

HOUSE BILL REPORT

HB 1849

As Reported by House Committee On:

Natural Resources

Title: An act relating to a record check of the parks and recreation commission's job applicants, volunteers, and independent contractors.

Brief Description: Requiring the parks and recreation commission to have a record check performed on certain job applicants.

Sponsors: Representatives Pearson (co-prime sponsor), Jackley (co-prime sponsor), Doumit, Eickmeyer, Rockefeller, Cox, Barlean, Armstrong, Bush and O'Brien; by request of Parks and Recreation Commission.

Brief History:

Committee Activity:

Natural Resources: 2/14/01, 2/21/01 [DPS].

Brief Summary of Substitute Bill

- The Parks and Recreation Commission must adopt rules requiring background checks of job applicants, volunteers, and contractors who will be working with children or vulnerable adults, or involved with handling cash or credit card transactions.
- The background check of these individuals must include fingerprinting. The commission must require the destruction of any fingerprints, copies of fingerprints, or their facsimiles after the screening of the prospective job applicant, volunteer, or independent contractor is completed.
- Permanent employees of the commission already on staff when the legislation becomes effective are exempted from the background check requirement.

HOUSE COMMITTEE ON NATURAL RESOURCES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Doumit, Democratic Co-Chair; Sump, Republican Co-Chair; Pearson, Republican Vice Chair; Rockefeller, Democratic Vice Chair; Buck, Eickmeyer, Jackley, Murray, and Pennington.

Minority Report: Without recommendation. Signed by 1 member: Representative Ericksen.

Staff: Bill Lynch (786-7092).

Background:

Government agencies and other employers are concerned that children and vulnerable adults could potentially be victimized by someone who is an employee, volunteer, or contractor of the agency or employer. In addition, there is always a potential of theft from a person who is responsible for collecting or disbursing cash or processing credit card transactions for the organization. Background checks of these prospective employees, volunteers, and contractors could help identify people who have had a record of improper conduct in the past.

The Parks and Recreation Commission does not have the express authority to require a record check or fingerprinting of prospective employees, volunteers, or contractors under these circumstances.

Summary of Substitute Bill:

The commission is required to adopt rules that require a record check and fingerprinting of job applicants, volunteers, and independent contractors who will work with children or vulnerable adults, or who will be responsible for collecting or disbursing money or processing credit card transactions. The record check and fingerprinting will be conducted through the Washington State Patrol criminal identification system and through the Federal Bureau of Investigation.

The commission must require the destruction of any fingerprints, copies of fingerprints, or their facsimiles after the screening of the prospective job applicant, volunteer, or independent contractor is completed.

Permanent employees of the commission who are employed upon the effective of this legislation are exempt from the record check and fingerprinting requirement.

Substitute Bill Compared to Original Bill:

The commission must adopt rules that require fingerprinting of these individuals who are subject to the record checks. The commission must include within these rules requirements for the destruction of any fingerprints, copies of fingerprints, or their facsimiles after the screening has been completed.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: (Original bill) Children and vulnerable adults need to be protected. The Federal Bureau of Investigation requires fingerprints in order to access their data base. It is necessary to use the Federal Bureau of Investigation's data base in order to run background checks on people who are from out-of-state. There have been instances with prior offenders showing up as volunteers in the parks.

Testimony Against: None.

Testified: Rita Cooper, State Parks and Recreation Commission.