

SENATE BILL 6357

State of Washington

54th Legislature

1996 Regular Session

By Senator Quigley

Read first time 01/12/96. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to children's services improvement; amending RCW
2 70.190.005, 70.190.010, 43.88.180, 26.23.045, 43.17.020, 70.190.030,
3 70.190.050, 70.190.060, 70.190.070, 70.190.080, 70.190.090, 70.190.100,
4 70.190.130, 69.50.520, 74.15.050, 74.15.060, 74.15.070, 74.15.080,
5 74.15.100, 74.15.120, and 74.15.200; reenacting and amending RCW
6 43.17.010 and 74.15.020; adding new sections to chapter 70.190 RCW;
7 adding a new section to chapter 74.04 RCW; adding a new section to
8 chapter 43.10 RCW; creating new sections; repealing RCW 70.190.140;
9 providing effective dates; and declaring an emergency.

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

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8 **PART I(a) - CREATION OF DEPARTMENT OF CHILDREN'S SERVICES**

9 **Sec. 1.** RCW 70.190.005 and 1994 sp.s. c 7 s 301 are each amended  
10 to read as follows:

11 The legislature finds that a primary goal of public involvement in  
12 the lives of children has been to strengthen the family unit.

13 However, the legislature recognizes that traditional two-parent  
14 families with one parent routinely at home are now in the minority. In  
15 addition, extended family and natural community supports have eroded  
16 drastically. The legislature recognizes that public policy assumptions  
17 including the structure and functioning of government must be altered  
18 to account for this new social reality. Public effort must be  
19 redirected to expand, support, strengthen, and help reconstruct family  
20 and community networks to assist in meeting the needs of children.

21 The legislature finds that a broad variety of services for children  
22 and families has been independently designed over the years and that  
23 the coordination and cost-effectiveness of these services will be  
24 enhanced through the adoption of an approach that allows communities to  
25 prioritize and coordinate services to meet their local needs. The  
26 legislature further finds that the most successful programs for  
27 reaching and working with at-risk families and children treat  
28 individuals' problems in the context of the family, offer a broad  
29 spectrum of services, are flexible in the use of program resources, and  
30 use staff who are trained in crossing traditional program categories in  
31 order to broker services necessary to fully meet a family's needs.

1 The legislature further finds that eligibility criteria,  
2 expenditure restrictions, and reporting requirements of state and  
3 federal categorical programs often create barriers toward the effective  
4 use of resources for addressing the multiple problems of at-risk  
5 families and children.

6 The purposes of this chapter are (1) to modify public policy and  
7 programs to empower communities to support and respond to the needs of  
8 individual families and children ~~((and))~~, (2) to improve the  
9 responsiveness of services for children and families at risk by  
10 facilitating greater coordination and flexibility in the use of funds  
11 by state and local service agencies, and (3) to establish separate  
12 focal points in the organization of state government and in the  
13 executive cabinet, where specific concerns relating to the support of  
14 children, the investigation of abuse and neglect, the punishment of  
15 juvenile offenders, and the licensing of children's services agencies  
16 can be directed.

17 **Sec. 2.** RCW 70.190.010 and 1995 c 399 s 200 are each amended to  
18 read as follows:

19 Unless the context clearly requires otherwise, the definitions in  
20 this section apply throughout this chapter.

21 (1) "Administrative direction" means directing functions and  
22 programs, the use of technology, the structure of the organization, the  
23 allocations within the budget, and the size of the agency work force  
24 including determining the financial basis for layoffs. It also  
25 includes the right to direct and supervise employees, the right to take  
26 whatever actions are necessary to carry out the statutory missions of  
27 the state or its agencies during emergencies; but it does not include  
28 modifying the terms and conditions of employment as established under  
29 chapter 41.06 RCW or the applicable collective bargaining agreement.

30 (2) "Assessment" has the same meaning as provided in RCW 43.70.010.

31 (3) "At-risk" children and youth are those who risk the significant  
32 loss of social, educational, or economic opportunities.

33 (4) "At-risk behaviors" means violent delinquent acts, teen  
34 substance abuse, teen pregnancy and male parentage, teen suicide  
35 attempts, dropping out of school, child abuse or neglect, and domestic  
36 violence. At-risk children and youth also include those who are  
37 victims of violence, abuse, neglect, and those who have been removed  
38 from the custody of their parents.

1       (5) "Community public health and safety networks" or "networks"  
2 means the organizations authorized under RCW 70.190.060.

3       (6) "Community support services" means foster care, child care, and  
4 family support services for children, youth, and families that are  
5 experiencing problems, and includes residential care and counseling for  
6 children and adults who are in severe conflict with their families  
7 where families are unable or unwilling to provide a minimal acceptable  
8 level of safe, secure, consistent, and nurturing environment in which  
9 the child or youth can grow and learn in a healthy way.

10       (7) "Comprehensive plan" means a two-year plan that examines  
11 ((available resources and unmet needs)) risk and protective factors for  
12 a county or multicounty area, considers barriers that limit the  
13 effective use of resources, and articulates a plan to address these  
14 issues that is broadly supported.

15       ((+2)) (8) "Department" means the department of children's  
16 services.

17       (9) "Participating state agencies" means the office of the  
18 superintendent of public instruction, the department of children's  
19 services, the department of social and health services, the department  
20 of health, the employment security department, the department of  
21 community, trade, and economic development, and such other departments  
22 as may be specifically designated by the governor.

23       ((+3)) (10) "Family policy council" or "council" means the  
24 superintendent of public instruction, the secretary of the department  
25 of children's services, the secretary of social and health services,  
26 the secretary of health, the commissioner of the employment security  
27 department, and the director of the department of community, trade, and  
28 economic development or their designees, one legislator from each  
29 caucus of the senate and house of representatives, and one  
30 representative of the governor.

31       ((+4)) (11) "Fiduciary interest" means (a) the right to  
32 compensation from a health, educational, social service, or justice  
33 system organization that receives public funds, or (b) budgetary or  
34 policy-making authority for an organization listed in (a) of this  
35 subsection. A person who acts solely in an advisory capacity and  
36 receives no compensation from a health, educational, social service, or  
37 justice system organization, and who has no budgetary or policy-making  
38 authority is deemed to have no fiduciary interest in the organization.

1       (12) "Outcome" or "outcome based" means defined and measurable  
2 outcomes (~~((and indicators that make it possible for communities))~~) used  
3 to evaluate progress in (~~((meeting their goals and whether systems are~~  
4 ~~fulfilling their responsibilities))~~) reducing the rate of at-risk  
5 children and youth through reducing risk factors and increasing  
6 protective factors.

7       (~~((5))~~) (13) "Matching funds" means an amount no less than twenty-  
8 five percent of (~~((the amount budgeted for a consortium's project. Up~~  
9 ~~to half of the consortium's))~~) funds from the violence reduction and  
10 drug enforcement account, created under RCW 69.50.520, appropriated for  
11 distribution by the council to the networks for plan implementation.  
12 The network's matching funds may be in-kind goods ((and)), services((-  
13 ~~Funding sources allowable for match include))~~, appropriate federal or  
14 local levy funds, private charitable funding, and other charitable  
15 giving. Basic education funds shall not be used as a match.

16       (~~((6) "Consortium" means a diverse group of individuals that~~  
17 ~~includes at least representatives of local service providers, service~~  
18 ~~recipients, local government administering or funding children or~~  
19 ~~family service programs, participating state agencies, school~~  
20 ~~districts, existing children's commissions, ethnic and racial minority~~  
21 ~~populations, and other interested persons organized for the purpose of~~  
22 ~~designing and providing collaborative and coordinated services under~~  
23 ~~this chapter. Consortiums shall represent a county, multicounty, or~~  
24 ~~municipal service area. In addition, consortiums may represent Indian~~  
25 ~~tribes applying either individually or collectively.))~~)

26       (14) "Policy development" has the same meaning as provided in RCW  
27 43.70.010.

28       (15) "Protective factors" means those factors determined by the  
29 department of health to be empirically associated with behaviors that  
30 contribute to socially acceptable or healthy behaviors. Protective  
31 factors include promulgation, identification, and acceptance of  
32 community norms regarding appropriate behaviors in the area of  
33 delinquency, early sexual activity, alcohol and substance abuse,  
34 educational opportunities, employment opportunities, and absence of  
35 crime.

36       (16) "Risk factors" means those factors determined by the  
37 department of health to be empirically associated with at-risk  
38 behaviors. Risk factors include availability of drugs or alcohol,  
39 economic, educational, and social deprivation, rejection of

1 identification with the community, academic failure, a family history  
2 of high substance abuse, crime, a lack of acceptance of societal norms  
3 and substance, child, and sexual abuse.

4 (17) "Secretary" means the secretary of the department of  
5 children's services.

6 NEW SECTION. Sec. 3. (1) There is hereby created a department of  
7 state government to be known as the department of children's services.  
8 The department shall be vested with all powers and duties transferred  
9 to it by this act and such other powers and duties as may be authorized  
10 by law. The main administrative office of the department shall be  
11 located in the city of Olympia. The secretary may establish  
12 administrative facilities in other locations, if deemed necessary for  
13 the efficient operation of the department, and if consistent with the  
14 principles set forth in subsection (2) of this section.

15 (2) The department shall be organized consistent with the goals of  
16 providing state government with a focus on community development to  
17 benefit children and families. The legislature recognizes that the  
18 secretary needs sufficient organizational flexibility to carry out the  
19 department's various duties. To the extent practical, the secretary  
20 shall adhere to the following organizational principles:

21 (a) Clear lines of authority which avoid functional duplication  
22 within and between subelements of the department;

23 (b) A clear and simplified organizational design promoting  
24 accessibility, responsiveness, and accountability to the legislature  
25 and the general public;

26 (c) Maximum span of control without jeopardizing adequate  
27 supervision;

28 (d) A regional organizational structure that on or before July 1,  
29 2002, shall use selected public health and safety networks to provide  
30 administrative direction according to this chapter; and

31 (e) Decentralized authority and responsibility, with clear  
32 accountability for population-wide improvements in the health, safety,  
33 and social development of children, families, and communities.

34 (3) The department shall provide leadership and coordination in  
35 minimizing risks and strengthening protection and guidance for children  
36 by:

37 (a) Working with public health and safety networks and others to  
38 strengthen families and communities;

1 (b) Providing expert advice to the executive and legislative  
2 branches of state government;

3 (c) Providing fair enforcement of minimum necessary rules;

4 (d) Working with other federal, state, and local agencies and  
5 facilitating their involvement in providing assistance to communities;

6 (e) Providing information to the public; and

7 (f) Carrying out such other related actions as may be appropriate  
8 to this purpose.

9 (4) In accordance with the administrative procedure act, chapter  
10 34.05 RCW, the department shall ensure an opportunity for consultation,  
11 review, and comment by the public health and safety networks before the  
12 adoption of standards, guidelines, and rules.

13 (5) Consistent with the principles set forth in subsection (2) of  
14 this section, the secretary may create such administrative divisions,  
15 offices, bureaus, and programs within the department as the secretary  
16 deems necessary. The secretary shall have complete charge of and  
17 supervisory powers over the department, except where the secretary's  
18 authority is specifically limited by law.

19 (6) The secretary shall appoint such personnel as are necessary to  
20 carry out the duties of the department in accordance with chapter 41.06  
21 RCW.

22 (7) The secretary shall appoint such deputy secretaries, assistant  
23 secretaries, and other administrative positions as deemed necessary  
24 consistent with the principles set forth in subsection (2) of this  
25 section. All persons who administer the necessary divisions, offices,  
26 bureaus, and programs, and five additional employees shall be exempt  
27 from the provisions of chapter 41.06 RCW. No employee of the  
28 department may supervise more than twenty-five employees, adopt rules  
29 on behalf of the secretary, or administer funds unless approved by a  
30 program, bureau, office, or division administrator according to the  
31 provisions of this section. The officers and employees appointed under  
32 this subsection shall be paid salaries to be fixed by the governor in  
33 accordance with the procedure established by law for the fixing of  
34 salaries for officers exempt from the state civil service law.

35 NEW SECTION. **Sec. 4.** The executive head and appointing authority  
36 of the department shall be the secretary of the department. The  
37 secretary shall be appointed by the governor with the consent of the  
38 senate, and serve at the pleasure of the governor in accordance with

1 RCW 43.17.020. Notwithstanding any other provision of law, neither the  
2 secretary nor any person acting as the secretary may serve for more  
3 than twelve months without senate confirmation. The secretary shall be  
4 paid a salary to be fixed by the governor in accordance with RCW  
5 43.03.040.

6 NEW SECTION. **Sec. 5.** Any power or duty vested in or transferred  
7 to the secretary by law, or executive order, may be delegated by the  
8 secretary to the deputy director or to any other assistant or  
9 subordinate; but the secretary shall be responsible for the official  
10 acts of the officers and employees of the department.

11 NEW SECTION. **Sec. 6.** (1)(a) The department shall be exempt from:

12 (i) Allotment plan requirements under RCW 43.88.110, in those cases  
13 where the pilot agency can document that appropriate fiscal controls  
14 are in place;

15 (ii) Developing budgets at the object and subobject level under RCW  
16 43.88.030 upon concurrence of the director of financial management that  
17 performance-based measures are adequate to identify and monitor agency  
18 performance and that the necessary agency internal controls are in  
19 place;

20 (iii) Full-time equivalent (FTE) and position/classification  
21 controls in the budget and by the office of financial management under  
22 RCW 43.88.160;

23 (iv) Limitations on entering into personal service contracts, as  
24 specified in chapter 39.29 RCW, if the department can document that  
25 appropriate management and fiscal controls over the contracts are in  
26 place and competitive procurement practices are followed;

27 (v) State-wide requirements for purchasing, material control, and  
28 central stores under chapter 43.19 RCW;

29 (vi) State-wide requirements for acquisition of real estate under  
30 RCW 43.82.010 and for payment of real estate services under RCW  
31 43.01.090;

32 (vii) Requirements for purchasing information services and products  
33 under chapter 43.105 RCW in those cases where the department can  
34 document that services and products can be obtained in a more timely or  
35 efficient manner, or at a lower price, and that adequate management  
36 controls are in place;



1 (viii) Requirements for purchasing services from the state printer  
2 in RCW 43.78.030 and 43.78.100; and

3 (ix) Requirements regarding federal versus state fund expenditures  
4 under RCW 43.88.150.

5 (b) The department may retain, beyond the fiscal biennium, up to  
6 fifty percent of savings resulting from operating efficiencies that are  
7 documented by the department and verified by the director of financial  
8 management. The department shall deposit the savings in the efficiency  
9 incentive account established by section 7 of this act solely for  
10 continued productivity or service delivery improvements.

11 (c) To improve operating efficiency and reduce the use of sick  
12 leave, overtime, and callback, the department may provide an incentive  
13 of twenty-five percent of the sick leave accrued and not used to  
14 employees whose sick leave usage for a fiscal year is no more than  
15 twenty-four hours. Incentives may be in the form of: (i) A bonus  
16 payment; (ii) the employee may convert the sick leave to use for  
17 planned annual leave; or (iii) in the form determined under RCW  
18 41.06.150.

19 (2) The director of financial management may exempt the department  
20 from office of financial management policies and procedures from which  
21 it is not otherwise exempt under this section.

22 (3) Documentation required of the department must be available upon  
23 request by the legislature or the director of financial management.

24 NEW SECTION. **Sec. 7.** The efficiency incentive account is  
25 established in the custody of the state treasurer. Effective July 1,  
26 1997, operating efficiency savings deposited in the account pursuant to  
27 section 6(1)(b) of this act may be expended by the depositing agency  
28 without an appropriation solely for continued productivity or service  
29 delivery improvements.

30 **Sec. 8.** RCW 43.88.180 and 1973 1st ex.s. c 100 s 8 are each  
31 amended to read as follows:

32 Appropriations shall not be required for refunds, as provided in  
33 RCW 43.88.170, nor in the case of payments other than for  
34 administrative expenses or capital improvements to be made from trust  
35 funds specifically created by law to discharge awards, claims,  
36 annuities and other liabilities of the state. (~~Said~~) The trust funds  
37 shall include, but shall not be limited to, the accident fund, medical

1 aid fund, retirement system fund, Washington state patrol retirement  
2 fund ((and)), unemployment trust fund, and the efficiency incentive  
3 account established on behalf of the department of children's services  
4 under section 6 of this act. Appropriations may be required in the  
5 case of public service enterprises defined for the purposes of this  
6 section as proprietary functions conducted by an agency of the state.  
7 An appropriation may be required to permit payment of obligations by  
8 revolving funds, as provided in RCW 43.88.190.

9 NEW SECTION. **Sec. 9.** In furtherance of the policy of the state to  
10 cooperate with the federal government in all of the programs under the  
11 jurisdiction of the department, such rules as may become necessary to  
12 entitle the state to participate in federal funds may be adopted,  
13 unless expressly prohibited by law. Any internal reorganization  
14 carried out under the terms of this chapter shall meet federal  
15 requirements which are a necessary condition to state receipt of  
16 federal funds. Any section or provision of law dealing with the  
17 department which may be susceptible to more than one construction shall  
18 be interpreted in favor of the construction most likely to comply with  
19 federal laws entitling this state to receive federal funds for the  
20 various programs of the department. If any law dealing with the  
21 department is determined by the secretary or is ruled to be in conflict  
22 with federal requirements which are a prescribed condition of the  
23 allocation of federal funds to the state, or to any departments or  
24 agencies thereof, the conflicting part shall be null and void for a  
25 period of no more than twelve months during which time it shall be  
26 reported by the secretary to the governor and the legislature with all  
27 deliberate speed, together with a recommendation as to the action that  
28 should be taken to resolve the conflict.

29 NEW SECTION. **Sec. 10.** In addition to any other powers granted the  
30 secretary, the secretary may:

31 (1) Adopt, in accordance with chapter 34.05 RCW, rules necessary  
32 to carry out the provisions of this chapter;

33 (2) Appoint such advisory committees as may be necessary to carry  
34 out the provisions of this act. Members of such advisory committees  
35 are authorized to receive travel expenses in accordance with RCW  
36 43.03.050 and 43.03.060. The secretary shall review each advisory  
37 committee within his or her jurisdiction and each statutory advisory

1 committee on a biennial basis to determine if such advisory committee  
2 is needed. The criteria specified in RCW 43.131.070 shall be used to  
3 determine whether or not each advisory committee shall be continued;

4 (3) Delegate powers, duties, and functions of the department to  
5 employees of the department as the secretary deems necessary to carry  
6 out the provisions of this chapter;

7 (4) Enter into contracts on behalf of the department to carry out  
8 the purposes of this chapter;

9 (5) Act for the state in the initiation of, or the participation  
10 in, any intergovernmental program to the purposes of this chapter; or

11 (6) Accept gifts, grants, or other funds.

12 **PART I(b) - TRANSFER OF DUTIES TO DEPARTMENT OF**  
13 **CHILDREN'S SERVICES**

14 NEW SECTION. **Sec. 11.** (1) All powers, duties, and functions of  
15 the department of social and health services, in the following  
16 divisions and bureaus of the department of social and health services,  
17 are transferred to the department of children's services:

18 (a) The children and family services program, which includes at  
19 least child welfare services and family reconciliation services;

20 (b) The office of support enforcement;

21 (c) The family policy council; and

22 (d) The division of alcohol and substance abuse, to the extent the  
23 powers, duties, and functions of the bureau of alcohol and substance  
24 abuse pertain to children and their families.

25 (2) By December 20, 1997, the secretary shall submit a plan to the  
26 legislature to transfer administrative direction of these services to  
27 certain public health and safety networks or combinations of networks.  
28 Only those networks whose boundaries are contiguous with one or more  
29 counties may provide administrative direction of the services  
30 transferred under this section. However, networks with combined  
31 boundaries that are contiguous with one or more counties may enter into  
32 joint operating agreements approved by the secretary to provide such  
33 administrative direction. The administrative direction provided by the  
34 public health and safety networks is subject to the employee rights  
35 protected by subsection (4) of this section. Unless the plan is  
36 specifically disapproved in law by June 30, 1998, the secretary shall

1 consider the plan approved and shall implement it with all deliberate  
2 speed.

3 (3)(a) All reports, documents, surveys, books, records, files,  
4 papers, or written material in the possession of the department of  
5 social and health services pertaining to the powers, functions, and  
6 duties transferred shall be delivered to the custody of the department  
7 of children's services. All cabinets, furniture, office equipment,  
8 motor vehicles, and other tangible property employed by the department  
9 of social and health services in carrying out the powers, functions,  
10 and duties transferred shall be made available to the department of  
11 children's services. All funds, credits, or other assets held in  
12 connection with the powers, functions, and duties transferred shall be  
13 assigned to the department of children's services.

14 (b) Any appropriations made to the department of social and health  
15 services for carrying out the powers, functions, and duties transferred  
16 shall, on the effective date of this section, be transferred and  
17 credited to the department of children's services.

18 (c) Whenever any question arises as to the transfer of any  
19 personnel, funds, books, documents, records, papers, files, equipment,  
20 or other tangible property used or held in the exercise of the powers  
21 and the performance of the duties and functions transferred, the  
22 director of financial management shall make a determination as to the  
23 proper allocation and certify the same to the state agencies concerned.

24 (4) All employees of the department of social and health services  
25 engaged in performing the powers, functions, and duties transferred are  
26 transferred to the jurisdiction of the department of children's  
27 services. All employees classified under chapter 41.06 RCW, the state  
28 civil service law, are assigned to the department of children's  
29 services to perform their usual duties upon the same terms as formerly,  
30 without any loss of rights, subject to any action that may be  
31 appropriate thereafter in accordance with the laws and rules governing  
32 state civil service and the requirements of this chapter.

33 (5) All rules and all pending business before the department of  
34 social and health services pertaining to the powers, functions, and  
35 duties transferred shall be continued and acted upon by the department  
36 of children's services. All existing contracts and obligations shall  
37 remain in full force and shall be performed by the department of  
38 children's services.

1 (6) The transfer of the powers, duties, functions, and personnel of  
2 the department of social and health services shall not affect the  
3 validity of any act performed before the effective date of this  
4 section.

5 (7) If apportionments of budgeted funds are required because of the  
6 transfers directed by this section, the director of financial  
7 management shall certify the apportionments to the agencies affected,  
8 the state auditor, and the state treasurer. Each of these shall make  
9 the appropriate transfer and adjustments in funds and appropriation  
10 accounts and equipment records in accordance with the certification.

11 (8) Nothing contained in this section may be construed to alter any  
12 existing collective bargaining unit or the provisions of any existing  
13 collective bargaining agreement until the agreement has expired or  
14 until the bargaining unit has been modified by action of the personnel  
15 board as provided by law.

16 NEW SECTION. **Sec. 12.** (1) All powers, duties, and functions of  
17 the department of community, trade, and economic development in the  
18 following programs are transferred to the department of children's  
19 services:

- 20 (a) The early childhood education assistance program;
- 21 (b) The homeless shelter program;
- 22 (c) The community action agency network; and
- 23 (d) The community mobilization program.

24 All references to the director or the department of community,  
25 trade, and economic development in the Revised Code of Washington shall  
26 be construed to mean the secretary or the department of children's  
27 services when referring to the functions transferred in this section.

28 (2) By December 20, 1997, the secretary shall submit a plan to the  
29 legislature to transfer administrative direction of these services to  
30 certain public health and safety networks or combinations of networks.  
31 Only those networks whose boundaries are contiguous with one or more  
32 counties may provide administrative direction of the services  
33 transferred under this section. However, networks with combined  
34 boundaries that are contiguous with one or more counties may enter into  
35 joint operating agreements approved by the secretary to provide such  
36 administrative direction. The administrative direction provided by the  
37 public health and safety networks is subject to the employee rights  
38 protected by subsection (4) of this section. Unless the plan is

1 specifically disapproved in law by June 30, 1998, the secretary shall  
2 consider the plan approved and shall implement it with all deliberate  
3 speed.

4 (3)(a) All reports, documents, surveys, books, records, files,  
5 papers, or written material in the possession of the department of  
6 community, trade, and economic development pertaining to the powers,  
7 functions, and duties transferred shall be delivered to the custody of  
8 the department of children's services. All cabinets, furniture, office  
9 equipment, motor vehicles, and other tangible property employed by the  
10 department of community, trade, and economic development in carrying  
11 out the powers, functions, and duties transferred shall be made  
12 available to the department of children's services. All funds,  
13 credits, or other assets held in connection with the powers, functions,  
14 and duties transferred shall be assigned to the department of  
15 children's services.

16 (b) Any appropriations made to the department of community, trade,  
17 and economic development for carrying out the powers, functions, and  
18 duties transferred shall, on the effective date of this section, be  
19 transferred and credited to the department of children's services.

20 (c) Whenever any question arises as to the transfer of any  
21 personnel, funds, books, documents, records, papers, files, equipment,  
22 or other tangible property used or held in the exercise of the powers  
23 and the performance of the duties and functions transferred, the  
24 director of financial management shall make a determination as to the  
25 proper allocation and certify the same to the state agencies concerned.

26 (4) All employees of the department of community, trade, and  
27 economic development engaged in performing the powers, functions, and  
28 duties transferred are transferred to the jurisdiction of the  
29 department of children's services. All employees classified under  
30 chapter 41.06 RCW, the state civil service law, are assigned to the  
31 department of children's services to perform their usual duties upon  
32 the same terms as formerly, without any loss of rights, subject to any  
33 action that may be appropriate thereafter in accordance with the laws  
34 and rules governing state civil service.

35 (5) All rules and all pending business before the department of  
36 community, trade, and economic development pertaining to the powers,  
37 functions, and duties transferred shall be continued and acted upon by  
38 the department of children's services. All existing contracts and

1 obligations shall remain in full force and shall be performed by the  
2 department of children's services.

3 (6) The transfer of the powers, duties, functions, and personnel of  
4 the department of community, trade, and economic development shall not  
5 affect the validity of any act performed before the effective date of  
6 this section.

7 (7) If apportionments of budgeted funds are required because of the  
8 transfers directed by this section, the director of financial  
9 management shall certify the apportionments to the agencies affected,  
10 the state auditor, and the state treasurer. Each of these shall make  
11 the appropriate transfer and adjustments in funds and appropriation  
12 accounts and equipment records in accordance with the certification.

13 (8) Nothing contained in this section may be construed to alter any  
14 existing collective bargaining unit or the provisions of any existing  
15 collective bargaining agreement until the agreement has expired or  
16 until the bargaining unit has been modified by action of the personnel  
17 board as provided by law.

18 **Sec. 13.** RCW 26.23.045 and 1994 c 230 s 8 are each amended to read  
19 as follows:

20 (1) The office of support enforcement, Washington state support  
21 registry, shall provide support enforcement services under the  
22 following circumstances:

23 (a) Whenever public assistance under RCW 74.20.330 is paid;

24 (b) Whenever a request for nonassistance support enforcement  
25 services under RCW 74.20.040(2) is received;

26 (c) Whenever a request for support enforcement services under RCW  
27 74.20.040(3) is received;

28 (d) When a support order which contains language directing a  
29 responsible parent to make support payments to the Washington state  
30 support registry under RCW 26.23.050 is submitted;

31 (e) When a support order is forwarded to the Washington state  
32 support registry by the clerk of a superior court under RCW  
33 26.23.050(5);

34 (f) When the obligor submits a support order or support payment to  
35 the Washington state support registry.

36 (2) The office of support enforcement shall continue to provide  
37 support enforcement services for so long as and under such conditions  
38 as the department shall establish by regulation or until the superior

1 court enters an order removing the requirement that the obligor make  
2 support payments to the Washington state support registry as provided  
3 for in RCW 26.23.050(2).

4 (3) The office of support enforcement shall assist noncustodial  
5 parents in obtaining compliance with visitation orders.

6 **Sec. 14.** RCW 43.17.010 and 1993 sp.s. c 2 s 16, 1993 c 472 s 17,  
7 and 1993 c 280 s 18 are each reenacted and amended to read as follows:

8 There shall be departments of the state government which shall be  
9 known as (1) the department of social and health services, (2) the  
10 department of ecology, (3) the department of labor and industries, (4)  
11 the department of agriculture, (5) the department of fish and wildlife,  
12 (6) the department of transportation, (7) the department of licensing,  
13 (8) the department of general administration, (9) the department of  
14 community, trade, and economic development, (10) the department of  
15 veterans affairs, (11) the department of revenue, (12) the department  
16 of retirement systems, (13) the department of corrections, (~~and~~) (14)  
17 the department of health, (~~and~~) (15) the department of financial  
18 institutions, and (16) the department of children's services, which  
19 shall be charged with the execution, enforcement, and administration of  
20 such laws, and invested with such powers and required to perform such  
21 duties, as the legislature may provide.

22 **Sec. 15.** RCW 43.17.020 and 1995 1st sp.s. c 2 s 2 are each amended  
23 to read as follows:

24 There shall be a chief executive officer of each department to be  
25 known as: (1) The secretary of social and health services, (2) the  
26 director of ecology, (3) the director of labor and industries, (4) the  
27 director of agriculture, (5) the director of fish and wildlife, (6) the  
28 secretary of transportation, (7) the director of licensing, (8) the  
29 director of general administration, (9) the director of community,  
30 trade, and economic development, (10) the director of veterans affairs,  
31 (11) the director of revenue, (12) the director of retirement systems,  
32 (13) the secretary of corrections, (~~and~~) (14) the secretary of  
33 health, (~~and~~) (15) the director of financial institutions, and (16)  
34 the secretary of children's services.

35 Such officers, except the secretary of transportation and the  
36 director of fish and wildlife, shall be appointed by the governor, with  
37 the consent of the senate, and hold office at the pleasure of the



1 governor. The secretary of transportation shall be appointed by the  
2 transportation commission as prescribed by RCW 47.01.041. The director  
3 of fish and wildlife shall be appointed by the fish and wildlife  
4 commission as prescribed by RCW 77.04.055.

5 NEW SECTION. **Sec. 16.** A joint legislative task force is hereby  
6 created to review existing laws governing children and families to  
7 report and make recommendations to the senate committee on human  
8 services and corrections and the house of representatives committee on  
9 children and family services by October 31, 1996. The task force shall  
10 consider the ongoing validity of these laws in view of the creation of  
11 the department of children's services and in view of other program  
12 transfers contained in this act, and whether rewriting or  
13 recodification of these laws is necessary or appropriate. The task  
14 force shall review the following chapters of the Revised Code of  
15 Washington:

16 Chapter 13.06 RCW;  
17 Chapter 13.16 RCW;  
18 Chapter 13.32A RCW;  
19 Chapter 13.40 RCW;  
20 Chapter 13.70 RCW;  
21 Chapter 26.18 RCW;  
22 Chapter 26.44 RCW;  
23 Chapter 28A.165 RCW;  
24 Chapter 28A.170 RCW;  
25 Chapter 28A.175 RCW;  
26 Chapter 28A.215 RCW;  
27 Chapter 28A.610 RCW;  
28 Chapter 28A.630 RCW;  
29 Chapter 43.20A RCW;  
30 Chapter 43.20B RCW;  
31 Chapter 43.63A RCW;  
32 Chapter 70.96A RCW;  
33 Chapter 70.123 RCW;  
34 Chapter 71.24 RCW;  
35 Chapter 71.34 RCW;  
36 Chapter 72.05 RCW;  
37 Chapter 72.16 RCW;  
38 Chapter 72.19 RCW;

1 Chapter 72.20 RCW;  
2 Chapter 74.12 RCW;  
3 Chapter 74.13 RCW;  
4 Chapter 74.14A RCW;  
5 Chapter 74.14B RCW;  
6 Chapter 74.15 RCW;  
7 Chapter 74.21 RCW;  
8 Chapter 74.26 RCW;  
9 Chapter 74.29 RCW;  
10 Chapter 74.32 RCW; and  
11 Chapter 74.50 RCW.

12 **PART I(c) - COMMUNITY NETWORKS**

13 **Sec. 17.** RCW 70.190.030 and 1994 sp.s. c 7 s 316 are each amended  
14 to read as follows:

15 The council shall annually solicit from community networks  
16 proposals to facilitate greater flexibility, coordination, and  
17 responsiveness of services at the community level. The council shall  
18 consider such proposals only if:

19 (1) A comprehensive plan has been prepared by the community  
20 networks(~~(~~

21 ~~(2) The community network has identified and agreed to contribute~~  
22 ~~matching funds as specified in RCW 70.190.010;~~

23 ~~(3) An interagency agreement has been prepared by the council and~~  
24 ~~the participating local service and support agencies that governs))~~  
25 that states the use of funds(~~(, specifies)) and the relationship of the~~  
26 project to the principles listed in RCW 74.14A.025, and identifies  
27 specific outcomes and indicators; and

28 ~~((4))~~ (2) The community network has designed into its  
29 comprehensive plan standards for accountability. Accountability  
30 standards include, but are not limited to, the public hearing process  
31 eliciting public comment about the appropriateness of the proposed  
32 comprehensive plan. The community network must submit reports to the  
33 council outlining the public response regarding the appropriateness and  
34 effectiveness of the comprehensive plan.

35 **Sec. 18.** RCW 70.190.050 and 1994 sp.s. c 7 s 207 are each amended  
36 to read as follows:

1 (1) The Washington state institute for public policy shall conduct  
2 or contract for monitoring and tracking of the implementation of  
3 chapter 7, Laws of 1994 sp. sess. to determine whether these efforts  
4 result in a measurable reduction of violence. The institute shall also  
5 conduct or contract for an evaluation of the effectiveness of the  
6 community public health and safety networks in reducing the rate of at-  
7 risk youth through reducing risk factors and increasing protective  
8 factors. The evaluation (~~(plan)~~) shall result in statistically valid  
9 evaluation at both state-wide and community levels. (~~(The evaluation  
10 plan shall be submitted to the governor and appropriate legislative  
11 committees by July 1, 1995.)~~)

12 (2) Starting (~~(five)~~) eight years after the initial grant to a  
13 community network, if the community network fails to meet the outcome  
14 standards and goals in any two consecutive years, the institute shall  
15 make recommendations to the legislature concerning whether the funds  
16 received by that community network should revert back to the  
17 originating agency. In making this determination, the institute shall  
18 consider the adequacy of the level of intervention relative to the risk  
19 factors in the community and any external events having a significant  
20 impact on risk factors or outcomes.

21 (3) The outcomes required under this chapter and social development  
22 standards and measures established by the department of health under  
23 RCW 43.70.555 shall be used in conducting the outcome evaluation of the  
24 community networks.

25 **Sec. 19.** RCW 70.190.060 and 1994 sp.s. c 7 s 303 are each amended  
26 to read as follows:

27 (1) The legislature (~~(intends to create)~~) authorizes community  
28 public health and safety networks to reconnect parents and other  
29 citizens with children, youth, families, and community institutions  
30 which support health and safety. The networks have those powers and  
31 duties as authorized under this chapter or by other specific grants of  
32 authority. The networks should empower parents and other citizens by  
33 being a means of expressing their attitudes, spirit, and perspectives  
34 regarding safe and healthy family and community life. The legislature  
35 intends that parent and other citizen perspectives exercise a  
36 controlling influence over policy and program operations of  
37 professional organizations concerned with children and family issues  
38 within networks in a manner consistent with the Constitution and state

1 law. It is not the intent of the legislature that health, social  
2 service, or educational professionals dominate community public health  
3 and safety network processes or programs, but rather that these  
4 professionals use their skills to lend support to parents and other  
5 citizens in expressing their values as parents and other citizens  
6 identify community needs and establish community priorities. To this  
7 end, the legislature intends full participation of parents and other  
8 citizens in community public health and safety networks. The intent is  
9 that local community values are reflected in the operations of the  
10 network.

11 (2) A group of persons described in subsection (3) of this section  
12 may apply (~~by December 1, 1994,~~) to be a community public health and  
13 safety network.

14 (3) Each community public health and safety network shall be  
15 composed of twenty-three people, thirteen of whom shall be citizens who  
16 live within the network boundary with no (~~direct~~) fiduciary interest  
17 (~~in health, education, social service, or justice system organizations~~  
18 ~~operating within the network area~~). In selecting these members, first  
19 priority shall be given to members of community mobilization advisory  
20 boards, city or county children's services commissions, human services  
21 advisory boards, or other such organizations (~~which may exist within~~  
22 ~~the network~~). The thirteen persons shall be selected as follows:  
23 Three by (~~the~~) chambers of commerce (~~located in the network~~), three  
24 by school board members (~~of the school districts within the network~~  
25 ~~boundary~~), three by (~~the~~) county legislative authorities (~~of the~~  
26 ~~counties within the network boundary~~), three by (~~the~~) city  
27 legislative authorities (~~of the cities within the network boundary~~),  
28 and one high school student, selected by student organizations (~~within~~  
29 ~~the network boundary~~). The remaining ten members shall live or work  
30 within the network boundary and shall include local representation  
31 (~~from~~) selected by the following groups and entities: Cities(~~( )~~)  
32 counties(~~( )~~)  
33 federally recognized Indian tribes(~~( )~~)  
34 parks and recreation programs(~~( )~~)  
35 law enforcement agencies(~~( )~~)  
36 superior court judges(~~( )~~)  
37 state children's service workers (~~from within the network~~  
38 ~~area~~)  
39 employment assistance workers (~~from within the network~~  
40 ~~area~~)  
41 private social(~~( )~~  
42 ~~educational~~) service providers, broad-based  
43 nonsecular organizations, or health service providers (~~from within the~~  
44 ~~network area, and broad-based nonsecular organizations~~)  
45 and public  
46 education.

1 (4) A list of the network members shall be submitted to the council  
2 (~~by December 1, 1994,~~) by the network chair who shall be selected by  
3 network members (~~at their first meeting~~). The list shall become  
4 final upon council approval, no later than sixty days following its  
5 submission, unless the (~~council chooses other members within twenty~~  
6 ~~days after the list is submitted. The council shall accept the list~~  
7 ~~unless he or she believes the proposed~~) list does not adequately  
8 represent all parties identified in subsection (3) of this section or  
9 a member has a (~~conflict of~~) prohibited fiduciary interest (~~between~~  
10 ~~his or her membership and his or her livelihood~~). The council shall  
11 notify the network chair of its disapproval of a proposed member or  
12 members and provide a deadline for submission of other nominees.  
13 Members of the (~~community~~) network shall serve terms of three years.

14 The terms of the initial members of each network shall be as  
15 follows: (a) One-third shall serve for one year; (b) one-third shall  
16 serve for two years; and (c) one-third shall serve for three years.  
17 Initial members may agree which shall serve fewer than three years or  
18 the decision may be made by lot. (~~The same process shall be used in~~  
19 ~~the selection of the chair and members for subsequent terms.~~) Any  
20 vacancy occurring during the term may be filled by the chair for the  
21 balance of the unexpired term.

22 (5) (~~The network shall select a public entity as the lead fiscal~~  
23 ~~agency for the network. The lead agency may contract with a public or~~  
24 ~~private entity to perform other administrative duties required by the~~  
25 ~~state. In making the selection, the network shall consider: (a)~~  
26 ~~Experience in administering prevention and intervention programs; (b)~~  
27 ~~the relative geographical size of the network and its members; (c)~~  
28 ~~budgeting and fiscal capacity; and (d) how diverse a population each~~  
29 ~~entity represents.~~) Not less than sixty days before the expiration of  
30 a network member's term, the chair shall submit the name of a nominee  
31 to the council for its approval. The council shall ensure the network  
32 remains in compliance with subsection (3) of this section.

33 (6) Network members shall serve without compensation but may  
34 receive reimbursement, at the rates established under chapter 43.03  
35 RCW, for necessary subsistence, lodging, and mileage expenses incurred  
36 in connection with official network duties.

37 (7) Networks (~~meetings~~) are subject to the open public meetings  
38 act under chapter 42.30 RCW and the public records provisions of RCW  
39 42.17.270 through 42.17.310.

1        NEW SECTION.    **Sec. 20.**    (1) Each network shall contract with a  
2 public entity as its lead fiscal agent. The contract shall grant the  
3 agent authority to perform fiscal, accounting, contract administration,  
4 legal, and other administrative duties, including the provision of  
5 liability insurance. Any contract under this subsection shall be  
6 submitted to the council by the network for approval prior to its  
7 execution. The council shall review the contract to determine whether  
8 the administrative costs will be held to a reasonable minimum.

9        (2) The lead agent shall maintain a system of accounting for  
10 network funds consistent with the budgeting, accounting, and reporting  
11 systems and standards adopted or approved by the state auditor.

12        (3) The lead agent may contract with another public or private  
13 entity to perform duties other than fiscal or accounting duties.

14        NEW SECTION.    **Sec. 21.** No network member may vote to authorize, or  
15 attempt to influence the authorization of, any expenditure in which the  
16 member's immediate family has a fiduciary interest. For the purpose of  
17 this section "immediate family" means a spouse, parent, grandparent,  
18 adult child, brother, or sister.

19        **Sec. 22.** RCW 70.190.070 and 1994 sp.s. c 7 s 304 are each amended  
20 to read as follows:

21        The community public health and safety networks shall:

22        (1) Review state and local public health data and analysis relating  
23 to risk factors, protective factors, and at-risk children and youth;

24        (2) Prioritize the risk factors and protective factors to reduce  
25 the likelihood of their children and youth being at risk. The  
26 priorities shall be based upon public health data and assessment and  
27 policy development standards provided by the department of health under  
28 RCW 43.70.555;

29        (3) Develop long-term comprehensive plans to reduce the rate of at-  
30 risk children and youth; set definitive, measurable goals, based upon  
31 the department of health standards; and project their desired outcomes;

32        (4) Distribute funds to local programs that reflect the locally  
33 established priorities and as provided in RCW 70.190.140;

34        (5) Comply with outcome-based standards;

35        (6) Cooperate with the department of health and local boards of  
36 health to provide data and determine outcomes; ((and))

1 (7) Coordinate its efforts with anti-drug use efforts and  
2 organizations and maintain a high priority for combatting drug use by  
3 at-risk youth; and

4 (8) If the network has administrative direction of any additional  
5 services according to this chapter, use that authority to increase the  
6 effectiveness of those services at reducing risk factors and increasing  
7 protective factors according to its plan.

8 **Sec. 23.** RCW 70.190.080 and 1994 sp.s. c 7 s 305 are each amended  
9 to read as follows:

10 (1) The community network's plan may include a program to provide  
11 postsecondary scholarships to at-risk students who: (a) Are community  
12 role models under criteria established by the community network; (b)  
13 successfully complete high school; and (c) maintain at least a 2.5  
14 grade point average throughout high school. Funding for the  
15 scholarships may include public and private sources.

16 (2) The community network's plan may also include funding of  
17 community-based home visitor programs which are designed to reduce the  
18 incidence of child abuse and neglect (~~(with [within])~~) within the  
19 network. Parents shall sign a voluntary authorization for services,  
20 which may be withdrawn at any time. The program may provide parents  
21 with education and support either in parents' homes or in other  
22 locations comfortable for parents, beginning with the birth of their  
23 first baby. The program may make the following services available to  
24 the families:

25 (a) Visits for all expectant or new parents, either at the parent's  
26 home or another location with which the parent is comfortable;

27 (b) Screening before or soon after the birth of a child to assess  
28 the family's strengths and goals and define areas of concern in  
29 consultation with the family;

30 (c) Parenting education and skills development;

31 (d) Parenting and family support information and referral;

32 (e) Parent support groups; and

33 (f) Service coordination for individual families, and assistance  
34 with accessing services, provided in a manner that ensures that  
35 individual families have only one individual or agency to which they  
36 look for service coordination. Where appropriate for a family, service  
37 coordination may be conducted through interdisciplinary or interagency  
38 teams.

1        These programs are intended to be voluntary for the parents  
2 involved.

3        (~~(3)~~) (~~(The community network may include funding of)~~) In developing  
4 long-term comprehensive plans to reduce the rate of at-risk children  
5 and youth, the community networks shall consider increasing employment  
6 and job training opportunities in recognition that they constitute an  
7 effective network strategy and strong protective factor. The networks  
8 shall consider and may include funding of:

9        (a) At-risk youth job placement and training programs. The  
10 programs shall:

11        (i) Identify and recruit at-risk youth for local job opportunities;

12        (ii) Provide skills and needs assessments for each youth recruited;

13        (iii) Provide career and occupational counseling to each youth  
14 recruited;

15        (iv) Identify businesses willing to provide employment and training  
16 opportunities for at-risk youth;

17        (v) Match each youth recruited with a business that meets his or  
18 her skills and training needs;

19        (vi) Provide employment and training opportunities that prepare the  
20 individual for demand occupations; and

21        (vii) Include, to the extent possible, collaboration of business,  
22 labor, education and training, community organizations, and local  
23 government;

24        (b) Employment assistance, including job development, school-to-  
25 work placement, employment readiness training, basic skills,  
26 apprenticeships, job mentoring, and private sector and community  
27 service employment;

28        (c) Education assistance, including tutoring, mentoring,  
29 interactions with role models, entrepreneurial education and projects,  
30 violence prevention training, safe school strategies, and employment  
31 reentry assistance services;

32        (~~(d)~~) (4) The community network may include funding of:

33        (a) Peer-to-peer, group, and individual counseling, including  
34 crisis intervention, for at-risk youth and their parents;

35        (~~(e)~~) (b) Youth coalitions that provide opportunities to develop  
36 leadership skills and gain appropriate respect, recognition, and  
37 rewards for their positive contribution to their community;



1       ~~((f))~~ (c) Technical assistance to applicants to increase their  
2 organizational capacity and to improve the likelihood of a successful  
3 application; and  
4       ~~((g))~~ (d) Technical assistance and training resources to  
5 successful applicants.

6       **Sec. 24.** RCW 70.190.090 and 1994 sp.s. c 7 s 306 are each amended  
7 to read as follows:

8       (1) A ~~((community))~~ network that has its membership finalized under  
9 RCW 70.190.060(4) shall, upon application to the council, be eligible  
10 to receive planning grants and technical assistance from the council.  
11 Planning grants may be funded through available federal funds for  
12 family preservation services. After receiving the planning grant the  
13 ~~((region will be given))~~ network has up to one year to submit the long-  
14 term comprehensive plan. ((Upon application the community networks are  
15 eligible to receive funds appropriated under RCW 70.190.140.)) The  
16 council may, upon request of a network, approve one or more extensions  
17 for submission of its plan, not exceeding a total period of one year.

18       (2) The council shall enter into biennial contracts with  
19 ~~((community))~~ networks as part of the grant process. The contracts  
20 shall be consistent with available resources, and shall be distributed  
21 in accordance with the distribution formula developed pursuant to RCW  
22 43.41.195, subject to the applicable matching fund requirement.

23       (3) No later than February 1 of each odd-numbered year following  
24 the initial contract between the council and a network, the council  
25 shall request from the network its plan for the upcoming biennial  
26 contract period.

27       (4) The council shall notify the ~~((community))~~ networks of their  
28 allocation of available resources at least sixty days prior to the  
29 start of a new biennial contract period.

30       (5) The networks shall, by contract, distribute funds (a)  
31 appropriated for plan implementation by the legislature, (b)  
32 appropriated to state agencies that can be distributed to the networks  
33 through the agency's legal authority, and (c) obtained from nonstate  
34 resources. In distributing funds, the networks shall ensure that  
35 administrative costs are held to a minimum, so the most dollars flow to  
36 direct services.

37       (6) A network shall not provide services or operate programs.

1       (7) A network shall file a report with the council by May 1 of each  
2 year that includes but is not limited to the following information:  
3 Detailed expenditures, programs under way, progress on contracted  
4 services and programs, and successes and problems in coordinating  
5 services within the network's boundary. The report shall also include  
6 information on existing local programs that provide services to  
7 children and families, including information on outcomes achieved.

8       **Sec. 25.** RCW 70.190.100 and 1994 sp.s. c 7 s 307 are each amended  
9 to read as follows:

10       The family policy council shall:

11       (1) Establish and may modify network boundaries ((no later than  
12 July 1, 1994)) in consultation with the networks as the need may arise.  
13 There is a presumption that no county may be divided between two or  
14 more community networks and no network shall have fewer than forty  
15 thousand population. When approving multicounty networks, considering  
16 dividing a county between networks, or creating a network with a  
17 population of less than forty thousand, the council must consider: (a)  
18 Common economic, geographic, and social interests; (b) historical and  
19 existing shared governance; and (c) the size and location of population  
20 centers. Individuals and groups within any area shall be given ample  
21 opportunity to propose network boundaries in a manner designed to  
22 assure full consideration of their expressed wishes;

23       (2) Develop a technical assistance and training program to assist  
24 communities in creating and developing community networks and  
25 comprehensive plans;

26       (3) Approve the structure, purpose, goals, plan, and performance  
27 measurements of each community network;

28       (4) Except as otherwise specifically directed in law, identify all  
29 prevention and early intervention programs and funds, including all  
30 programs funded under RCW 69.50.520, in addition to the programs set  
31 forth in RCW 70.190.110, which could be transferred, in all or part, to  
32 the community networks, ((and)) report their findings and  
33 recommendations to the governor and the legislature regarding any  
34 appropriate program transfers by January 1 of each year, and on each  
35 succeeding July 1, transfer those programs unless such action is  
36 specifically disapproved by an act of law;

37       (5) Reward community networks that show exceptional success as  
38 provided in RCW 43.41.195;

1 (6) Seek every opportunity to maximize federal and other funding  
2 that is consistent with the plans approved by the council for the  
3 purpose and goals of this chapter;

4 (7) Review the state-funded out-of-home placement rate before the  
5 end of each contract to determine whether the region has sufficiently  
6 reduced the rate. If the council determines that there has not been a  
7 sufficient reduction in the rate, it may reduce the immediately  
8 succeeding grant to the network;

9 (8)(a) The council shall monitor the implementation of programs  
10 contracted by participating state agencies by reviewing periodic  
11 reports on the extent to which services were delivered to intended  
12 populations, the quality of services, and the extent to which service  
13 outcomes were achieved at the conclusion of service interventions.  
14 This monitoring shall include provision for periodic feedback to  
15 community networks;

16 (b) The legislature intends that this monitoring be used by the  
17 Washington state institute for public policy, together with public  
18 health data on at-risk behaviors and risk and protective factors, to  
19 produce an external evaluation of the effectiveness of the networks and  
20 their programs. For this reason, and to conserve public funds, the  
21 council shall not conduct or contract for the conduct of control group  
22 studies, quasi-experimental design studies, or other analysis efforts  
23 to attempt to determine the impact of network programs on at-risk  
24 behaviors or risk and protective factors; and

25 (9) Review the implementation of chapter 7, Laws of 1994 sp. sess.  
26 and report its recommendations to the legislature annually. The report  
27 shall use measurable performance standards to evaluate the  
28 implementation.

29 **Sec. 26.** RCW 70.190.130 and 1994 sp.s. c 7 s 310 are each amended  
30 to read as follows:

31 (1) The council shall only disburse funds to a ~~((community))~~  
32 network after a comprehensive plan has been prepared by the network and  
33 approved by the council ~~((or as provided in RCW 70.190.140))~~. In  
34 approving the plan the council shall consider whether the network:

35 ~~((+1))~~ (a) Promoted input from the widest practical range of  
36 agencies and affected parties, including public hearings;

1       ~~((+2))~~ (b) Reviewed the indicators of violence data compiled by  
2 the local public health departments and incorporated a response to  
3 those indicators in the plan;

4       ~~((+3))~~ (c) Obtained a declaration by the largest health department  
5 within the ~~((network's boundaries, ensuring that)) network boundary,~~  
6 indicating whether the plan ~~((met)) meets~~ minimum standards for  
7 assessment and policy development relating to social development  
8 according to RCW 43.70.555;

9       ~~((+4))~~ (d) Included a specific mechanism of data collection and  
10 transmission based on the rules established under RCW 43.70.555;

11       ~~((+5))~~ (e) Considered all relevant causes of violence in its  
12 community and did not isolate only one or a few of the elements to the  
13 exclusion of others and demonstrated evidence of building community  
14 capacity through effective neighborhood and community development;  
15 ~~((and~~

16       ~~(+6))~~ (f) Considered youth employment and job training programs  
17 outlined in this chapter as a strategy to reduce the rate of at-risk  
18 children and youth;

19       (g) Integrated local programs that met the network's priorities and  
20 were deemed successful by the network;

21       (h) Committed to make measurable reductions in the rate of at-risk  
22 children and youth by reducing the rate of state-funded out-of-home  
23 placements and make reductions in at least three of the following rates  
24 of youth: Violent criminal acts, substance abuse, pregnancy and male  
25 parentage, suicide attempts, ~~((or)) dropping out of school, child abuse~~  
26 or neglect, and domestic violence; and

27       (i) Held a public hearing on its proposed comprehensive plan and  
28 submitted to the council all of the written comments received at the  
29 hearing and a copy of the minutes taken at the hearing.

30       (2) The council may establish a maximum amount to be expended by a  
31 network for purposes of planning and administrative duties.

32       (3) The council may determine that a network is not in compliance  
33 with this chapter. Upon a determination of noncompliance, the council  
34 may suspend or revoke a network's status or contract and specify a  
35 process and deadline for the network's compliance.

36       **Sec. 27.** RCW 69.50.520 and 1995 2nd sp.s. c 18 s 920 are each  
37 amended to read as follows:

1 The violence reduction and drug enforcement account is created in  
2 the state treasury. All designated receipts from RCW 9.41.110(7),  
3 66.24.210(4), 66.24.290(3), 69.50.505(h)(1), 82.08.150(5),  
4 82.24.020(2), 82.64.020, and section 420, chapter 271, Laws of 1989  
5 shall be deposited into the account. Expenditures from the account may  
6 be used only for funding services and programs under chapter 271, Laws  
7 of 1989 and chapter 7, Laws of 1994 sp. sess., including state  
8 incarceration costs. After July 1, 1997, at least seven and one-half  
9 percent of (~~expenditures from~~) all designated receipts from RCW  
10 9.41.110(8), 66.24.210(4), 66.24.290(3), 69.50.505(h)(1), 82.08.150(5),  
11 82.24.020(2), 82.64.020, and section 420, chapter 271, Laws of 1989  
12 deposited into the account shall be used for providing grants to  
13 community public health and safety networks under chapter 70.190 RCW by  
14 the family policy council.

15 **PART II - TRANSFER OF CHILD PROTECTIVE SERVICE DUTIES**  
16 **TO ATTORNEY GENERAL**

17 NEW SECTION. **Sec. 28.** (1) All powers, duties, and functions of  
18 the department of social and health services pertaining to child  
19 protective services are transferred to the office of the attorney  
20 general. All references to the secretary or the department of social  
21 and health services in the Revised Code of Washington shall be  
22 construed to mean the attorney general or the office of the attorney  
23 general when referring to the functions transferred in this section.

24 (2)(a) All reports, documents, surveys, books, records, files,  
25 papers, or written material in the possession of the department of  
26 social and health services pertaining to the powers, functions, and  
27 duties transferred shall be delivered to the custody of the office of  
28 the attorney general. All cabinets, furniture, office equipment, motor  
29 vehicles, and other tangible property employed by the department of  
30 social and health services in carrying out the powers, functions, and  
31 duties transferred shall be made available to the office of the  
32 attorney general. All funds, credits, or other assets held in  
33 connection with the powers, functions, and duties transferred shall be  
34 assigned to the office of the attorney general.

35 (b) Any appropriations made to the department of social and health  
36 services for carrying out the powers, functions, and duties transferred

1 shall, on the effective date of this section, be transferred and  
2 credited to the office of the attorney general.

3 (c) Whenever any question arises as to the transfer of any  
4 personnel, funds, books, documents, records, papers, files, equipment,  
5 or other tangible property used or held in the exercise of the powers  
6 and the performance of the duties and functions transferred, the  
7 director of financial management shall make a determination as to the  
8 proper allocation and certify the same to the state agencies concerned.

9 (3) All employees of the department of social and health services  
10 engaged in performing the powers, functions, and duties transferred are  
11 transferred to the jurisdiction of the office of the attorney general.  
12 All employees classified under chapter 41.06 RCW, the state civil  
13 service law, are assigned to the office of the attorney general to  
14 perform their usual duties upon the same terms as formerly, without any  
15 loss of rights, subject to any action that may be appropriate  
16 thereafter in accordance with the laws and rules governing state civil  
17 service.

18 (4) All rules and all pending business before the department of  
19 social and health services pertaining to the powers, functions, and  
20 duties transferred shall be continued and acted upon by the office of  
21 the attorney general. All existing contracts and obligations shall  
22 remain in full force and shall be performed by the office of the  
23 attorney general.

24 (5) The transfer of the powers, duties, functions, and personnel of  
25 the department of social and health services shall not affect the  
26 validity of any act performed before the effective date of this  
27 section.

28 (6) If apportionments of budgeted funds are required because of the  
29 transfers directed by this section, the director of financial  
30 management shall certify the apportionments to the agencies affected,  
31 the state auditor, and the state treasurer. Each of these shall make  
32 the appropriate transfer and adjustments in funds and appropriation  
33 accounts and equipment records in accordance with the certification.

34 (7) Nothing contained in this section may be construed to alter any  
35 existing collective bargaining unit or the provisions of any existing  
36 collective bargaining agreement until the agreement has expired or  
37 until the bargaining unit has been modified by action of the personnel  
38 board as provided by law.

1           **PART III - TRANSFER OF INVESTIGATIVE DUTIES TO ATTORNEY GENERAL**

2           NEW SECTION.   **Sec. 29.**   The legislature intends by enacting  
3 sections 30 and 31 of this act to bolster the capacity of the state to  
4 do independent investigations of public assistance fraud and to remove  
5 conflicts that may arise when an agency is required to investigate its  
6 own staff and clients.

7           NEW SECTION.   **Sec. 30.**   A new section is added to chapter 74.04 RCW  
8 to read as follows:

9           All investigations under this title that in the normal course of  
10 business would have been conducted by a certified criminal justice  
11 agency under chapter 10.93 RCW and RCW 43.43.705 before the effective  
12 date of this section shall be conducted by the office of the attorney  
13 general.

14           NEW SECTION.   **Sec. 31.**   A new section is added to chapter 43.10 RCW  
15 to read as follows:

16           (1) All powers, duties, and functions of the department of social  
17 and health services conducted by a certified criminal justice agency  
18 under chapter 10.93 RCW and RCW 43.43.705 are transferred to the office  
19 of the attorney general. All references to the secretary or the  
20 department of social and health services in the Revised Code of  
21 Washington pertaining to the functions transferred in this section  
22 shall be construed to mean the attorney general or the office of the  
23 attorney general when referring to the functions transferred in this  
24 section.

25           (2)(a) All reports, documents, surveys, books, records, files,  
26 papers, or written material in the possession of the department of  
27 social and health services pertaining to the powers, functions, and  
28 duties transferred shall be delivered to the custody of the office of  
29 the attorney general. All cabinets, furniture, office equipment, motor  
30 vehicles, and other tangible property employed by the department of  
31 social and health services in carrying out the powers, functions, and  
32 duties transferred shall be made available to the office of the  
33 attorney general. All funds, credits, or other assets held in  
34 connection with the powers, functions, and duties transferred shall be  
35 assigned to the office of the attorney general.

1 (b) Any appropriations made to the department of social and health  
2 services for carrying out the powers, functions, and duties transferred  
3 shall, on the effective date of this section, be transferred and  
4 credited to the office of the attorney general.

5 (c) Whenever any question arises as to the transfer of any  
6 personnel, funds, books, documents, records, papers, files, equipment,  
7 or other tangible property used or held in the exercise of the powers  
8 and the performance of the duties and functions transferred, the  
9 director of financial management shall make a determination as to the  
10 proper allocation and certify the same to the state agencies concerned.

11 (3) All employees of the department of social and health services  
12 engaged in performing the powers, functions, and duties transferred are  
13 transferred to the jurisdiction of the office of the attorney general.  
14 All employees classified under chapter 41.06 RCW, the state civil  
15 service law, are assigned to the office of the attorney general to  
16 perform their usual duties upon the same terms as formerly, without any  
17 loss of rights, subject to any action that may be appropriate  
18 thereafter in accordance with the laws and rules governing state civil  
19 service.

20 (4) All rules and all pending business before the department of  
21 social and health services pertaining to the powers, functions, and  
22 duties transferred shall be continued and acted upon by the office of  
23 the attorney general. All existing contracts and obligations shall  
24 remain in full force and shall be performed by the office of the  
25 attorney general.

26 (5) The transfer of the powers, duties, functions, and personnel of  
27 the department of social and health services shall not affect the  
28 validity of any act performed before the effective date of this  
29 section.

30 (6) If apportionments of budgeted funds are required because of the  
31 transfers directed by this section, the director of financial  
32 management shall certify the apportionments to the agencies affected,  
33 the state auditor, and the state treasurer. Each of these shall make  
34 the appropriate transfer and adjustments in funds and appropriation  
35 accounts and equipment records in accordance with the certification.

36 (7) Nothing contained in this section may be construed to alter any  
37 existing collective bargaining unit or the provisions of any existing  
38 collective bargaining agreement until the agreement has expired or



1 until the bargaining unit has been modified by action of the personnel  
2 board as provided by law.

3 **PART IV - TRANSFER OF JUVENILE REHABILITATION DUTIES**  
4 **TO DEPARTMENT OF CORRECTIONS**

5 NEW SECTION. **Sec. 32.** (1) All powers, duties, and functions of  
6 the department of social and health services pertaining to the juvenile  
7 rehabilitation program are transferred to the department of  
8 corrections. All references to the secretary or the department of  
9 social and health services in the Revised Code of Washington shall be  
10 construed to mean the secretary or the department of corrections when  
11 referring to the functions transferred in this section.

12 (2)(a) All reports, documents, surveys, books, records, files,  
13 papers, or written material in the possession of the department of  
14 social and health services pertaining to the powers, functions, and  
15 duties transferred shall be delivered to the custody of the department  
16 of corrections. All cabinets, furniture, office equipment, motor  
17 vehicles, and other tangible property employed by the department of  
18 social and health services in carrying out the powers, functions, and  
19 duties transferred shall be made available to the department of  
20 corrections. All funds, credits, or other assets held in connection  
21 with the powers, functions, and duties transferred shall be assigned to  
22 the department of corrections.

23 (b) Any appropriations made to the department of social and health  
24 services for carrying out the powers, functions, and duties transferred  
25 shall, on the effective date of this section, be transferred and  
26 credited to the department of corrections.

27 (c) Whenever any question arises as to the transfer of any  
28 personnel, funds, books, documents, records, papers, files, equipment,  
29 or other tangible property used or held in the exercise of the powers  
30 and the performance of the duties and functions transferred, the  
31 director of financial management shall make a determination as to the  
32 proper allocation and certify the same to the state agencies concerned.

33 (3) All employees of the department of social and health services  
34 engaged in performing the powers, functions, and duties transferred are  
35 transferred to the jurisdiction of the department of corrections. All  
36 employees classified under chapter 41.06 RCW, the state civil service  
37 law, are assigned to the department of corrections to perform their

1 usual duties upon the same terms as formerly, without any loss of  
2 rights, subject to any action that may be appropriate thereafter in  
3 accordance with the laws and rules governing state civil service.

4 (4) All rules and all pending business before the department of  
5 social and health services pertaining to the powers, functions, and  
6 duties transferred shall be continued and acted upon by the department  
7 of corrections. All existing contracts and obligations shall remain in  
8 full force and shall be performed by the department of corrections.

9 (5) The transfer of the powers, duties, functions, and personnel of  
10 the department of social and health services shall not affect the  
11 validity of any act performed before the effective date of this  
12 section.

13 (6) If apportionments of budgeted funds are required because of the  
14 transfers directed by this section, the director of financial  
15 management shall certify the apportionments to the agencies affected,  
16 the state auditor, and the state treasurer. Each of these shall make  
17 the appropriate transfer and adjustments in funds and appropriation  
18 accounts and equipment records in accordance with the certification.

19 (7) Nothing contained in this section may be construed to alter any  
20 existing collective bargaining unit or the provisions of any existing  
21 collective bargaining agreement until the agreement has expired or  
22 until the bargaining unit has been modified by action of the personnel  
23 board as provided by law.

24 **PART V - TRANSFER OF LICENSING DUTIES TO DEPARTMENT OF HEALTH**

25 NEW SECTION. **Sec. 33.** (1) All powers, duties, and functions of  
26 the department of social and health services pertaining to licensing of  
27 agencies for the care of children, expectant mothers, and the  
28 developmentally disabled are transferred to the department of health.  
29 All references to the secretary or the department of social and health  
30 services in the Revised Code of Washington shall be construed to mean  
31 the secretary or the department of health when referring to the  
32 functions transferred in this section.

33 (2)(a) All reports, documents, surveys, books, records, files,  
34 papers, or written material in the possession of the department of  
35 social and health services pertaining to the powers, functions, and  
36 duties transferred shall be delivered to the custody of the department  
37 of health. All cabinets, furniture, office equipment, motor vehicles,

1 and other tangible property employed by the department of social and  
2 health services in carrying out the powers, functions, and duties  
3 transferred shall be made available to the department of health. All  
4 funds, credits, or other assets held in connection with the powers,  
5 functions, and duties transferred shall be assigned to the department  
6 of health.

7 (b) Any appropriations made to the department of social and health  
8 services for carrying out the powers, functions, and duties transferred  
9 shall, on the effective date of this section, be transferred and  
10 credited to the department of health.

11 (c) Whenever any question arises as to the transfer of any  
12 personnel, funds, books, documents, records, papers, files, equipment,  
13 or other tangible property used or held in the exercise of the powers  
14 and the performance of the duties and functions transferred, the  
15 director of financial management shall make a determination as to the  
16 proper allocation and certify the same to the state agencies concerned.

17 (3) All employees of the department of social and health services  
18 engaged in performing the powers, functions, and duties transferred are  
19 transferred to the jurisdiction of the department of health. All  
20 employees classified under chapter 41.06 RCW, the state civil service  
21 law, are assigned to the department of health to perform their usual  
22 duties upon the same terms as formerly, without any loss of rights,  
23 subject to any action that may be appropriate thereafter in accordance  
24 with the laws and rules governing state civil service.

25 (4) All rules and all pending business before the department of  
26 social and health services pertaining to the powers, functions, and  
27 duties transferred shall be continued and acted upon by the department  
28 of health. All existing contracts and obligations shall remain in full  
29 force and shall be performed by the department of health.

30 (5) The transfer of the powers, duties, functions, and personnel of  
31 the department of social and health services shall not affect the  
32 validity of any act performed before the effective date of this  
33 section.

34 (6) If apportionments of budgeted funds are required because of the  
35 transfers directed by this section, the director of financial  
36 management shall certify the apportionments to the agencies affected,  
37 the state auditor, and the state treasurer. Each of these shall make  
38 the appropriate transfer and adjustments in funds and appropriation  
39 accounts and equipment records in accordance with the certification.

1 (7) Nothing contained in this section may be construed to alter any  
2 existing collective bargaining unit or the provisions of any existing  
3 collective bargaining agreement until the agreement has expired or  
4 until the bargaining unit has been modified by action of the personnel  
5 board as provided by law.

6 **Sec. 34.** RCW 74.15.020 and 1995 c 311 s 18 and 1995 c 302 s 3 are  
7 each reenacted and amended to read as follows:

8 For the purpose of chapter 74.15 RCW and RCW 74.13.031, and unless  
9 otherwise clearly indicated by the context thereof, the following terms  
10 shall mean:

11 (1) "Department" means the state department of (~~social and~~)  
12 health (~~services~~);

13 (2) "Secretary" means the secretary of (~~social and~~) health  
14 (~~services~~);

15 (3) "Agency" means any person, firm, partnership, association,  
16 corporation, or facility which receives children, expectant mothers, or  
17 persons with developmental disabilities for control, care, or  
18 maintenance outside their own homes, or which places, arranges the  
19 placement of, or assists in the placement of children, expectant  
20 mothers, or persons with developmental disabilities for foster care or  
21 placement of children for adoption, and shall include the following  
22 irrespective of whether there is compensation to the agency or to the  
23 children, expectant mothers or persons with developmental disabilities  
24 for services rendered:

25 (a) "Group-care facility" means an agency, other than a foster-  
26 family home, which is maintained and operated for the care of a group  
27 of children on a twenty-four hour basis;

28 (b) "Child-placing agency" means an agency which places a child or  
29 children for temporary care, continued care, or for adoption;

30 (c) "Maternity service" means an agency which provides or arranges  
31 for care or services to expectant mothers, before or during  
32 confinement, or which provides care as needed to mothers and their  
33 infants after confinement;

34 (d) "Child day-care center" means an agency which regularly  
35 provides care for a group of children for periods of less than twenty-  
36 four hours;

1 (e) "Family day-care provider" means a child day-care provider who  
2 regularly provides child day care for not more than twelve children in  
3 the provider's home in the family living quarters;

4 (f) "Foster-family home" means an agency which regularly provides  
5 care on a twenty-four hour basis to one or more children, expectant  
6 mothers, or persons with developmental disabilities in the family abode  
7 of the person or persons under whose direct care and supervision the  
8 child, expectant mother, or person with a developmental disability is  
9 placed;

10 (g) "Crisis residential center" means an agency which is a  
11 temporary protective residential facility operated to perform the  
12 duties specified in chapter 13.32A RCW, in the manner provided in RCW  
13 74.13.032 through 74.13.036.

14 (4) "Agency" shall not include the following:

15 (a) Persons related to the child, expectant mother, or person with  
16 developmental disability in the following ways:

17 (i) Any blood relative, including those of half-blood, and  
18 including first cousins, nephews or nieces, and persons of preceding  
19 generations as denoted by prefixes of grand, great, or great-great;

20 (ii) Stepfather, stepmother, stepbrother, and stepsister;

21 (iii) A person who legally adopts a child or the child's parent as  
22 well as the natural and other legally adopted children of such persons,  
23 and other relatives of the adoptive parents in accordance with state  
24 law;

25 (iv) Spouses of any persons named in (i), (ii), or (iii) of this  
26 subsection (4)(a), even after the marriage is terminated; or

27 (v) "Extended family members," as defined by the law or custom of  
28 the Indian child's tribe or, in the absence of such law or custom, a  
29 person who has reached the age of eighteen and who is the Indian  
30 child's grandparent, aunt or uncle, brother or sister, brother-in-law  
31 or sister-in-law, niece or nephew, first or second cousin, or  
32 stepparent who provides care in the family abode on a twenty-four-hour  
33 basis to an Indian child as defined in 25 U.S.C. Sec. 1903(4);

34 (b) Persons who are legal guardians of the child, expectant mother,  
35 or persons with developmental disabilities;

36 (c) Persons who care for a neighbor's or friend's child or  
37 children, with or without compensation, where: (i) The person  
38 providing care for periods of less than twenty-four hours does not  
39 conduct such activity on an ongoing, regularly scheduled basis for the

1 purpose of engaging in business, which includes, but is not limited to,  
2 advertising such care; or (ii) the parent and person providing care on  
3 a twenty-four-hour basis have agreed to the placement in writing and  
4 the state is not providing any payment for the care;

5 (d) Parents on a mutually cooperative basis exchange care of one  
6 another's children;

7 (e) A person, partnership, corporation, or other entity that  
8 provides placement or similar services to exchange students or  
9 international student exchange visitors or persons who have the care of  
10 an exchange student in their home;

11 (f) Nursery schools or kindergartens which are engaged primarily in  
12 educational work with preschool children and in which no child is  
13 enrolled on a regular basis for more than four hours per day;

14 (g) Schools, including boarding schools, which are engaged  
15 primarily in education, operate on a definite school year schedule,  
16 follow a stated academic curriculum, accept only school-age children  
17 and do not accept custody of children;

18 (h) Seasonal camps of three months' or less duration engaged  
19 primarily in recreational or educational activities;

20 (i) Hospitals licensed pursuant to chapter 70.41 RCW when  
21 performing functions defined in chapter 70.41 RCW, nursing homes  
22 licensed under chapter 18.51 RCW and boarding homes licensed under  
23 chapter 18.20 RCW;

24 (j) Licensed physicians or lawyers;

25 (k) Facilities providing care to children for periods of less than  
26 twenty-four hours whose parents remain on the premises to participate  
27 in activities other than employment;

28 (l) Facilities approved and certified under chapter 71A.22 RCW;

29 (m) Any agency having been in operation in this state ten years  
30 prior to June 8, 1967, and not seeking or accepting moneys or  
31 assistance from any state or federal agency, and is supported in part  
32 by an endowment or trust fund;

33 (n) Persons who have a child in their home for purposes of  
34 adoption, if the child was placed in such home by a licensed child-  
35 placing agency, an authorized public or tribal agency or court or if a  
36 replacement report has been filed under chapter 26.33 RCW and the  
37 placement has been approved by the court;

1 (o) An agency operated by any unit of local, state, or federal  
2 government or an agency, located within the boundaries of a federally  
3 recognized Indian reservation, licensed by the Indian tribe;

4 (p) An agency located on a federal military reservation, except  
5 where the military authorities request that such agency be subject to  
6 the licensing requirements of this chapter.

7 (5) "Requirement" means any rule, regulation, or standard of care  
8 to be maintained by an agency.

9 (6) "Probationary license" means a license issued as a disciplinary  
10 measure to an agency that has previously been issued a full license but  
11 is out of compliance with licensing standards.

12 **Sec. 35.** RCW 74.15.050 and 1995 c 369 s 62 are each amended to  
13 read as follows:

14 The chief of the Washington state patrol, through the director of  
15 fire protection, shall have the power and it shall be his or her duty:

16 (1) In consultation with the children's services advisory committee  
17 and with the advice and assistance of persons representative of the  
18 various type agencies to be licensed, to adopt recognized minimum  
19 standard requirements pertaining to each category of agency established  
20 pursuant to chapter 74.15 RCW and RCW 74.13.031, except foster-family  
21 homes and child-placing agencies, necessary to protect all persons  
22 residing therein from fire hazards;

23 (2) To make or cause to be made such inspections and investigations  
24 of agencies, other than foster-family homes or child-placing agencies,  
25 as he or she deems necessary;

26 (3) To make a periodic review of requirements under RCW  
27 74.15.030(7) and to adopt necessary changes after consultation as  
28 required in subsection (1) of this section;

29 (4) To issue to applicants for licenses hereunder, other than  
30 foster-family homes or child-placing agencies, who comply with the  
31 requirements, a certificate of compliance, a copy of which shall be  
32 presented to the department (~~(of social and health services)~~) before a  
33 license shall be issued, except that a provisional license may be  
34 issued as provided in RCW 74.15.120.

35 **Sec. 36.** RCW 74.15.060 and 1991 c 3 s 376 are each amended to read  
36 as follows:

1 The secretary (~~of health~~) shall have the power and it shall be  
2 his or her duty:

3 In consultation with the children's services advisory committee and  
4 with the advice and assistance of persons representative of the various  
5 type agencies to be licensed, to develop minimum requirements  
6 pertaining to each category of agency established pursuant to chapter  
7 74.15 RCW and RCW 74.13.031, necessary to promote the health of all  
8 persons residing therein.

9 The secretary (~~of health~~) or the city, county, or district health  
10 department designated by the secretary shall have the power and the  
11 duty:

12 (1) To make or cause to be made such inspections and investigations  
13 of agencies as may be deemed necessary; and

14 (2) To issue to applicants for licenses hereunder who comply with  
15 the requirements adopted hereunder, a certificate of compliance, a copy  
16 of which shall be presented to the department (~~of social and health  
17 services~~) before a license shall be issued, except that a provisional  
18 license may be issued as provided in RCW 74.15.120.

19 **Sec. 37.** RCW 74.15.070 and 1979 c 141 s 358 are each amended to  
20 read as follows:

21 A copy of the articles of incorporation of any agency or amendments  
22 to the articles of existing corporation agencies shall be sent by the  
23 secretary of state to the department (~~of social and health services~~)  
24 at the time such articles or amendments are filed.

25 **Sec. 38.** RCW 74.15.080 and 1995 c 369 s 63 are each amended to  
26 read as follows:

27 All agencies subject to chapter 74.15 RCW and RCW 74.13.031 shall  
28 accord the department (~~of social and health services, the secretary of  
29 health~~), the chief of the Washington state patrol, and the director of  
30 fire protection, or their designees, the right of entrance and the  
31 privilege of access to and inspection of records for the purpose of  
32 determining whether or not there is compliance with the provisions of  
33 chapter 74.15 RCW and RCW 74.13.031 and the requirements adopted  
34 thereunder.

35 **Sec. 39.** RCW 74.15.100 and 1995 c 302 s 8 are each amended to read  
36 as follows:



1 Each agency shall make application for a license or renewal of  
2 license to the department (~~(of social and health services)~~) on forms  
3 prescribed by the department. A licensed agency having foster-family  
4 homes under its supervision may make application for a license on  
5 behalf of any such foster-family home. Such a foster home license  
6 shall cease to be valid when the home is no longer under the  
7 supervision of that agency. Upon receipt of such application, the  
8 department shall either grant or deny a license within ninety days  
9 unless the application is for licensure as a foster-family home, in  
10 which case RCW 74.15.040 shall govern. A license shall be granted if  
11 the agency meets the minimum requirements set forth in chapter 74.15  
12 RCW and RCW 74.13.031 and the departmental requirements consistent  
13 herewith, except that an initial license may be issued as provided in  
14 RCW 74.15.120. Licenses provided for in chapter 74.15 RCW and RCW  
15 74.13.031 shall be issued for a period of three years. The licensee,  
16 however, shall advise the secretary of any material change in  
17 circumstances which might constitute grounds for reclassification of  
18 license as to category. The license issued under this chapter is not  
19 transferable and applies only to the licensee and the location stated  
20 in the application. For licensed foster-family and family day-care  
21 homes having an acceptable history of child care, the license may  
22 remain in effect for two weeks after a move, except that for the  
23 foster-family home this will apply only if the family remains intact.

24 **Sec. 40.** RCW 74.15.120 and 1995 c 311 s 22 are each amended to  
25 read as follows:

26 The secretary (~~(of social and health services)~~) may, at his or her  
27 discretion, issue an initial license instead of a full license, to an  
28 agency or facility for a period not to exceed six months, renewable for  
29 a period not to exceed two years, to allow such agency or facility  
30 reasonable time to become eligible for full license. An initial  
31 license shall not be granted to any foster-family home except as  
32 specified in this section. An initial license may be granted to a  
33 foster-family home only if the following three conditions are met: (1)  
34 The license is limited so that the licensee is authorized to provide  
35 care only to a specific child or specific children; (2) the department  
36 has determined that the licensee has a relationship with the child, and  
37 the child is comfortable with the licensee, or that it would otherwise  
38 be in the child's best interest to remain or be placed in the

1 licensee's home; and (3) the initial license is issued for a period not  
2 to exceed ninety days.

3 **Sec. 41.** RCW 74.15.200 and 1987 c 489 s 5 are each amended to read  
4 as follows:

5 The department (~~(of social and health services)~~) shall have primary  
6 responsibility for providing child abuse and neglect prevention  
7 training to parents and licensed child day care providers of preschool  
8 age children participating in day care programs meeting the  
9 requirements of chapter 74.15 RCW. The department may limit training  
10 under this section to trainers' workshops and curriculum development  
11 using existing resources.

12 **PART VI - MISCELLANEOUS**

13 NEW SECTION. **Sec. 42.** Sections 30 and 31 of this act shall take  
14 effect January 1, 1997.

15 NEW SECTION. **Sec. 43.** Sections 3 through 7, 20, and 21 of this  
16 act are each added to chapter 70.190 RCW.

17 NEW SECTION. **Sec. 44.** RCW 70.190.140 and 1994 sp.s. c 7 s 324 are  
18 each repealed.

19 NEW SECTION. **Sec. 45.** Part headings and the table of contents do  
20 not constitute any part of the law.

21 NEW SECTION. **Sec. 46.** If any provision of this act or its  
22 application to any person or circumstance is held invalid, the  
23 remainder of the act or the application of the provision to other  
24 persons or circumstances is not affected.

25 NEW SECTION. **Sec. 47.** The amendments to RCW 70.190.060 in 1996 c  
26 . . . s 19 (section 19 of this act) shall apply prospectively only and  
27 are not intended to affect the composition of any community public  
28 health and safety network's membership that has been approved by the  
29 family policy council prior to the effective date of this section.

1        NEW SECTION.    **Sec. 48.**    (1) Section 24 of this act shall take  
2 effect July 1, 1996.

3        (2) Sections 26 and 27 of this act are necessary for the immediate  
4 preservation of the public peace, health, or safety, or support of the  
5 state government and its existing public institutions, and shall take  
6 effect immediately.

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