

a school, and for such a time as deemed advisable by the school authorities concerned, for the best advancement of the pupil.

SEC. 11. Such details of operation of these schools as do not come within the provisions of this act, shall be worked out by the state board of education in consultation with the county superintendents of schools.

Details of operation.

SEC. 12. If any section or provision of this act be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of this act as a whole or any section, provision or part thereof, not adjudged invalid or unconstitutional.

Partial invalidity.

Passed the Senate February 5, 1937.

Passed the House March 9, 1937.

Approved by the Governor March 17, 1937.

CHAPTER 180.

[S. B. 149.]

SOCIAL SECURITY: DIVISION OF PUBLIC ASSISTANCE.

AN ACT providing for general public assistance for the relief of the poor, aged, sick, dependent, infirm, blind, or others who are handicapped individuals and cripples; creating a single administrative unit; declaring the public policy of the state; defining the powers and duties of the Department of Social Security in relation thereto and providing for the administration thereof through Boards of County Commissioners under the supervision of the State Department of Social Security; providing for state and county advisory committees; making an appropriation and repealing certain acts in conflict therewith and declaring that this act shall take effect April 1, 1937, and declaring an emergency.

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

SECTION 1.—*Preamble.* Public policy declares with increasing frequency and firmness that the equalization of opportunity for more abundant living and the necessary care of the handicapped and

Public policy.

underprivileged incident thereto is a public responsibility of so great a magnitude as to deserve and receive the undivided attention of all branches of government; Federal, state and county. It is evidence of this public mandate that the Congress of the United States in August, 1935 passed the National Social Security Act, defining not only the terms under which the government of the United States would meet its public assistance obligations, but also the conditions under which it would extend its financial support to other governmental agencies acting in the various public assistance fields defined in the national act. Among the provisions of the national enactment was an outline under which the several states might integrate their public assistance programs into a uniform, nation-wide administration thereby establishing a more equitable distribution of assistance and assuring a more uniform administration of all phases of social security. The State of Washington has sought continuously to fulfill its complete responsibility to its people through compliance with all social security legislation.

So effective has the integration of social security activities by the Federal government proved to be that we now declare the advisability of extending similar cooperative relationships into the political subdivisions of the state itself. The creation of such relationships under the present statutes is hampered by legal impediments and by lack of necessary authorizations. It is to remove those restrictions and to establish a single administrative agency which will preserve local autonomy in its administration yet retain the state-wide supervision necessary to equity, uniformity, and the adherence to rules and regulations of the Federal government that we do create, define, and establish the public assistance administration hereinafter provided.

Definitions.

SEC. 2. "Department," wherever it appears in this act, means State Department of Social Security.

“Director,” wherever it appears in this act, means the Director of the State Department of Social Security. “Administrative Board,” means the Board of County Commissioners in each county in the state, hereinafter known in this act, as the “Board.” “Administrator” means the person designated to administer public assistance in each respective county. “Public Assistance” means Federal, state and county aid for the assistance of certain individuals of the state as set forth in this act. “Work Relief” means wages paid by a municipal corporation to persons, who are unemployed or whose employment is inadequate to provide the necessities of life, and/or their dependents, from money specifically appropriated or contributed for that purpose, for the performance of services or labor connected with work undertaken by such corporation independent of work under a contract or for which an annual appropriation has been made. “Direct Relief” means a cash payment or voucher to meet the cost of shelter, fuel, food, clothing, water, light, necessary household supplies, medicine, medical supplies and medical attendance, or any other form of materials or services furnished to persons or their dependents.

SEC. 3. Public assistance in every form now being administered and in such forms as may hereafter be defined as a public charge is hereby declared and is the several and joint responsibility of the State of Washington and the political subdivisions thereof, subject to such restrictions and limitations as are hereinafter provided: *Provided, however,* Nothing contained in this act shall affect, repeal, modify, apply to or disturb any of the provisions of title 74 of Remington’s Revised Statutes of the State of Washington, as amended.

Public assistance joint responsibility of state and political subdivisions.

SEC. 4. Public assistance for the purpose of this act shall include the specific categories listed in the Federal Social Security Act such as aid to dependent

Public assistance to include specific categories listed in Federal act.

children in their own homes, services to crippled children, child welfare services, aid for needy individuals who are blind, old age assistance; care of persons in need because of unemployment, physical disability or for any other causes; such other public health, medical and welfare activities as are now being performed by the respective Boards of County Commissioners and by the department on behalf of persons who are in need, including: Aid to dependent children away from their own homes, medical care and hospitalization, also those activities being performed in cooperation with the Federal government, including purchase and distribution of surplus commodities for the Federal Department of Agriculture; certification of persons for: (a) Civilian Conservation Corps, (b) Works Progress Administration, (c) Resettlement Administration; and care of homeless unattached and non-resident families and individuals; and vocational guidance, vocational education, work relief and placement services for young people in cooperation with the National Youth Administration or any other Federal agency engaged in youth activities. Nothing herein contained shall repeal or modify chapter 139 of the Session Laws of 1931.

Administra-
tion of act
to conform
with state
and Federal
acts.

SEC. 5. Administration of public assistance under this act shall conform with such specific acts as have been enacted by the legislature and the Congress of the United States with respect to public assistance for children, for needy blind, for needy aged, and others including the allocation of Federal grants in aid to states whose plans for conducting such services are approved by the Federal government and shall conform with the laws of the State of Washington, and such rules and regulations as are vested in the director of social security in relation to all other public assistance.

The technical administration of all public assistance functions shall be vested in persons whose qual-

ifications have been certified in manner hereinafter provided.

SEC. 6. It shall be the duty of, and the State Department of Social Security is hereby empowered to serve as the single state agency in the administration of all public assistance programs originating under the jurisdiction of the Federal government, and to exercise such supervision and to promulgate and enforce such rules and regulations as are necessary to assure full local compliance with the terms of Federal grants.

Department of social security, powers and duties.

It shall be the duty of, and the State Department of Social Security is hereby empowered to fix state-wide, uniform standards for all public assistance and to effect uniform observance of these standards throughout the state: *Provided*, Such standards shall be in conformity with the Federal Social Security Act and other Federal acts and the laws of the State of Washington pertaining to public assistance.

Uniform standards.

It shall be the duty of the director of social security with the approval of the State Advisory Committee to establish a merit system which will provide for a fair and equal opportunity for persons to qualify for appointment to positions in the administration of this act. Preference in employment shall be given to persons with local residence in all cases where qualified local persons are available.

Merit system.

It shall be the duty of the director of social security, and he shall be empowered to exercise such other and further supervision of all public assistance activities as may reasonably seem necessary to effective administration of this act.

General duties.

It shall be the duty of the director of social security to examine and approve quarterly budgets submitted by the respective boards of county commissioners, and to budget such funds as may be deemed necessary to the administration of this act: *Providing*, That the annual budgets for local public

Quarterly budgets.

Direct or
work relief.

Expenditures
to comply
with state
and Federal
regulations.

Counties to
comply with
Federal regu-
lations.

Forms for
reports
prescribed.

Rules and
regulations.

health department services shall have first been approved by the state department of health. Such funds may in the discretion of the director of the department 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: *Provided*, That the expenditures of Federal and state funds for public assistance purposes shall comply with all rules and regulations of any such Federal and state agencies as may have authority in the premises. The director of social security shall make such reports and render such accounting to appropriate Federal authority as may be required in connection with Federal grants, with the further power to do each and everything required by the Federal Social Security Act.

It shall be the duty of the director of social security to fully inform the board of county commissioners of the requirements of the Federal government to require full compliance with such regulations, and in the event of noncompliance, in order to prevent interruption of Federal aid to other counties of the state, to take over the administration of public assistance in the county until compliance has been effected.

The director of social security shall prescribe forms on which regular reports shall be submitted and shall make and issue such other rules and regulations consistent with the provisions of this act as shall best promote efficiency and effectiveness in the furnishing of public assistance. A certified copy of such rules and regulations shall be filed in the office of the Secretary of State thirty days prior to their effective date.

SEC. 7. It shall be the duty of each board of county commissioners to serve as an administrative

board for all matters involving public assistance to their respective counties and as such to prepare quarterly in advance a budget adequate to provide to the inhabitants of that county the benefits and services of public assistance under the provisions of this act: *Provided*, Said budget shall present a statement of funds necessary in each category of public assistance, as established in this act, together with supporting records and data to substantiate such budget and shall certify the amount of county funds available for such purpose: *Provided, further*, That it shall be the duty of the board of county commissioners to make known publicly the approved quarterly budget for public assistance in their respective counties.

Board of county commissioners to serve as administrative board.

The board of county commissioners shall constitute the single administrative agency in each county through which all the categories of public assistance concerned herein shall be administered, and is hereby empowered to act in such capacity as agents of the State Department of Social Security, subject to such regulations and restrictions as are herein authorized and shall exercise complete jurisdiction within such regulations for state and Federal funds expended for public assistance under this act in the respective counties.

The board of county commissioners shall employ an officer whose title shall be "Administrator" and who shall be chief executive officer for the administration of public assistance in each county: *Provided*, No person shall be eligible for appointment as administrator until he has presented a certificate of eligibility issued by the State Department of Social Security.

Administrator employed

SEC. 8. The administrator shall be responsible to the board of county commissioners for proper administration of all public assistance affairs placed in his charge and shall hold office at the pleasure of the board.

Responsible to board.

Assistants.

The administrator shall employ such assistants as are necessary to make adequate investigations and conduct all other activities incident to his office: *Provided*, No person shall be appointed to any position by said administrator until he or she shall have presented a certificate of eligibility issued by the State Department of Social Security: *Provided, further*, That this requirement shall not apply to the filling of non-executive positions.

Public assistance granted after adequate investigation.

The administrator shall grant public assistance only after adequate investigation and certification of need, the amount of assistance to be determined on a budgetary basis and conform with law and shall take into account both the needs and resources of the applicant and his dependents and any or all persons who may be responsible for his care.

Records and reports.

The administrator shall keep such records and prepare such reports as the board of county commissioners shall deem necessary to the preparation of quarterly budget estimates and any other data held by the State Department of Social Security as necessary to the administration of the act.

Joint board.

SEC. 9. Two or more counties are hereby authorized, subject to the approval of the State Department of Social Security, to form a joint board with the power to appoint a single administrator and to execute the functions imposed in this act in the manner provided for a single county.

State advisory committee created.

SEC. 10. There is hereby created a state advisory committee to the Department of Social Security to consist of the state directors of the Department of Health, the Department of Finance, Budget and Business, the Superintendent of Public Instruction, together with a representative of the Superior Court Judges Association and of the Washington State Association of County Commissioners. Such committee shall serve in an advisory relationship to the director in order to integrate as effectively as possible

the services rendered under the state and local units for public assistance with services rendered by the other departments of state government, and to find the causes of dependency and to make recommendations looking toward the removal of said causes.

SEC. 11. The various boards of county commissioners shall be the agents of the State Department of Social Security in determining the local causes which lead to the need for public assistance and in performing such activities as will tend to remove those causes.

Commissioners to act as agents of department of social security.

To assist in this preventive work the board of county commissioners, in cooperation with the department, shall appoint an advisory committee in each county composed of five or more local citizens selected on the basis of their known interest and experience in the fields of public welfare, child welfare, employment, health, and education.

County advisory committee.

These advisory committees shall make such studies of local conditions in the field of social security as will enable them to make recommendations relative to improvements in general living conditions and in the administration of public assistance to the end that there will be a lessening of the need of public assistance in that county.

Study of local conditions.

The members of the advisory committee shall be chosen by the respective boards of county commissioners and shall serve for two years from the time of their appointment and may be reappointed regularly at the pleasure of the board of county commissioners.

Committee members, terms of office.

The members of the advisory committee shall serve without pay but shall be reimbursed for actual travel and other expenses involved in carrying out the work of their committee.

Reimbursement for actual expenses.

The advisory committee shall prepare and submit a budget covering the expenses incident to their studies and other related activities, and the funds

Budget submitted.

necessary for such budget when approved by the board of county commissioners may be considered a proper administrative expense and as such included in the quarterly budgets provided for in section 7 of this act.

Complaints.

SEC. 12. It is hereby provided that any applicant for or recipient of public assistance, as provided in this act, who shall be dissatisfied with the decision on his application for such assistance, may appear before the board of county commissioners in the county in which he resides, relative to said complaint. If such complainant is still dissatisfied, he may appeal to the director, and upon such appeal an opportunity shall be granted for a fair hearing.

If an application is not acted upon by the local administrative unit within a reasonable time after the filing of the application, or is denied or revoked, the applicant may appeal to the department in the manner and form prescribed by the department. The department shall upon receipt of such an appeal give the applicant an opportunity for a hearing. Before such hearing the department may make such additional investigation as it may deem necessary, and shall make such decision as to the granting of assistance and the amount of assistance to be granted the applicant as in its opinion is justified and in conformity with the provisions of this act. Hearings under the provisions of this section, unless appellant shall otherwise stipulate, shall be held in the county in which the appellant resides and shall be conducted by the director of the department of social security, a duly appointed, qualified and acting supervisor thereof, or by an examiner specially appointed by the director for such purpose. Whenever a hearing is conducted by a supervisor or specially appointed examiner, a transcript of the testimony shall be made and included in the record which shall be submitted to the director for his decision.

Hearings.

Any appellant, feeling himself aggrieved by the decision of the director in any case, shall have the right of appeal to the superior court of the county of his legal residence, which appeal shall be taken by notice filed with the clerk of the court and served upon the director within thirty (30) days after the decision of the director.

Right of appeal.

SEC. 13. Assistance given under this act shall not be transferable or assignable, at law or in equity, and none of the money paid or payable 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.

Assistance not assignable nor subject to execution.

SEC. 14. In executing any provisions of this act the department and the boards or any person duly authorized or designated by them may conduct any investigation pertinent to the furtherance of its work. They are hereby authorized to subpoena witnesses, administer oaths, take testimony and compel the production of such papers, books, records, and documents as may be relevant to any such investigation.

Investigations.

SEC. 15. In furthering the purposes of this act, the director, with the approval of the Governor, may accept contributions or gifts in cash or otherwise from persons, corporations, and/or other individuals, such contributions being disbursed in the same manner as the money appropriated for the carrying out of the provisions of this act: *Provided, however,* The donor of such gifts may stipulate the manner in which such gifts shall be expended.

Acceptance of gifts.

SEC. 16. This act shall apply to every county in the state, and state aid under the provisions of this act and the rules and regulations of the department shall hereafter be available to all counties.

Applicability of act.

SEC. 17. The board of county commissioners in each of the several counties of the state shall make available for all categories of public assistance the

County funds to be made available.

funds which are set forth in their budget for the year 1937, said funds to be expended during the year 1937 in accordance with the provisions of this act.

County tax
levy.

The board of county commissioners in each of the several counties of the state shall budget and levy a sum equal to three mills against the assessed valuation of said county for public assistance purposes for the year 1938 and subsequent years. The total sum budgeted shall be expended for all categories of public assistance during the year of 1938 and subsequent years in accordance with the provisions of this act.

Expenditure
of county
funds
authorized.

The board of county commissioners shall be and they are hereby authorized to expend such funds for any category of public assistance, which expenditures shall be made in the manner prescribed by law for disbursement of the county current expense fund, and said commissioners shall also have the power with said funds to reimburse the state for expenditures made for public assistance within their county from state or Federal funds.

Appropriation.

SEC. 18. There is hereby appropriated from the general fund for the biennium ending April 1, 1939, the sum of \$43,394,000.00, or as much thereof as may be available and necessary for carrying out the provisions of this act: *Provided*, That no expenditure shall be made herefrom except upon allotments approved by the Governor.

Emergency
relief fund
abolished.

SEC. 19. From and after the first day of May, 1937, the emergency relief fund in the state treasury shall be and is hereby abolished.

Moneys
transferred
to general
fund.

All monies in the state treasury to the credit of the emergency relief fund and all monies thereafter paid into the state treasury for or to the credit of the emergency relief fund shall be and are hereby transferred to and placed in the general fund.

Payment of
warrants.

From and after the first day of May, 1937, all warrants drawn on the emergency relief fund and not presented for payment shall be paid from the gen-

eral fund, and it shall be the duty of the state treasurer and he is hereby directed to pay such warrants when presented from the general fund. That from and after the first day of April, 1937, all appropriations made by the twenty-fifth legislature from the emergency relief fund shall be paid out of monies in the general fund.

SEC. 20. If any person or persons receiving or having received any assistance under the provisions of this act, are again gainfully employed or should receive any monies from any other source, and should said person wish to return to the public assistance fund the amount received as public assistance, any monies so received shall accrue to the public assistance fund and shall be expended by the director in line with the provisions of this act: *Provided*, That the Federal government shall be entitled to a share of any amounts so received and said one-half of said amounts shall be promptly paid by the state to the United States government.

Recipients
gainfully
employed.

Any person or persons concealing resources such as cash, banking accounts, savings accounts, cash incomes of any kind, or any other accounts of monies, shall be liable to the amount of aid rendered him from the public assistance fund, and the department, and/or board, is authorized and directed to recover any such sums in accordance with the laws of the state relative thereto.

Recovery
from
recipient.

SEC. 21. If any clause, sentence, paragraph, or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this act, but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Partial
invalidity.

SEC. 22. In order to make it possible for the department and the local administrative units to ad-

Statutes
repealed.

minister public assistance in harmony with the Federal government, sections nine thousand nine hundred and eighty-one (9981) to nine thousand nine hundred and eighty-four (9984) inclusive, and sections nine thousand nine hundred and eighty-seven (9987) to nine thousand nine hundred ninety-one (9991) inclusive, Remington's Revised Statutes of the State of Washington are hereby repealed.

Act does not
limit powers
of county
commiss-
sioners.

SEC. 23. Nothing in this act shall be construed as limiting the powers of the various boards of county commissioners to declare emergencies and to provide revenues necessary thereto.

Effective
April 1, 1937.

SEC. 24. This act is necessary for the immediate preservation of the public peace, health and safety and the support of the state government and its existing public institutions and shall take effect April 1, 1937.

Passed the Senate March 1, 1937.

Passed the House March 8, 1937.

Approved by the Governor March 17, 1937.

CHAPTER 181.

[S. B. 153.]

STATE INSTITUTE OF CHILD DEVELOPMENT AND RESEARCH SERVICE.

AN ACT creating a state institute of child development and research service, providing for management of same and making an appropriation therefor.

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

SECTION 1. There shall be created, established and maintained at the University of Washington, a State Institute of Child Development Research and Service, having as its objects the best scientific methods of serving and developing the child, the dissemination of the information acquired by such