

SENATE BILL REPORT

2SSB 5258

As Passed Senate, January 17, 1996

Title: An act relating to clarifying, technical, and administrative revisions to community public health and safety networks.

Brief Description: Making technical revisions to community public health and safety networks.

Sponsors: Senate Committee on Human Services & Corrections (originally sponsored by Senators Hargrove, Long, Franklin and McAuliffe).

Brief History:

Committee Activity: Human Services & Corrections: 1/26/95, 2/16/95 [DPS]; 1/11/96 [DP2S].

Passed Senate, 3/13/95, 48-0; 1/17/96, 47-0.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Second Substitute Senate Bill No. 5258 be substituted therefor, and the second substitute bill do pass.

Signed by Senators Hargrove, Chair; Franklin, Vice Chair; Kohl, Long, Moyer, Prentice, Schow, Smith, Strannigan, Thibaudeau and Zarelli.

Staff: Richard Rodger (786-7461)

Background: In 1994, the Legislature authorized the Family Policy Council (council) to establish a statewide system of community public health and safety networks. The council has approved the creation and membership of 53 community networks.

The networks are designed to assist communities in developing long-term comprehensive plans to reduce the rates of harmful behaviors and acts occurring within the community. Those behaviors and acts include violence and delinquency, teen pregnancy and male parentage, suicide attempts, dropping out of school, and child abuse and neglect. Each network is directed to examine the empirical data, collected by the Department of Health for their community, and to use the data in prioritizing the communities needs.

It is suggested that clarifying, technical, and administrative revisions are necessary to assist in the implementation of the networks.

Summary of Bill: Key definitions vetoed by the Governor in the 1994 legislation are restored. An additional definition is added for the previously undefined term of "fiduciary interest." The community public health and safety networks (network) are subject to the public records act.

The network membership is modified to ensure the citizen members live within the network boundary. The other representatives may either live or work within the network boundary.

Public education representatives are guaranteed membership on the networks. New procedures are included to assist the networks and council in filling network membership vacancies.

Network members do not receive compensation, but are eligible to receive reimbursement for travel, lodging, and meal expenses related to network business. Members cannot vote on any expenditures in which their immediate family members may have a fiduciary interest.

The fiscal agent for the network must use approved budgeting, accounting, and reporting systems. Contracts with the fiscal agent are to be approved by the council. The source of funds available to the networks is clarified. Networks must hold their administrative costs to a minimum and cannot provide services or operate programs. Each network is required to file an annual report relating to their expenditures and contracted services and program.

The role of the local health department is clarified in regard to its role in examining the network's comprehensive plans. The networks holds a public hearing on their plan before it is submitted to the council. A network may request an extension of the time necessary to submit its comprehensive plan. The state agencies represented on the council must review the network's plans and shall identify and implement any necessary actions required to assist the network.

In developing the comprehensive plan, the networks must consider increasing youth employment and job training opportunities. Networks shall also integrate local programs into their plan when they fit the network's priorities and they are deemed successful by the network.

The council may take administrative action against a network that is not in compliance with the statute.

The network members are immune from civil liability arising from their conduct as members, excepting intentional tortious acts or acts of official misconduct. The assets of a network are not subject to attachment or execution in satisfaction of a judgment.

A change is made in the violence reduction and drug enforcement account to make the fund distribution easier to implement.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Section 7 takes effect on July 1, 1996; sections 8 and 10 take effect immediately; and the remaining sections take effect 90 days after session.

Testimony For: This bill addresses many of the concerns raised over the interim regarding accountability of the networks and their agents; liability of the network members and agents; and restoration of definitions necessary to implement the legislation.

Testimony Against: There are still many unanswered issues involving the community networks including the collaboration between existing efforts; accountability and legal authority; approval of memberships; and downloading of state duties to these local entities.

Testified: Dave Brenna, Staff Director, FPC (pro); Bruce Miyahara, Secretary, Department of Health (pro); Vicki Wallen, Governor's Council on Youth and Family Justice (pro); Mike Pipor, Clark County Community Services; Pete Peterson, Clallam County; Jay Wilber, President, Association of Counties; Wes Pruitt, Olympic Educational Service District (pro); Machei Ryherd Keira, Washington State Association of Community Action Agencies (pro); Jeanne Edwards, Human Services Roundtable (pro); Marti Wall, Skagit Community Networks (pro); Elizabeth Mathews, Skagit Community Network (pro); Rob Bean, King County Community Network (pro); Carolyn Allendorror, Snohomish County Human Services (pro); Joan Sharp, Snoqualmie Valley (pro); Peter Mauer, United Way King County South; Nancy Mathews, City of Kent.

House Amendment(s): The House striking amendment makes the following changes:

The definitions of "at-risk children," "matching funds" and "risk factors" are modified. The powers of networks are limited to those granted under Chapter 70.190 RCW.

The judges are removed from the list of "fiduciary" members of the networks. Replacement members of the network are appointed without the approval of the Family Policy Council. The provision making the members eligible for food, travel and mileage reimbursement is eliminated.

Administrative cost of the networks are limited to 10 percent. The provision allowing a one year extension for the development of the comprehensive plans is eliminated. The provisions requiring agencies to review and respond to the comprehensive plans and the requirement to undertake necessary actions to assist in implementation are eliminated.

The grant of civil immunity for the member's conduct in performance of their duties is eliminated. The provision which protects the assets of the network from attachment or execution in satisfaction of a judgment is eliminated.