

CHAPTER 8.

[H. B. 35.]

EMERGENCY RELIEF ADMINISTRATION.

AN ACT to relieve the people of the state from hardships and suffering caused by unemployment; creating and defining the duties of an emergency relief administration, and making an appropriation for such purpose; providing penalties, and declaring that this act shall take effect immediately.

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

SECTION 1. *Declaration of Emergency.*—The public health, peace and safety of the state and of each county, city and town therein being imperiled by the existing and threatened deprivation of a considerable number of their inhabitants of the necessities of life, owing to the present economic depression, such condition is hereby declared to be a matter of public concern, state and local, and the correction thereof to be a state, county, city and town purpose, the consummation of which requires, as a necessary incident, the furnishing of public aid to individuals. While the duty of providing aid for those in need or unemployed because of lack of employment is primarily an obligation of the counties, nevertheless, it is the finding of the state that in the existing emergency the relief and assistance provided for by this act are vitally necessary to supplement the relief work accomplished or to be accomplished locally and to encourage and stimulate local effort in the same direction. This act, therefore, is declared to be a measure for the public health and safety and occasioned by an existing emergency. The provisions of any general, special or local law which are inconsistent with the provisions of this act or which limit or forbid the furnishing of shelter, fuel, clothing, water, light, medi-

Emergency
declared.

cine and medical attendance to persons other than poor persons shall not apply to the relief authorized by this act.

Definitions :

SEC. 2. *Definitions.*—*As used in this act:*

“Administration.”

“Administration” means the state agency created by this act, to be known as the emergency relief administration.

“Commission.”

“Commission” means the state commission created by this act in charge of the emergency relief administration.

“Welfare commissioner.”

“Welfare commissioner” means the chief administrative public welfare officer appointed by the county welfare board.

“Municipal Corporation.”

“Municipal corporation” means a county or city or town.

“Board.”

“Board” means the county welfare board created by this act.

“Work relief.”

“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 during the emergency period, 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.

“Home relief.”

“Home relief” means shelter, fuel, food, clothing, water, light, necessary household supplies, medicine, medical supplies and medical attendance furnished to persons or their dependents in their abode or habitation whenever possible and does not include relief to veterans under existing laws, old age relief or allowances made to mothers for the care of dependent children or hospital or institutional care.

“Emergency period.”

“Emergency period” means the period between the date on which this act takes effect and May first,

nineteen hundred and thirty-five, unless hereafter extended and continued by the legislature.

“State aid” means payments to a county welfare board by the state for work relief and/or home relief or to a county or city for work relief furnished during the emergency period in accordance with the provisions of this act.

SEC. 3. *Administrative authority.*—(a) The administration of the emergency relief provided by this act shall be vested in a state agency, to be known as the emergency relief administration, to be headed by a commission of five persons to be appointed by the governor and to serve during his pleasure. At least three of the said members shall be representative citizens; two of the said members may be state officials, or heads of state departments selected for their knowledge of and concern with the problem of unemployment relief. Any vacancy in the membership of the commission, occurring from any cause whatsoever, shall be filled by the governor. The commission shall organize immediately upon the appointment of its complete membership and shall select one of their number chairman. It may employ, and at pleasure remove, an officer whose title shall be director and who shall be the chief executive officer of the emergency relief administration. The director shall be chosen by the commission solely on the basis of his executive and administrative qualifications. The director shall be responsible to the commission for the proper administration of all affairs placed in his charge and to that end he shall have the power to appoint and remove all employees in the administration; but he may authorize the head of a division or office responsible to him to appoint and remove subordinates in such division or office. Appointments made by, or under the authority of the director shall be on the basis of executive and administrative ability and of

“State aid.”

Adminis-
trative
authority.

Commission,
appoint-
ment of.

Director.

Employees.

the training and experience of such appointees in the work which they are to perform. All such appointments shall be without definite term and any employee may be removed by the director or other appointing officer at any time. Except for the purpose of inquiry the commission and its members shall deal with the administrative service solely through the director and neither the commission nor any member thereof shall give orders to any subordinate either publicly or privately. It shall be the duty of the director, under the control of the commission, to supervise the administration of unemployment relief throughout the state; to see that the rules of the commission are enforced; to make such recommendations to the commission as may seem to him desirable; to keep the commission advised of the financial conditions and future needs; to prepare and submit to the commission plans and estimates for relief projects; to prepare and submit to the commission such reports as may be required by that body; and to perform such other duties as may be prescribed by state law or required of him by the commission, not inconsistent with this act.

Director to supervise.

Assistants.

(b) The commission shall, subject to the approval of the governor, authorize the appointment of such other assistants and clerks as may be deemed necessary by it to carry out the provisions of this act and fix the compensation of all employees within the amounts available by appropriation. The administration may accept from any persons or organization and avail itself of any and all offers of personal service or other aid or assistance in carrying out any of the provisions of this act made without expectation of compensation or reward. Any persons or organizations so contributing such services and giving such other aid or assistance shall be entitled to receive only such expenses as are actually and necessarily incurred by them by reason

Compensation.

of such services, aid or assistance. The administration shall set up a principal office and such branch offices throughout the state as it may deem necessary. Each member of the commission, before entering upon the duties of this office, shall take and subscribe the constitutional oath of office and file the same in the office of the secretary of state. The members of the commission shall receive no compensation for their services hereunder but shall be allowed their actual and necessary traveling and other expenses incurred by them in the performance of their duties. The administration shall continue to function only during the emergency period, except that it may examine and certify, after the expiration of such period, claims for state aid under this act for expenditures for work and/or home relief furnished prior to the expiration of such period.

Offices.

Oath of office.

No compensation

Functions only during emergency.

SEC. 4. *Preliminary Studies.*—*The administration shall*

(a) Make or cause to be made with the aid of such data as may be available a thorough and comprehensive study and survey of unemployment within the state, the occupations, industries, and trades most seriously affected thereby, and the number of persons suffering or in want by reason thereof.

Preliminary survey.

(b) Discover the extent and nature of public work required or useful to be done by the state or any political subdivision thereof.

Public work.

(c) Ascertain the amount of resources made available by public appropriations or private contributions for the relief of unemployed persons throughout the state.

Resources.

SEC. 5. *Assistance of Existing Agencies.*—In making any of the surveys preliminary to the work of the administration and for the more effective consummation of any of its powers and duties, the

Existing agencies.

administration may request and shall receive advice and expert assistance from any state or local department or agency. It shall have access to the records of any state or local department, board or other agency pertaining to the functions of the department and the cooperation and assistance of each and every officer or employee thereof. It may, in its discretion cooperate with existing national, state or local unemployment relief commissions or agencies and, if deemed advisable or expedient by it, coordinate and correlate its work with the work or projects of any such commission or agency.

County welfare board.

SEC. 6. *County Administration.*—Within each county there is hereby created a county welfare board, to consist of five to seven persons, one of whom shall be selected by the board of county commissioners from among its members, one of whom shall be a member of the city council and appointed by the mayor of the city which is the county seat of each county, and the remaining members shall be appointed by the emergency relief commission. Members of the board shall continue in office for the duration of the emergency period unless removed as herein provided. A member of a board may be removed for cause by the appointing authority or by the administration but only after reasonable notice and a hearing. The board shall be responsible for the administration or supervision of work and home relief and may employ, and at pleasure remove, an officer whose title shall be welfare commissioner and who shall be the chief executive officer of the board. The welfare commissioner shall be chosen by the board solely on the basis of his executive and administrative qualifications and with special reference to his experience in relief work. The welfare commissioner shall be responsible to the board for the proper administration

Welfare commission.

of all affairs placed in his charge, and to that end he shall have the power to appoint and remove all employees. Appointments made by the welfare commissioner shall be on the basis of their qualifications, with special reference to training and experience of such appointees in the work which they are to perform. All such appointments shall be without definite term and any employee may be removed by the welfare commissioner at any time. Except for the purpose of inquiry the board and its members shall deal with the administrative service solely through the welfare commissioner and neither the board nor any member thereof shall give orders to any subordinate either publicly or privately. It shall be the duty of the welfare commissioner, under control of the board, to supervise the administration of unemployment relief throughout the county; to see that the rules of the administration and the board are enforced; to make such recommendations to the board as may seem to him desirable; to keep the board advised of the financial conditions and future needs; to prepare and submit to the board plans and estimates for relief projects; to prepare and submit to the board such reports as may be required by that body; and to perform such other duties as may be prescribed by state law or required of him by the board or the administration, not inconsistent with this act. In counties where there already exists a county welfare commissioner, such official may be appointed as welfare commissioner by the board. The board may accept from any person or organization and avail itself of any and all offers of personal service or other aid or assistance in carrying out any of the provisions of this act made without expectation of compensation or other reward.

Employees.

Commissioner to supervise.

SEC. 7. *Administrative Agencies.*—Under rules adopted by the administration, which shall not con-

Board to represent administration.

flict or be inconsistent with the provisions of this act, the board shall represent the administration and the county in providing home relief and in administering the provisions of this act. The board shall in all matters be subject to the supervision, direction and control of the administration.

Relief projects.

SEC. 8. *Relief Work.*—The administration may make grants in aid as herein provided for the prosecution of relief work to a county or city or to a county welfare board. Applications for such grants shall be made to the county welfare board and by it transmitted to the administration with its recommendations. The administration shall require such plans, estimates, and other information as it may deem advisable to be submitted in support of such applications for grants-in-aid for work relief projects, and may specify such terms and conditions, and conduct such investigations, inspection, or audits as it may deem advisable in connection therewith. County welfare boards are hereby authorized to carry on such relief work projects as may be approved by the administration, and for which moneys have been provided by appropriation by the county and/or the administration.

Plans.

Local funds.

SEC. 9. *Local Funds for Relief.*—The legislative body of a city or county may appropriate and make available by transfer or otherwise sufficient money to pay for work relief and/or, in the case of a county for home relief, and also may raise such money during the emergency period by interest bearing notes, certificates of indebtedness, bonds or other obligations of such municipal corporation payable within a period not exceeding five years. Such legislative body may authorize the performance of public work undertaken other than by contract by such county or city during the emergency period, through and under the county welfare board

Raising money.

or by its public works or other department under the supervision and control of the county welfare board, notwithstanding any provision in its charter or in any general, special or local law requiring such work to be let by contract.

SEC. 10. *City and County Relief.*—Before a city or county shall receive the state aid provided by this act for home and/or work relief, a county welfare board shall be established as provided in this act which shall select the persons to be assisted on the basis of their needs as determined by adequate investigation.

City and
county
relief.

SEC. 11. *Duties of the County Welfare Boards.*—It shall be the duty of a county welfare board to supervise local relief organizations or public bodies receiving state aid, to coordinate plans and resources in local relief, to direct the expenditure of appropriations made to it, to submit such reports and information as the administration may from time to time require. It shall endeavor to eliminate partisanship from relief administration and to bring the administration of relief into conformity with recognized standards. It shall be the further duty of a county board, under the direction of the administration to ascertain the extent of unemployment existing in the county and make investigations and surveys as to the need for public works and the amount and kind of public work available and not required to be let by contract. From such surveys and investigations it shall determine, from time to time, with the approval of the administration, whether the employment constitutes work relief; how the available employment useful to the public shall best and most equitably be apportioned among the needy unemployed; on what particular project or work they shall be engaged; the number of days in each week they shall be employed and

Duties of
boards.

To super-
vise and
coordinate.

Apportion-
ment of
employment.

Compensation.

the amount of compensation which they shall receive.

Investigation of need.

SEC. 12. *Investigation of Relief.*—It shall be the duty of the welfare commissioner through his qualified agents to make adequate investigation of need before granting home and/or work relief. The amount of relief shall be determined on a budgetary basis which takes into account both the needs and resources of the applicant and his dependents. In each county applicants for relief shall be registered in a central index or registration bureau.

Budgetary basis.

Private contributions to municipal corporations.

SEC. 13. *Private Contributions.*—In furtherance of the purposes of this act, a municipal corporation may accept contributions in cash or otherwise, during the emergency period, from individuals and corporations for work relief and/or home relief which shall be disbursed in the same manner as money appropriated by such municipal corporation for such purposes, but any such contributions in cash for home relief made by a single individual or lawfully by a corporation which aggregate more than the sum of ten thousand dollars during the emergency period shall not be considered in payments to a municipal corporation under the provisions of this act. All expenditures of such contributions in cash under the provisions of this act, by a municipal corporation to the extent of ten thousand dollars or less in the aggregate from a single individual or lawfully from a corporation for home relief shall be allowed in determining the amount of state aid to which such municipal corporation is entitled.

Disbursed.

Over \$10,000.

Records.

SEC. 14. *Records and Accounts of Relief.*—Any local agency furnishing work relief and/or home relief under the provisions of this act shall keep such records and accounts in relation thereto as the administration shall prescribe.

SEC. 15. *State Aid.*—The administration may determine in its discretion from time to time the apportionment of funds as between work relief and home relief. Payment by the state to a county welfare board or county under this act shall not exceed fifty per centum of the amount of expenditures for such home relief and/or work relief as is approved by the administration during the emergency period. As a condition to the receiving of such grant of aid for home relief the county shall appropriate and make available to such board moneys equal to at least fifty per centum of its requirements. Payments by the state to a city or county under this act for work relief shall not exceed fifty per centum of the said expenditures. The administration may in addition, with the approval of the governor, make direct grants to a county welfare board for home relief and/or work relief and to a county or city for work relief on such conditions as it may prescribe. All moneys paid to persons receiving the relief provided by and pursuant to this act shall be inalienable by an assignment or transfer and shall be exempt from levy and execution under the laws of the state.

State aid.

Conditions.

Payments, limit.

Direct grants.

Exemption from levy.

SEC. 16. *Private Contributions to the Administration.*—The administration is authorized to accept, without conditions, private contributions of moneys and expend them directly in any part of the state for relief of the kind described in the definitions of home relief and work relief, but the kind and location of work for which the administration may expend such moneys directly within a county, city or town, other than state work shall be such as the governing board thereof shall approve. Such direct expenditure may be made through employees of the administration, public welfare officials, local bureaus and municipal authorities, or any of them, as the administration may determine. The adminis-

Private contributions to administration.

tration also may allocate any of such moneys to a county welfare board as reimbursement under this act to apply on state aid and to the credit thereof.

SEC. 17. *Expenditures on State Improvements.*

Expenditures.

—The administration may set aside, retain and expend of the moneys appropriated to it, such amount as it may deem necessary, for temporary employment on public improvements undertaken or required by the state and not let or to be let by contract, or persons entitled to relief under this act and of such amount the administration may expend a sum not to exceed ten per centum thereof for the purchase of materials, tools and other supplies needed for the proper performance of such work.

Public improvements by state.

SEC. 18. *Employees of the County Welfare Board.*

Salaries.

—The administration may pay from the moneys hereby appropriated the salary of persons in the employment of the county welfare boards when such salaries have been approved and such appointments authorized by the administration.

SEC. 19. *Reports of Commissioners.*

Detailed statement.

—Each county welfare board shall file with the administration at its office as soon after the first day of the month as practicable, a verified detailed statement of relief granted unemployed persons of the county during the preceding month. Such reports shall contain such information as the administration may from time to time require.

To Governor.

SEC. 20. *Reports by the Administration.*

—The administration shall report to the governor and the legislature from time to time, in such detail as may be required, the operations of the administration together with the condition of unemployment and the relief afforded unemployed persons of the state.

Powers.

SEC. 21. *General Powers of Administration.*

—In executing any of the provisions of this act, the administration, and any person duly authorized or

designated by it, may conduct any investigation pertinent or material to the furtherance of its work. The administration and each person so authorized is hereby empowered to subpoena witnesses, administer oaths, take testimony and compel the production of such books, papers, records and documents as may be relevant to any such investigation. The administration shall have and may exercise such other powers as may be necessary to carry out the provisions of this act.

Investigation.

SEC. 22. *Claims for Payments by the State.*—Claims by a city or county or by a county welfare board for payments by the state for home relief and/or work relief under the provisions of this act shall be made to the administration through the county welfare board, which agency shall transmit to the administration forthwith all claims with recommendations in respect thereto.

Claims, how made.

SEC. 23. *Allowance of Claims.*—Upon the receipt of claims for payment by the administration, it shall examine such claims and certify to the state auditor the amount thereof approved by it, specifying the amount to which each city or county is entitled.

Allowance of claims.

SEC. 24. *Payment of Claims.*—The amount so certified by the administration as provided in the last section shall be paid from the state treasury upon the audit and warrant of the state auditor to the fiscal officer of the city, or to the county treasurer. The county treasurer shall constitute the fiscal officer of the county welfare board and all disbursements for the said board shall be made by the said county treasurer upon warrants drawn by the county auditor upon a special fund which is hereby created in the county treasury to be known as the "county emergency relief fund." Into said fund shall be paid and credited all moneys received from

Payment of claims.

Warrants.

any source with which to carry out the purposes of this act.

Blank forms. SEC. 25. *Blank Forms.*—The administration shall prescribe and furnish such forms of records, accounts, reports and claims as it may deem advisable for the proper enforcement and administration of the provisions of this act.

Rules. SEC. 26. *Rules of the Administration.*—The administration shall make and enforce rules in accordance and consonance with the provisions of this act which will best promote the efficiency and effectiveness of the relief which this act is intended to furnish. None of the money appropriated by this act shall be expended or allowed except in accordance with such rules. A certified copy of such rules shall be filed in the office of the secretary of state. The administration shall mail to each county welfare board, copies of such rules to be posted by them in not less than five public conspicuous places throughout the county.

Secretary of State.

Dissolution. SEC. 27. *Dissolution of Administration on Completion of Work.*—The administration shall be dissolved and cease to function at the time fixed by this act. At such time all unexpended or unpledged moneys in the hands of the administration shall be returned forthwith to the state treasurer to be by him deposited into the state treasury to the credit of the state emergency relief fund, and any moneys remaining in the state emergency relief fund after the payment of all outstanding claims and obligations properly chargeable thereto shall be transferred by the state treasurer from said emergency relief fund to the fund or funds provided for the payment of principal and/or interest upon any and all obligations incurred by the administration pursuant to this act. All tools, materials and supplies remaining unconsumed and in the physical posses-

Unexpended moneys.

sion and control of the administrative heads shall be turned over to the proper department, all tools, materials and supplies remaining unconsumed and in the hands of the county welfare boards shall become the property of and be turned over by them to their respective counties. The administration shall require such final reports from each county welfare board under this act as it shall deem necessary and shall after receipt and audit of such reports, make its own final report to the governor and to the legislature stating such other information or recommendations as it may deem helpful or conducive to promote the public welfare, health and safety of the people of the state. All office equipment purchased by or for the administration shall be turned over to the department of public works. All books, papers, files and records of the administration and all documents, including reports of proceedings, surveys or investigations made or caused to be made by the administration shall be filed as directed by the governor.

Materials
and supplies.

Final report.

Office
equipment.

SEC. 28. *Liberal Construction.*—This act shall be liberally construed to the end that the work of the administration shall be consummated as equitably and expeditiously as practicable.

Construed
liberally.

SEC. 29. *Violations and Penalties.*—Rules adopted by the administration under this act shall have the force and effect of law. A violation of any of the provisions of this act or of any rule of the administration, subsequent to the certification, filing and posting of such rule as provided herein, shall constitute a misdemeanor and shall be punishable by a fine of not less than one hundred dollars or more than one thousand dollars or by imprisonment for not more than one year or by both such fine and imprisonment. The penalty prescribed by this section shall not be exclusive, and if a rule be not obeyed,

Penalties.

the administration, by the exercise of any power, conferred by this act, may carry out its provisions.

Inconsistent
statutes
suspended.

SEC. 30. *Inconsistent Statutory Powers or Duties.*—If a statute, general or special, or any local law or ordinance confers a power, prescribes a duty, or imposes a restriction inconsistent with this act or with a rule of the administration made pursuant to this act, such power shall not be exercised, or such duty or restriction enforced during the emergency period.

Appropriation.

SEC. 31. *Fund Created—Appropriation.*—For the purpose of carrying out the provisions of this act there is hereby created a special fund to be known as the state emergency relief fund, and there is hereby appropriated to this special fund from the general fund out of any moneys not otherwise appropriated the sum of twenty thousand dollars (\$20,000.00) or so much thereof as shall be necessary.

Scope of act.

SEC. 32. *Application.*—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 administration, shall hereafter be available for all counties, whether or not their governing boards have adopted resolutions accepting the provisions of this act, but the governing board or body of a county may adopt a resolution that it does not intend to request or accept the state aid authorized by this act. A certified copy of such resolution shall be filed with the administration and, thereupon and thereafter, the provisions of this act shall not apply to such county.

Allotments
of money.

SEC. 33. *Allotments.*—The governor shall make quarterly allotments to the administration from its appropriation upon the basis of estimates and recommendation submitted to him by the administration. Allotments at other times may be made at the

discretion of the governor. No moneys shall be spent by the administration until allotted to it.

SEC. 34. *Constitutionality*.—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. 35. *Emergency Clause*.—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 immediately.

Effective
immediately.

Passed the House January 19, 1933.

Passed the Senate January 20, 1933.

Approved by the Governor January 23, 1933.

CHAPTER 9.

[S. B. 50.]

LOCAL IMPROVEMENT ASSESSMENTS.

AN ACT relating to the foreclosure of the lien of local improvement assessments, providing for the redemption from sale thereunder, amending section 5 of chapter 275 of the Session Laws of 1927, and declaring that this act shall take effect immediately.

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

SECTION 1. That section 5 of chapter 275, Session Laws of 1927 (section 9386, Remington's 1927 Supplement, and section 1022, Pierce's 1929 Code) be and is amended to read as follows:

Amends § 5,
ch. 275, Laws
of 1927 ;
§ 9386, Rem.
1927 Supp. ;
§ 1022,
Pierce's
1929 Code.

Section 5. a. Whenever in any city or town on the first day of January of any year two install-