expenditures for such assistance purposes within the county.

7. A statement of plans for the conduct of investigations of need and the determination of eligibility for the granting of public assistance.

SEC. 8. The County Administrator of each county in the state shall quarterly at least thirty days before the beginning of the new quarter, submit to the director a request for Federal-aid assistance which request shall be accompanied by a budget of estimated necessary expenditures for such assistance purposes within the county for such quarter. Such budget shall state the amount estimated to be needed within the county during such quarter for each category of such assistance and shall show actual expenditures made for such purposes within the county during the elapsed portion of the preceding quarter. The director shall carefully review each budget so submitted and may either approve or revise the same, whereupon each budget together with the approval or revision thereof by the director shall be submitted by him to the Social Security Committee for final approval. If the budget of a county is approved by the committee it shall allocate and set aside to such county in the general fund of

Federal aid
assistance.

the State Treasury an amount equal to the total budget so approved, which shall become available to the county for Federal-aid assistance for the quarter. In the event that the director or the committee deems it necessary, supplementary budget information shall be furnished them by the County Administrator. No county shall obligate its quarterly allocation of Federal-aid assistance funds until its budget is approved by the committee, nor shall a county obligate, from state or Federal funds, any moneys in excess of such quarterly allocation without the approval of the committee. Allocations of state and Federal funds, as in this section provided, shall be made upon the basis of need within the respective counties as disclosed by the quarterly budgets, considered in conjunction with revenues available for the satisfaction of that need: *Provided*, That in preparing his quarterly budget for Federal-aid assistance, the administrator shall include the aggregate of the individual case load approved by the department to date on the basis of need and the director and committee shall approve and allocate an amount sufficient to service the aggregate case load as included in said budget, and in the event any portion of the budgeted case load cannot be serviced with moneys available for the particular category for which an application is made the committee may on the administrator's request authorize the transfer of sufficient general assistance funds to the appropriation for such category to service such case load and secure the benefit of Federal matching funds.

Federal-aid
assistance
paid by
warrant of
state auditor.

SEC. 9. All Federal-aid assistance authorized by the County Administrator shall be paid by warrant of the State Auditor. The County Administrator shall on or before the twentieth day of each calendar month prepare and submit to the Department of Social Security a roll for each category of such assistance containing the names and addresses of

all recipients of such payments for the month and the respective amounts to be paid to each such recipient. Each such roll shall be authenticated and approved by the County Administrator in the same form as required of public payrolls and upon approval by the Director of Social Security shall be transmitted to the State Auditor for the issuance of warrants.

SEC. 10. Each county in the state shall levy annually a tax upon the assessed valuation of its taxable property at a rate not less than three mills for public assistance purposes. The proceeds of such tax shall be deposited in the county current expense fund in an assistance account and shall be disbursed by warrant of the County Auditor upon a prescribed form authenticated by the County Administrator and approved by the Board of County Commissioners. Disbursements of moneys in such account shall be made primarily for general assistance purposes and shall conform to the uniform standards established as specified in this act. General assistance within the meaning of this section shall include hospital and institutional care, medical care and public health activities.

Three mill
county
tax levy.

In the event that any county in the state does not for general assistance purposes require the entire proceeds of the three-mill levy hereby required to be made, considered in conjunction with revenues accruing to the county from the administration of public assistance programs, it shall so report to the Department of Social Security stating the amount of the over-plus or estimated over-plus, and the director shall immediately bill the county for the return to the state of moneys theretofore allocated to the county and expended for Federal-aid assistance, in an amount equal to such over-plus or estimated over-plus. The director shall certify the bill to the County Auditor who shall immediately issue a warrant against the county current expense fund and

Overplus.

forward the same to the director who shall transmit the warrant to the State Treasurer for deposit in the general fund.

Inadequate
levy.

SEC. 11. If any county finds that proceeds of the three-mill levy required by this act to be made for general assistance purposes are inadequate for such purposes, the County Administrator shall be empowered to submit to the director and committee a request for a special grant-in-aid of state funds. Such request shall be accompanied by a budget of estimated necessary expenditures for general assistance for the period covered by the request and such other data and information as the director may prescribe. For the purpose of this section general assistance shall include programs under Division 1 (b), Medical and Institutions. Upon consideration of such request and supporting budget, the committee shall allocate to the county such amount as in its judgment is proper for general assistance purposes, and immediately notify the administrator of the amount of the allocation. Disbursements for general assistance under this section shall be made by warrant of the County Auditor in the manner prescribed in section 10, and the county shall from time to time be reimbursed for such expenditures by warrant of the State Auditor drawn against the county's allocation of funds in the state treasury. In order to secure reimbursement under this section it shall be incumbent on the counties to maintain such records pertaining to expenditures and to conform to such other requirements in respect thereto as may be prescribed by the Department of Social Security.

Act
mandatory.

SEC. 12. The provisions of this act shall be mandatory upon every county in the state, except that by joint action of the Boards of County Commissioners of two or more counties, approved by the committee, public assistance may be administered through a single administrator acting for such

counties jointly, and no county shall be prejudiced by such joinder in respect to grant-in-aid allocations which it would otherwise be entitled to receive.

SEC. 13. The Social Security Committee shall be empowered to establish and maintain state-wide or regional programs of assistance covering such services as the committee believes can be most efficiently and economically administered on a state-wide or regional basis, including services to crippled children, child welfare services, including foster home care, vocational training for the blind, assistance to other handicapped persons, and any other service of the same general character. Whenever the committee determines to establish and maintain a state-wide or regional program, it shall become the duty of the Department of Social Security to assume full charge and control over the administration thereof, and thereafter it shall be the duty of County Administrators to refer applicants for assistance involving such services to the Department of Social Security. In programs of services to youth the department is empowered to enter into co-operative agreements for joint operation of such programs with Federal agencies including the National Youth Administration and with school districts and their local agencies.

State-wide
or regional
plans of
assistance.

SEC. 14. It shall be the duty of the Department of Social Security to establish uniform state-wide standards to govern the granting of assistance in the several categories of this act and it shall have power to compel compliance with such uniform standards as a condition to the receipt of state and Federal funds by counties for social security purposes.

Uniform
state-wide
standards.

SEC. 15. The moneys appropriated for public assistance purposes and subject to allocation as in this act provided shall be allocated to counties on the basis of past experience and established case load history.

Moneys
allocated to
counties,—
manner.

General assistance—work relief or direct relief.

SEC. 16. Moneys set aside for general assistance purposes may be granted either as work relief as herein defined or direct relief, as circumstances may require. The Director of Social Security shall have power to acquire and distribute, through County Administrators, surplus commodities of the Federal surplus commodities corporation, or its successor, and also to certify persons for Federal programs, but only if such certification is required by Federal law, rules or regulations. In the administration of general assistance under this act, County Administrators shall in so far as possible grant work relief to unemployed employables and confine direct relief to those persons who by reason of bodily or mental infirmity, or other cause, are incapacitated from gainful employment.

Distribution of surplus commodities.

Unemployed employables:

Investigation within forty-five days to determine applicant's eligibility.

SEC. 17. Upon receiving an application for any category of Federal-aid assistance under this act, the County Administrator shall within forty-five days make or cause to be made such investigation as he may deem necessary to determine the applicant's eligibility therefor, and render his decision: *Provided*, That if at the end of the forty-five day period the application has not been approved because of inability to establish age, the application shall still be considered as pending, and, if the applicant be found eligible, the administrator shall determine the amount of assistance to be granted out of available funds in accordance with the uniform standards theretofore established.

Assistance granted only to persons in need.

Such assistance may be granted only to such persons as are in need. A person shall be considered to be in need within the meaning of this act who does not have resources sufficient to provide himself and dependents with food, clothing, shelter and such other items as are necessary to afford a reasonable subsistence. "Resources" are hereby defined to include (1) assistance in cash, in kind, or in support

given by relatives, friends or organizations, (2) ability of relatives within the classes hereinafter described to contribute to such support: *Provided*, That where such relative or relatives shall refuse to so contribute the administrator may, in his discretion and upon written findings of fact filed by him, determine that ability of a relative or relatives to so contribute shall not constitute a resource sufficient to render the applicant ineligible to assistance, and (3) real and tangible personal property (excluding the home, household goods and personal effects of the applicant, livestock not exceeding \$150 in value, and all foodstuffs produced by the applicant for himself and family), insurance policy cash surrender values and loan values (excluding cash surrender values less than \$300, and loan values less than \$100, under insurance policies which have been in effect for more than five years), cash income or cash in hand, bank deposits, savings accounts, postal savings, stocks and bonds, notes, mortgages and all other property of whatsoever nature.

Resources.

The amount of assistance to be granted in each individual case shall be determined on a budgetary basis, taking into account the need of the applicant and his dependents and the resources of the applicant and of persons responsible for care of the applicant. "Persons responsible for care of the applicant" are hereby declared to be husband or wife, parents (except in the case of applicants who have attained the age of sixty-five years), sons and daughters of legal age and brothers and sisters (but only in the case of applicants by or for whom application is made who are under sixteen years of age), residing within the state, who are financially able to contribute to the support of the applicant in whole or in part, the determination of which shall be made by the administrator.

Amount of assistance determined.

General assistance.

SEC. 18. General assistance shall be given to unemployable persons and unemployed employable persons in such manner, on such basis and subject to such conditions as may be prescribed by the department and approved by the committee. "Unemployable persons" are hereby defined to be those persons who by reason of bodily or mental infirmity or other cause are incapacitated from gainful employment, and who are not eligible to receive or are not receiving Federal-aid assistance. "Unemployed employable persons" are hereby defined to be those persons who although capable of gainful employment are unemployed, and who are not eligible to receive or are not receiving Federal-aid assistance.

False statement as to need.

SEC. 19. An applicant for any category of public assistance under this act may, in the discretion of the administrator, be granted general assistance at once upon making application therefor provided he submits to the administrator a sworn statement of need and resources; but if upon due investigation and inquiry on the part of the administrator it shall develop that such applicant swore falsely, he may be proceeded against criminally and if convicted be punished as for a gross misdemeanor. The county, through its Prosecuting Attorney, may also in such cases institute and prosecute an action to recover any moneys wrongfully received by the applicant by means of his false statement.

Amount not to exceed limitations established by existing law.

SEC. 20. The amount of assistance to be granted an applicant in a specific category of Federal-aid assistance as established by this act shall in no event, when added to resources of the applicant, exceed the limitations established by any act or acts now in existence or hereafter enacted governing the particular category of assistance, including chapter 182, Laws of 1935, as amended by chapter 156, Laws of 1937, chapter 114, Laws of 1937 and chapter 132,

Laws of 1937, or as the same may be hereafter amended or supplemented.

SEC. 21. It shall be the duty of the State Auditor to audit the accounts, books and records of the Department of Social Security. The Social Security Committee shall immediately upon the taking effect of this act proceed to establish and install a uniform accounting system for all categories of public assistance, applicable to all officers, boards, commissions, departments or other agencies having to do with the allowance and disbursement of public funds for assistance purposes, which said uniform accounting system shall conform to the accounting methods required by the Federal government in respect to the administration of Federal funds for assistance purposes.

Audit of
Social
Security
Department
by State
Auditor.

SEC. 22. Any person applying for Federal-aid assistance, or any recipient of such assistance, under this act shall have the right to appear before the administrator for a full and fair hearing upon all the law and facts pertaining to his case and no application shall be denied nor shall a grant be revoked without giving the applicant or recipient an opportunity for such hearing if he requests it. Such hearing shall be held within twenty days after a written request therefor is lodged with the administrator. At any hearing before the administrator a complete and literal transcript shall be prepared of all evidence, both oral and documentary, and such transcript, together with the case-record, shall become the record of the case on appeal. The administrator shall render his decision within twenty-five days after the hearing is concluded and immediately communicate his action to the applicant or recipient. An applicant or recipient feeling himself aggrieved by the action of the administrator shall have the right to appeal to the Director of Social Security, which appeal shall be taken by serving upon the adminis-

Vetoed.

Vetoed.

trator and filing with the director a written notice that the applicant or recipient appeals from said action of the administrator. The notice of appeal may be served either personally or by registered mail. No appeal shall be effective unless notice thereof shall have been served and filed within twenty days after the appellant's application was acted upon by the administrator and such action was communicated to the appellant. Upon receipt of notice of appeal, the director shall advise the appellant and administrator of that fact, and direct the administrator to prepare and forward within ten days thereafter the record of the case on appeal. The director shall hear the appeal upon the record, and shall within twenty days after hearing the appeal either affirm, reverse or modify the decision of the administrator and communicate his decision to the appellant and the administrator. Within twenty days after the director's decision on appeal is communicated to the appellant, he shall, if he feels himself aggrieved by such decision, have the right to appeal therefrom to the Superior Court of the county in which he resides, or at his option, to the Superior Court of Thurston County. Such appeal shall be taken by written notice served upon the director and administrator either personally or by registered mail and filed with the Clerk of the Court. Within ten days after being served with a notice of appeal from his decision, the Director of Social Security shall file with the Clerk of the Court the record of the case on appeal and no further pleadings shall be necessary to bring the appeal to issue. An appeal to the Superior Court under this act may be had by appellant. The appellant, the director or the administrator shall have the right to present any evidence he may deem competent, relevant or material to the case. The Superior Court shall decide the case on the record and any evidence introduced before it and

may either affirm, modify or reverse the decision of the director and fix the amount of assistance to which the appellant shall be entitled under this act. All appeals to the Superior Court under this section, involving aid to dependent children as defined in chapter 114, Laws of 1937, or amendments thereof, shall be heard by the judge then assigned to the juvenile department of said court and acting as judge of the Juvenile Court of the county. Either party may appeal from the decision of the Superior Court to the Supreme Court of the state which appeal shall be taken and conducted in the manner provided by law or the rules of court applicable to civil appeals. Within the meaning of this section a decision shall be deemed *prima facie* to have been communicated to the appellant when a copy thereof has been deposited in the United States mail properly stamped and addressed to the appellant or his attorney of record. There shall be no bond required on any appeal under this act.

Vetoed.

SEC. 23. All records pertaining to public assistance payments under this act shall be held confidential and shall not be public records: *Provided*, That if in any case it is deemed to be in the public interest, the committee, director or administrator may permit access to any specified record or records, and if application therefor be denied by the authority having custody of such records, the applicant may apply *ex parte* and without the payment of any fee to the Superior Court of his own county or of Thurston County for an order directing that such specified record or records be made available to him: *Provided further*, That any agency of the state or the Federal government shall be permitted access to such records for any purpose within the statutory powers of such agency.

SEC. 24. Upon the death of any recipient of assistance the department may file a claim for the

Death of recipient.

Assistance granted is a preferred claim against estate.

total amount of assistance granted under this act and upon the filing thereof such claim shall be allowed by the court as a preferred claim against the estate of such person, subject only to funeral expenses not to exceed \$100 and expense of administration. No such claim shall be enforced against any real estate while it is occupied by the surviving spouse or minor child or minor stepchild of the decedent, but the statutes of limitation shall not run against such claim so long as the collection thereof is prohibited, as hereinabove provided. All recoveries under this act shall be distributed between the county, state and Federal government in the proportion they have respectively paid to such recipient: *Provided*, That no recovery shall be claimed for any assistance granted prior to the effective date of this act.

Assistance not transferable or assignable.

SEC. 25. Assistance given under this act shall not be transferable or assignable at law or in equity and none of the moneys received by recipients under this act shall be subject to execution, levy, attachment, garnishment, or other legal process, or to the operation of any bankruptcy or insolvency law.

Witnesses, testimony, subpoena duces tecum.

SEC. 26. In carrying out any of the provisions of this act, the committee, the director, the Board of County Commissioners and the administrator shall have power to subpoena witnesses, administer oaths, take testimony and compel the production of such papers, books, records and documents as they may deem relevant to the performance of their duties; but no officer or agency mentioned in this section shall have power to compel the production of any papers, books, records or documents which are in the custody of any other such officer or agency and within his or its power to provide voluntarily on request.

SEC. 27. Any person or persons concealing resources such as cash in hand, bank accounts, savings accounts, cash income, or any other kind of resources and who shall have been granted assistance under this act while having such resources shall be liable for the amount of such assistance and the department or administrator is authorized and directed to recover the amount thereof in a civil action for debt against such recipient, his heirs, executors or assigns.

Concealment
of resources.

SEC. 28. In furthering the purposes of this act, the director or any county administrator may accept contributions or gifts in cash or otherwise from persons, associations or corporations, such contributions to be disbursed in the same manner as moneys appropriated by this act: *Provided*, That the donor of such gifts may stipulate the manner in which such gifts shall be expended.

Contribu-
tions or gifts.

SEC. 29. There is hereby appropriated from the general fund for the biennium ending March 31, 1941, the sum of five hundred thousand dollars (\$500,000) to cover the re-expenditure of such funds as may be returned to the state under the provisions of section 10 of this act.

Appropriation.

Any moneys made available for the purposes of this act shall be devoted exclusively to the furnishing of assistance to needy persons as authorized and provided by this act, and no part of said moneys shall be used for the sponsorship, in whole or in part, of any public works or work relief project or undertaking.

SEC. 30. There is hereby created a Washington Welfare Survey Commission, hereinafter called the commission, of five members to be appointed by the Governor from among the qualified electors of the state, none of whom shall hold any compensated public office under the state or Federal governments. Each member of the commission shall hold office

Washington
welfare
survey
commission.

and be removable at the pleasure of the Governor and shall serve until his or her successor is duly appointed and qualified. The members of the commission shall serve without compensation but may be reimbursed for actual expenses necessarily incurred in the performance of their duties, such reimbursement to be by itemized voucher of the State Auditor certified and approved by the chairman of the commission.

Commission to meet at state capitol.

SEC. 31. The commission, upon the appointment of its members, shall meet at the state capitol and organize by the election of one of its members as chairman and one as secretary of the commission.

Duties of commission.

SEC. 32. The duties of the commission shall consist of a survey of the facts involved in the whole problem of public assistance in the State of Washington, including the nature and extent of need as defined herein in the several categories of assistance provided in this act, various methods properly to be employed in determining the eligibility for and the granting of public assistance, probable future costs of assistance hereunder, and of the resources available and to become available from Federal aid, the state and the counties therefor.

The commission shall give consideration to the activities and requirements of the various Federal and county agencies and other state departments which deal with related problems. The commission, from time to time, shall report its findings to the Governor and make such recommendations thereon as it deems advisable and, on or before December 1 of each year, submit to the Governor its report of findings and recommendations, which report shall constitute public records.

Examination of records.

SEC. 33. For its purposes, the commission is empowered to examine the records of the Department of Social Security and of the several counties, and the Director of Social Security, the county adminis-

trators of the several counties and all other state and county departments and agencies shall make available all such information desired by the commission.

SEC. 34. The commission may employ such Personnel. clerical and other assistance and personnel and incur such other expenses as may be necessary to enable it to carry out the powers and duties herein granted and imposed. It shall prepare and submit to the Director of Social Security, quarterly, a budget covering its anticipated expenses for the succeeding quarter, which budget, when approved by the Governor, shall constitute the items incurred thereunder for administrative expenses of the Department of Social Security, for the payment of which the State Auditor shall draw warrants payable from funds appropriated for the Department of Social Security.

SEC. 35. Chapter 180, Laws of 1937, excepting section 11, and all acts and parts of acts in conflict with the provisions of this act are hereby repealed: Repeal of ch 180, Laws 1937, excepting § 11. *Provided*, That this act shall not be construed to repeal or modify in any respect the provisions of title 74, Remington's Revised Statutes, or chapter 139, Laws of 1931.

SEC. 36. Nothing contained in this act shall be construed to derogate from, or limit, the power of Boards of County Commissioners to provide necessary county revenue by the declaration of emergencies in proper cases as provided by law. Powers of county commissioners not limited.

SEC. 37. If any clause, sentence, paragraph, section or other portion of this act or the application of this act to any particular person or circumstance, be adjudged invalid or unconstitutional, such adjudication shall not affect the remaining portions of the act, or its application to any other person or circumstance, not directly involved in the action in which such adjudication was made. Partial invalidity.

Effective
April 1, 1939.

SEC. 38. This act is necessary for the immediate preservation of the public peace, health and safety, support of the state government and its existing public institutions, and shall take effect April 1, 1939.

Passed the Senate March 9, 1939.

Passed the House March 9, 1939.

Approved by the Governor March 20, 1939, with the exception of sections 22 and 23, which are vetoed.

CHAPTER 217.

[S. B. 433.]

SUPPLEMENTAL APPROPRIATIONS.

AN ACT making appropriations for the purchase of land, construction of buildings and improvements at designated state institutions; for the payment of salaries of certain officers and employees of the state and for the operation, maintenance and other expenses of certain state institutions, departments and offices; for the relief of certain individuals, corporations, counties and municipalities, for refunds and for deficiencies and for emergencies, including deficiencies and appropriation of revolving funds, and for purposes specified in certain acts of Congress, and for miscellaneous purposes designated for the fiscal biennium beginning April 1, 1939, and ending March 31, 1941, except as otherwise provided, defining terms, limiting allowances and compensation, and providing this act shall take effect immediately.

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

"Capital
outlay."

SECTION 1. The words "capital outlay" whenever used in this act, shall mean and include the purchase and improvement of land and erection of buildings, including necessary salaries and wages incident thereto.

"Salaries
and wages."

The words "salaries and wages" whenever used in this act, shall mean and include salaries of execu-