

CHAPTER 206.

[Sub. S. B. 275.]

PUBLIC ASSISTANCE—SUPPORT OF DEPENDENT CHILDREN.

AN ACT relating to public assistance and the support of dependent children; and amending section 2, chapter 322, Laws of 1959 and RCW 74.20.010; amending section 3, chapter 322, Laws of 1959 and RCW 74.20.020; amending section 5, chapter 322, Laws of 1959 and RCW 74.20.040; amending section 11, chapter 322, Laws of 1959 and RCW 74.20.100; amending section 17, chapter 322, Laws of 1959 and RCW 74.20.160; and adding new sections to chapter 322, Laws of 1959 and to chapter 74.20 RCW; and repealing sections 4, 6, 8, 9, 10, 12, 13, 14, 15, 16, 18, 19, 20, 21, and 22 of chapter 322, Laws of 1959 and RCW 74.20.030, RCW 74.20.050, RCW 74.20.070, RCW 74.20.080, RCW 74.20.090, RCW 74.20.110, RCW 74.20.120, RCW 74.20.130, RCW 74.20.140, RCW 74.20.150, RCW 74.20.170, RCW 74.20.180, RCW 74.20.190, RCW 74.20.200, and RCW 74.20.900; and providing penalties.

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

RCW 74.20.010 amended.

SECTION 1. Section 2, chapter 322, Laws of 1959 and RCW 74.20.010 are each amended to read as follows:

Support of delinquent children. Purpose.

It is the responsibility of the state of Washington through the state department of public assistance to conserve the expenditure of public assistance funds, whenever possible, in order that such funds shall not be expended if there are private funds available or which can be made available by judicial process or otherwise to partially or completely meet the financial needs of the children of this state. The failure of parents to provide adequate financial support and care for their children is a major cause of financial dependency and a contributing cause of social delinquency.

The purpose of this chapter is to provide the state of Washington, through the department of public assistance, a more effective and efficient way to effect the support of dependent children by the

person or persons who, under the law, are primarily responsible for such support and to lighten the heavy burden of the taxpayer, who in many instances is paying toward the support of dependent children while those persons primarily responsible are avoiding their obligations. It is the intention of the legislature that the powers delegated to the said department in this chapter be liberally construed to the end that persons legally responsible for the care and support of children within the state be required to assume their legal obligations in order to reduce the financial cost to the state of Washington in providing public assistance funds for the care of children.

SEC. 2. Section 3, chapter 322, Laws of 1959 and RCW 74.20.020 are each amended to read as follows:

RCW 74.20.020 amended.

For the purposes of this chapter a dependent child shall mean a child who is in financial need as determined by the department pursuant to Title 74 RCW.

Dependent child defined.

SEC. 3. Section 5, chapter 322, Laws of 1959 and RCW 74.20.040 are each amended to read as follows:

RCW 74.20.040 amended.

Whenever the department of public assistance receives an application for public assistance on behalf of a child and it shall appear to the satisfaction of the department that said child has been abandoned by its parents or that the child and one parent have been abandoned by the other parent or that the parent or other person who has a responsibility for the care, support, or maintenance of such child has failed or neglected to give proper care or support to such child, the department shall take appropriate action under the provisions of this chapter, the abandonment or nonsupport statutes, or other appropriate statutes of this state to insure that such parent or other person responsible shall pay for the care, support, or maintenance of said dependent child. Such action shall be taken by the department

Duty of department to enforce child support.

only in those cases where the child is or is about to become a recipient of public assistance.

RCW 74.20.100
amended.

SEC. 4. Section 11, chapter 322, Laws of 1959 and RCW 74.20.100 are each amended to read as follows:

Support of
dependent
children.
Disposition of
moneys
collected—Re-
port of clerk.

Whenever as a result of a support action taken by either the attorney general or prosecuting attorney support money is paid by the person or persons responsible for support, such money shall be paid into the registry of the superior court and shall be disbursed immediately by the clerk of the superior court through the department of public assistance to the person to whom the support is to be paid during the period of time the children for whom said support action was taken are receiving public assistance. On the fifteenth day of each month, a report by the clerk of the superior court shall be made to the department of public assistance containing a statement indicating whether or not the amounts ordered to be paid in the preceding month have been paid.

RCW 74.20.160
amended.

SEC. 5. Section 17, chapter 322, Laws of 1959 and RCW 74.20.160 are each amended to read as follows:

Department
may disclose
information
to internal
revenue
department.

Notwithstanding the provisions of RCW 74.04.060, upon approval of the department of health, education and welfare of the federal government, the department of public assistance may disclose to and keep the internal revenue department of the treasury of the United States advised of the names of all persons who are under legal obligation to support any dependent child or children and who are not doing so, to the end that the internal revenue department may have available to it the names of such persons for review in connection with income tax returns and claims of dependencies made by persons filing income tax returns.

SEC. 6. There is added to chapter 322, Laws of 1959 and to chapter 74.20 RCW a new section to read as follows:

New section.

The prosecuting attorney of any county except Class AA and Class A counties may enter into an agreement with the attorney general whereby the duty to initiate petitions for support authorized under the provisions of chapter 26.21 RCW as amended (Uniform Reciprocal Enforcement of Support Act) in cases where the petitioner has applied for or is receiving public assistance on behalf of a dependent child or children shall become the duty of the attorney general. Upon the execution of such agreement, the attorney general shall be empowered to exercise any and all powers of the prosecuting attorney in connection with said petitions.

Agreements whereby attorney general acts for prosecuting attorney. Uniform reciprocal enforcement of support act.

SEC. 7. There is added to chapter 322, Laws of 1959 and to chapter 74.20 RCW a new section to read as follows:

New section.

In order to carry out its responsibilities imposed under this chapter, the state department of public assistance, through the attorney general, is hereby authorized to:

Powers of department through attorney general.

(1) Represent a dependent child or dependent children on whose behalf public assistance is being provided in obtaining any support order necessary to provide for his or their needs or to enforce any such order previously entered, in those instances where one parent is deceased, absent or unable for any reason to institute legal proceedings to obtain the necessary support from the other parent.

(2) Appear as a friend of the court in divorce and separate maintenance suits, or proceedings supplemental thereto, when either or both of the parties thereto are receiving public assistance, for the purpose of advising the court as to the financial interest of the state of Washington therein.

(3) Appear on behalf of the mother of a depend-

Support of dependent children. Powers of department through attorney general.

Proviso.

ent child or children on whose behalf public assistance is being provided, when so requested by her, for the purpose of assisting her in securing a modification of a divorce or separate maintenance decree wherein no support, or inadequate support, was given for such child or children: *Provided*, That the attorney general shall be authorized to so appear only where it appears to the satisfaction of the court that the mother is without funds to employ private counsel. If the mother does not request such assistance, or refuses it when offered, the attorney general may nevertheless appear as a friend of the court at any supplemental proceeding, and may advise the court of such facts as will show the financial interest of the state of Washington therein; but the attorney general shall not otherwise participate in the proceeding.

(4) If public assistance has been applied for or granted on behalf of a child of parents who are divorced or legally separated, the attorney general may apply to the superior court in such action for an order directing either parent or both to show cause:

(a) Why an order of support for the child should not be entered, or

(b) Why the amount of support previously ordered should not be increased, or

(c) Why the parent should not be held in contempt for his failure to comply with any order of support previously entered, or

(d) Initiate any civil proceedings deemed necessary by the department to secure reimbursement from the parent or parents of minor dependent children for all moneys expended by the state in providing assistance or services to said children.

New section.

SEC. 8. There is added to chapter 322, Laws of 1959 and to chapter 74.20 RCW a new section to read as follows:

Any married woman with minor or legally adopted children who are receiving public assistance may apply to the superior court of the county in which she resides or in which her husband may be found for an order upon her husband, if he is the natural or adoptive father of such children, to provide for her support and the support of her minor children by filing in such county a petition setting forth the facts and circumstances upon which she relies for such order. If it appears to the satisfaction of the court that such woman is without funds to employ counsel, the state department of public assistance through the attorney general may file such petition on her behalf. If satisfied that a just cause exists, the court shall direct that a citation issue to the husband requiring him to appear at a time set by the court to show cause why an order of support should not be entered in the matter.

Petition for support order by married woman with children receiving public assistance.

SEC. 9. There is added to chapter 322, Laws of 1959 and to chapter 74.20 RCW a new section to read as follows:

New section.

(1) After the hearing of the petition for an order of support the court shall make an order granting or denying it and fixing, if allowed, the terms and amount of the support. (2) The court has the same power to compel the attendance of witnesses and the production of testimony as in actions and suits, to make such decree or orders as are equitable in view of the circumstances of both parties and to punish violations thereof as other contempts are punished.

—Order—
Powers of
court.

SEC. 10. There is added to chapter 322, Laws of 1959 and to chapter 74.20 RCW a new section to read as follows:

New section.

The court may, upon satisfactory showing that the petitioner is without funds to pay the filing fee, order that the petition and other papers be filed without payment of the fee.

—Waiver of
filing fees.

New section.

SEC. 11. There is added to chapter 322, Laws of 1959 and to chapter 74.20 RCW a new section to read as follows:

Support of dependent children. Statement by parent whose absence is basis of application for public assistance—Penalty.

Any parent in the state whose absence is the basis upon which an application is filed for public assistance on behalf of a child shall be required to complete a statement, under oath, of his current monthly income, his total income over the past twelve months, the number of dependents for whom he is providing support, the amount he is contributing regularly toward the support of all children for whom application for such assistance is made, his current monthly living expenses and such other information as is pertinent to determining his ability to support his children. Such statement shall be provided upon demand made by the state department of public assistance or attorney general, and if assistance based upon such application is granted on behalf of such child, additional statements shall be filed annually thereafter with the state department of public assistance until such time as the child is no longer receiving such assistance. Failure to comply with this section shall constitute a misdemeanor.

New section.

SEC. 12. There is added to chapter 322, Laws of 1959 and to chapter 74.20 RCW a new section to read as follows:

Scale of suggested minimum contributions.

The state department of public assistance shall establish a scale of suggested minimum contributions to assist counties and courts in determining the amount that a parent should be expected to contribute toward the support of his child under this chapter. The scale shall include consideration of gross income, shall authorize an expense deduction for determining net income, shall designate other available resources to be considered, and shall specify the circumstances which should be considered in reducing such contributions on the basis of hardship.

The state department of public assistance shall accept and compile any pertinent and reliable information from any available source in order to establish such minimum scale of suggested contributions, and copies of the scale shall be made available to courts, county offices, prosecuting attorneys and, upon request, to any other state or county officer or agency engaged in the administration or enforcement of this chapter in any manner and attorneys admitted to practice in the state of Washington.

It is intended that the use of the scale formulated pursuant to this section be optional, and that no county, court, officer or agency be required to use said scale unless they so desire.

SEC. 13. There is added to chapter 322, Laws of 1959 and to chapter 74.20 RCW a new section to read as follows:

New section.

The department is authorized and directed to establish a central unit to serve as a registry for the receipt of information, for answering interstate inquiries concerning deserting parents, to coordinate and supervise departmental activities in relation to deserting parents and to assure effective cooperation with law enforcement agencies.

Central administrative unit—
Cooperation enjoined—
Availability of records.

To effectuate the purposes of this section, the director may request from state, county and local agencies all information and assistance as authorized by this chapter. All state, county and city agencies, officers and employees shall cooperate in the location of parents who have abandoned or deserted, or are failing to support, children receiving public assistance and shall on request supply the state department of public assistance with all information on hand relative to the location, income and property of such parents, notwithstanding any provision of law making such information confidential.

Any records established pursuant to the provisions of this section shall be available only to the

Support of dependent children. Availability of records.

attorney general, prosecuting attorneys, and courts having jurisdiction in support and/or abandonment proceedings or actions, or agencies in other states engaged in the enforcement of support of minor children as authorized by the rules and regulations of the department and by the provisions of the federal social security act.

New section.

SEC. 14. There is added to chapter 322, Laws of 1959 and to chapter 74.20 RCW a new section to read as follows:

Reimbursement of public assistance payments parental responsibility—Compromise of claims.

If any payment of public assistance is made to or for the benefit of any dependent child or children by the state department of public assistance because of the failure of the responsible parent or parents to provide adequate support without lawful excuse, such parent or parents shall be liable to the state department of public assistance to the extent of all the public assistance so paid. The director may, with the approval of the attorney general, compromise any claim for public assistance payments owed by such parent in any case where collection of the full claim would result in insolvency of the parent or impose undue hardship upon him.

New section.

SEC. 15. There is added to chapter 322, Laws of 1959 and to chapter 74.20 RCW a new section to read as follows:

Department exempt from fees.

No filing or recording fees, court fees, or fees for service of process shall be required from the state department of public assistance by any county clerk, county auditor, sheriff or other county officer for the filing of any actions or documents authorized by this chapter, or for the service of any summons or other process in any action or proceeding authorized by this chapter.

Repeal.

SEC. 16. Section 4, chapter 322, Laws of 1959 and RCW 74.20.030; section 6, chapter 322, Laws of 1959 and RCW 74.20.050; section 8, chapter 322, Laws of

1959 and RCW 74.20.070; section 9, chapter 322, Laws of 1959 and RCW 74.20.080; section 10, chapter 322, Laws of 1959 and RCW 74.20.090; section 12, chapter 322, Laws of 1959 and RCW 74.20.110; section 13, chapter 322, Laws of 1959 and RCW 74.20.120; section 14, chapter 322, Laws of 1959 and RCW 74.20.130; section 15, chapter 322, Laws of 1959 and RCW 74.20.140; section 16, chapter 322, Laws of 1959 and RCW 74.20.150; section 18, chapter 322, Laws of 1959 and RCW 74.20.170; section 19, chapter 322, Laws of 1959 and RCW 74.20.180; section 20, chapter 322, Laws of 1959 and RCW 74.20.190; section 21, chapter 322, Laws of 1959 and RCW 74.20.200; section 22, chapter 322, Laws of 1959 and RCW 74.20.900 are each hereby repealed.

Passed the Senate March 13, 1963.

Passed the House March 12, 1963.

Approved by the Governor March 26, 1963.

CHAPTER 207.

[S. B. 370.]

ELECTRICIANS AND ELECTRICAL INSTALLATIONS— ELECTRICAL ADVISORY BOARD.

AN ACT relating to electricians and electrical installations; creating an electrical advisory board; amending section 1, chapter 169, Laws of 1935, and RCW 19.28.010; amending section 4, chapter 169, Laws of 1935, as amended by section 1, chapter 325, Laws of 1959, and RCW 19.28.120; amending section 8, chapter 169, Laws of 1935, as amended by section 2, chapter 325, Laws of 1959, and RCW 19.28.210; amending section 3, chapter 325, Laws of 1959 and RCW 19.28.360; adding new sections to chapter 169, Laws of 1935, and to chapter 19.28 RCW; and making an effective date.

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

SECTION 1. Section 1, chapter 169, Laws of 1935 and RCW 19.28.010 are each amended to read as follows:

RCW 19.28.010
amended.