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ENGROSSED SECOND SUBSTITUTE SENATE BILL 6157

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State of Washington

53rd Legislature

1994 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senators Talmadge, Winsley, Wojahn, McAuliffe and Fraser)

Read first time 02/08/94.

1 AN ACT Relating to the 1994 omnibus antihunger act; amending RCW  
2 43.19.010, 69.80.900, 38.12.020, 28A.235.140, 28A.235.150, and  
3 28A.235.155; adding a new section to chapter 43.19 RCW; adding a new  
4 section to chapter 69.80 RCW; adding a new section to Title 15 RCW;  
5 adding a new section to chapter 72.09 RCW; adding a new section to  
6 chapter 81.04 RCW; adding a new section to Title 75 RCW; adding new  
7 sections to chapter 28A.235 RCW; adding a new section to chapter 43.70  
8 RCW; adding a new section to chapter 74.04 RCW; creating new sections;  
9 repealing RCW 69.80.030 and 69.80.040; and declaring an emergency.

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

11 NEW SECTION. **Sec. 1.** Despite the efforts of many dedicated  
12 individuals, and the existence of several state, federal, and private  
13 antihunger programs, thousands of Washingtonians are still confronted  
14 with hunger as a part of their daily lives. Food banks, emergency food  
15 programs, school breakfast and lunch programs, charitable kitchens, and  
16 special programs for pregnant women, infants, and the elderly are all  
17 challenged to meet increased needs. Yet Washington is a leading  
18 agricultural state, and has access to ocean fisheries, and many human  
19 and technological resources that are underutilized.

1       The legislature finds that food policy in Washington state suffers  
2 inefficiencies and lack of connectivity, due to geographical dispersion  
3 of the resources needed to address hunger. Although the state agencies  
4 charged with various antihunger programs have improved their ability to  
5 work together, the existence of unmet service needs, particularly among  
6 women, infants, schoolchildren, and the elderly, justifies a new  
7 commitment to seeking ways in which to build capacity, improve cost-  
8 effectiveness, improve cross-referrals and co-siting among programs,  
9 and encourage active participation in food programs by food producers.

10       The legislature finds that the state has an interest in helping  
11 hungry persons obtain adequate nutrition. It is established science  
12 that well-nourished children perform better in school, and that  
13 appropriate nutrition plays a major role in health maintenance,  
14 especially for such populations as the elderly, enabling them to  
15 maintain independence and saving medical costs.

16       Significantly, proper prenatal nutrition prevents low birthweight  
17 in babies, and infant mental and physical well-being is directly tied  
18 to adequacy of diet. Given the strong medical connection between  
19 nutritional adequacy and well-being, the legislature finds that, as a  
20 component of the state's health care reform efforts, it is vital to  
21 improve the nutritional status of Washingtonians by all reasonable  
22 means.

23       **Sec. 2.** RCW 43.19.010 and 1993 c 472 s 19 are each amended to read  
24 as follows:

25       The department of general administration shall be organized into  
26 divisions, which shall include (1) the division of capitol buildings,  
27 (2) the division of purchasing, (3) the division of engineering and  
28 architecture, and (4) the division of motor vehicle transportation  
29 service.

30       The director of general administration shall have charge and  
31 general supervision of the department. He or she may appoint and  
32 deputize such clerical and other assistants as may be necessary for the  
33 general administration of the department. Within available resources,  
34 the director shall appoint the antihunger coordinator to administer the  
35 office of antihunger under section 3 of this act. The director of  
36 general administration shall receive a salary in an amount fixed by the  
37 governor.

1        NEW SECTION.    **Sec. 3.**    A new section is added to chapter 43.19 RCW  
2 to read as follows:

3        Within available resources, the office of antihunger is created in  
4 the department of general administration. The department, in addition  
5 to its current authority, shall establish and administer the office.  
6 The antihunger coordinator has the following powers and duties:

7        (1) Act as a network to contact and coordinate state hunger  
8 programs among public agencies that provide food, food stamps, food  
9 stamp nutrition education, meals, or distribution, including:

- 10        (a) The interagency food issues committee;
- 11        (b) Department of agriculture;
- 12        (c) Washington state national guard;
- 13        (d) Department of corrections;
- 14        (e) Department of health;
- 15        (f) Department of social and health services;
- 16        (g) Department of transportation and the transportation commission;
- 17        (h) Department of fish and wildlife;
- 18        (i) Department of community, trade, and economic development; and
- 19        (j) Office of the superintendent of public instruction.

20        (2) Provide technical support, including identification of  
21 transportation and distribution opportunities to state agencies and  
22 programs in their development of plans to contribute to hunger relief,  
23 and receive technical support from an advisory committee composed of  
24 the agencies set forth in this section and the voluntary participation  
25 of the Washington antihunger and nutrition coalition.

26        (3) Nothing in this section shall be construed to give the  
27 antihunger coordinator statutory authority over the activities of food  
28 banks, charitable kitchens, private food distributors, or private  
29 nonprofit emergency food providers.

30        (4) All agencies identified in this section shall cooperate with  
31 the antihunger coordinator to carry out the duties set forth in chapter  
32 . . . , Laws of 1994 (this act), and shall provide information and data  
33 consistent with available resources, as requested by the antihunger  
34 coordinator, including annual reporting, by November 1 of each year,  
35 concerning the status and progress of each agency's antihunger efforts.

36        NEW SECTION.    **Sec. 4.**    A new section is added to chapter 69.80 RCW  
37 to read as follows:

1 (1) This section may be cited as the "Good Samaritan Food Donation  
2 Act."

3 (2) As used in this section:

4 (a) "Apparently fit grocery product" means a grocery product that  
5 meets all quality and labeling standards imposed by federal, state, and  
6 local laws and regulations even though the product may not be readily  
7 marketable due to appearance, age, freshness, grade, size, surplus, or  
8 other conditions.

9 (b) "Apparently wholesome food" means food that meets all quality  
10 and labeling standards imposed by federal, state, and local laws and  
11 regulations even though the food may not be readily marketable due to  
12 appearance, age, freshness, grade, size, surplus, or other conditions.

13 (c) "Donate" means to give without requiring anything of monetary  
14 value from the recipient, except that the term shall include giving by  
15 a nonprofit organization to another nonprofit organization,  
16 notwithstanding that the donor organization has charged a nominal fee  
17 to the donee organization, if the ultimate recipient or user is not  
18 required to give anything of monetary value.

19 (d) "Food" means a raw, cooked, processed, or prepared edible  
20 substance, ice, beverage, or ingredient used or intended for use in  
21 whole or in part for human consumption.

22 (e) "Gleaner" means a person who harvests for free distribution to  
23 the needy, or for donation to a nonprofit organization for ultimate  
24 distribution to the needy, an agricultural crop that has been donated  
25 by the owner.

26 (f) "Grocery product" means a nonfood grocery product, including a  
27 disposable paper or plastic product, household cleaning product,  
28 laundry detergent, cleaning product, or miscellaneous household item.

29 (g) "Gross negligence" means voluntary and conscious conduct by a  
30 person with knowledge, at the time of the conduct, that the conduct is  
31 likely to be harmful to the health or well-being of another person.

32 (h) "Intentional misconduct" means conduct by a person with  
33 knowledge, at the time of the conduct, that the conduct is harmful to  
34 the health or well-being of another person.

35 (i) "Nonprofit organization" means an incorporated or  
36 unincorporated entity that:

37 (i) Is operating for religious, charitable, or educational  
38 purposes; and

1 (ii) Does not provide net earnings to, or operate in any other  
2 manner that inures to the benefit of, any officer, employee, or  
3 shareholder of the entity.

4 (j) "Person" means an individual, corporation, partnership,  
5 organization, association, or governmental entity, including a retail  
6 grocer, wholesaler, hotel, motel, manufacturer, restaurant, caterer,  
7 farmer, and nonprofit food distributor or hospital. In the case of a  
8 corporation, partnership, organization, association, or governmental  
9 entity, the term includes an officer, director, partner, deacon,  
10 trustee, councilmember, or other elected or appointed individual  
11 responsible for the governance of the entity.

12 (3) A person or gleaner is not subject to civil or criminal  
13 liability arising from the nature, age, packaging, or condition of  
14 apparently wholesome food or an apparently fit grocery product that the  
15 person or gleaner donates in good faith to a nonprofit organization for  
16 ultimate distribution to needy individuals, except that this subsection  
17 does not apply to an injury to or death of an ultimate user or  
18 recipient of the food or grocery product that results from an act or  
19 omission of the donor constituting gross negligence or intentional  
20 misconduct.

21 (4) A person who allows the collection or gleaning of donations on  
22 property owned or occupied by the person by gleaners, or paid or unpaid  
23 representatives of a nonprofit organization, for ultimate distribution  
24 to needy individuals is not subject to civil or criminal liability that  
25 arises due to the injury or death of the gleaner or representative,  
26 except that this subsection does not apply to an injury or death that  
27 results from an act or omission of the person constituting gross  
28 negligence or intentional misconduct.

29 (5) If some or all of the donated food and grocery products do not  
30 meet all quality and labeling standards imposed by federal, state, and  
31 local laws and regulations, the person or gleaner who donates the food  
32 and grocery products is not subject to civil or criminal liability in  
33 accordance with this section if the nonprofit organization that  
34 receives the donated food or grocery products:

35 (a) Is informed by the donor of the distressed or defective  
36 condition of the donated food or grocery products;

37 (b) Agrees to recondition the donated food or grocery products to  
38 comply with all the quality and labeling standards prior to  
39 distribution; and

1 (c) Is knowledgeable of the standards to properly recondition the  
2 donated food or grocery product.

3 (6) This section may not be construed to create liability.

4 NEW SECTION. **Sec. 5.** The following acts or parts of acts are each  
5 repealed:

6 (1) RCW 69.80.030 and 1983 c 241 s 3; and

7 (2) RCW 69.80.040 and 1983 c 241 s 4.

8 **Sec. 6.** RCW 69.80.900 and 1983 c 241 s 5 are each amended to read  
9 as follows:

10 Nothing in this chapter may be construed to create any liability  
11 of, or penalty against a donor or distributing organization except as  
12 provided in ((RCW 69.80.030)) section 4 of this act.

13 NEW SECTION. **Sec. 7.** A new section is added to Title 15 RCW to  
14 read as follows:

15 (1) Agricultural commodity commissions established by statute or  
16 rule that deal with food product are encouraged to facilitate and  
17 promote the voluntary donation and gleaning of surplus commodities and  
18 nonmarketable product, when available and in the manner to be  
19 determined by each commission, by dealers, producers, growers,  
20 processors, warehousemen, and others involved with each respective  
21 commission.

22 (2) The commodities commissions shall, to the extent possible and  
23 consistent with available resources, report to the department of  
24 agriculture all donations given by the entities set forth in this  
25 section, in annual reports due October 15th, covering October 1st  
26 through September 30th.

27 **Sec. 8.** RCW 38.12.020 and 1989 c 19 s 12 are each amended to read  
28 as follows:

29 The adjutant general shall:

30 (1) Keep rosters of all active, reserve, and retired officers of  
31 the militia, and all other records, and papers required to be kept and  
32 filed therein, and shall submit to the governor such reports of the  
33 operations and conditions of the organized militia as the governor may  
34 require.

1 (2) Cause the military law, and such other military publications as  
2 may be necessary for the military service, to be prepared and  
3 distributed at the expense of the state, to the departments and units  
4 of the organized militia.

5 (3) Keep just and true accounts of all moneys received and  
6 disbursed by him or her.

7 (4) Attest all commissions issued to military officers of this  
8 state.

9 (5) Make out and transmit all militia reports, returns, and  
10 communications prescribed by acts of congress or by direction of the  
11 department of defense and the national guard bureau.

12 (6) Have a seal, and all copies, orders, records, and papers in his  
13 or her office, duly certified and authenticated under the seal, shall  
14 be evidence in all cases in like manner as if the originals were  
15 produced. The seal now used in the office of the adjutant general  
16 shall be the seal of his or her office and shall be delivered by him or  
17 her to the successor. All orders issued from his or her office shall  
18 be authenticated with the seal.

19 (7) Make such regulations pertaining to the preparation of reports  
20 and returns and to the use, maintenance, care, and preservation of  
21 property in possession of the state for military purposes, whether  
22 belonging to the state or to the United States, as in his or her  
23 opinion the conditions demand.

24 (8) Attend to the care, preservation, safekeeping, and repairing of  
25 the arms, ordinance, accoutrements, equipment, and all other military  
26 property belonging to the state, or issued to the state by the United  
27 States for military purposes, and keep accurate accounts thereof. Any  
28 property of the state military department which, after proper  
29 inspection, is found unsuitable or no longer needed for use of the  
30 state military forces, shall be disposed of in such manner as the  
31 governor shall direct and the proceeds thereof used for replacements in  
32 kind or by other needed authorized military supplies, and the adjutant  
33 general may execute the necessary instruments of conveyance to effect  
34 such sale or disposal.

35 (9) Issue the military property as the necessity of service  
36 requires and make purchases for that purpose. No military property  
37 shall be issued or loaned to persons or organizations other than those  
38 belonging to the militia, except as permitted by applicable state or  
39 federal law.

1 (10) Keep on file in his or her office the reports and returns of  
2 military units, and all other writings and papers required to be  
3 transmitted to and preserved at the general headquarters of the state  
4 militia.

5 (11) Keep all records of volunteers commissioned or enlisted for  
6 all wars or insurrections, and of individual claims of citizens for  
7 service rendered in these wars or insurrections, and he or she shall  
8 also be the custodian of all records, relics, trophies, colors, and  
9 histories relating to such wars now in possession of, or which may be  
10 acquired by the state.

11 (12) Establish and maintain as part of his or her office a bureau  
12 of records of the services of the organized militia of the state, and  
13 upon request furnish a copy thereof or extract therefrom, attested  
14 under seal of his or her office, and such attested copy shall be prima  
15 facie proof of service, birthplace, and citizenship.

16 (13) Keep a record of all real property owned or used by the state  
17 for military purposes, and in connection therewith he or she shall have  
18 sole power to execute all leases to acquire the use of real property by  
19 the state for military purposes, or lease it to other agencies for use  
20 for authorized activities. The adjutant general shall also have full  
21 power to execute and grant easements for rights of way for  
22 construction, operation, and maintenance of utility service, water,  
23 sewage, and drainage for such realty.

24 (14) Provide assistance to the antihunger coordinator under section  
25 3 of this act, to include personnel and equipment for state-wide  
26 distribution of food and grocery products to nonprofit state-  
27 administered food programs. Assistance provided will be consistent  
28 with available resources and prescribed federal training requirements.

29 This section shall constitute statutory authority for the  
30 Washington national guard antihunger program.

31 NEW SECTION. Sec. 9. A new section is added to chapter 72.09 RCW  
32 to read as follows:

33 The department of corrections shall provide inmate labor, at no  
34 cost to food donors or charitable institutions, where feasible and  
35 consistent with available resources, in accordance with the inmate work  
36 program standards under RCW 72.09.100, to assist in the voluntary  
37 gleaning and distribution of food and grocery products for charitable  
38 purposes under section 3 of this act. The department may request



1 training or information on appropriate gleaning methods from the  
2 Washington state university cooperative extension service and shall  
3 supply only adequately trained inmates for gleaning activities. The  
4 secretary of the department of corrections shall adopt rules to  
5 implement this section.

6 NEW SECTION. **Sec. 10.** A new section is added to chapter 81.04 RCW  
7 to read as follows:

8 The commission, in cooperation with the department of health and  
9 the antihunger coordinator under section 3 of this act, shall identify  
10 statutory and regulatory barriers to backhauling by transporters of  
11 donated food and grocery products. The commission shall adopt rules  
12 necessary to facilitate the backhauling of donated food products and  
13 shall report to the antihunger coordinator on other barriers, such as  
14 lack of waiver of published rates, that impede the efficient  
15 utilization of volunteer truck transport of food and grocery products.

16 NEW SECTION. **Sec. 11.** A new section is added to Title 75 RCW to  
17 read as follows:

18 The department of fish and wildlife and the department of  
19 corrections shall provide technical assistance to the antihunger  
20 coordinator under section 3 of this act, in researching how to enhance  
21 existing efforts in the recovery, processing, and distribution of  
22 fisheries surplus to correctional facilities and department of social  
23 and health services' programs, while leaving harvest and other license  
24 restrictions and limitations intact. The antihunger coordinator shall  
25 report to the legislature by December 1, 1995, on the outcome of the  
26 research project.

27 **Sec. 12.** RCW 28A.235.140 and 1993 c 333 s 1 are each amended to  
28 read as follows:

29 (1) For the purposes of this section:

30 (a) "Free or reduced-price lunches" means lunches served by a  
31 school district that qualify for federal reimbursement as free or  
32 reduced-price lunches under the national school lunch program.

33 (b) "School breakfast program" means a program meeting federal  
34 requirements defined in 42 U.S.C. Sec. 1773.

1 (c) "Severe-need school" means a school that qualifies for a  
2 severe-need school reimbursement rate from federal funds for school  
3 breakfasts served to children from low-income families.

4 (2) School districts shall be required to develop and implement  
5 plans for a school breakfast program in severe-need schools(~~(, pursuant~~  
6 ~~to the schedule in this section. For the second year prior to the~~  
7 ~~implementation of the district's school breakfast program, and for each~~  
8 ~~subsequent school year, each school district shall submit data enabling~~  
9 ~~the superintendent of public instruction to determine which schools~~  
10 ~~within the district will qualify as severe-need schools)). In~~  
11 developing its plan, each school district shall consult with an  
12 advisory committee including school staff and community members  
13 appointed by the board of directors of the district. School districts  
14 shall provide a breakfast program in any school as long as the school  
15 qualifies as a severe-need school or there is data available to confirm  
16 and substantiate the severe-needs status of the school.

17 (3) (~~Using district-wide data on school lunch participation during~~  
18 ~~the 1988-89 school year, the superintendent of public instruction shall~~  
19 ~~adopt a schedule for implementation of school breakfast programs in~~  
20 ~~severe-need schools as follows:~~

21 (a) ~~School districts where at least forty percent of lunches served~~  
22 ~~to students are free or reduced price lunches shall submit a plan for~~  
23 ~~implementation of a school breakfast program in severe-need schools to~~  
24 ~~the superintendent of public instruction no later than July 1, 1990.~~  
25 ~~Each such district shall implement a school breakfast program in all~~  
26 ~~severe-need schools no later than the second day of school in the~~  
27 ~~1990-91 school year and in each school year thereafter.~~

28 (b) ~~School districts where at least twenty five but less than forty~~  
29 ~~percent of lunches served to students are free or reduced price lunches~~  
30 ~~shall submit a plan for implementation of a school breakfast program in~~  
31 ~~severe-need schools to the superintendent of public instruction no~~  
32 ~~later than July 1, 1991.)~~ Each such district shall implement a school  
33 breakfast program in all severe-need schools no later than the second  
34 day of school in the 1991-92 school year and in each school year  
35 thereafter.

36 (~~(c) School districts where less than twenty five percent of~~  
37 ~~lunches served to students are free or reduced price lunches shall~~  
38 ~~submit a plan for implementation of a school breakfast program in~~  
39 ~~severe-need schools to the superintendent of public instruction no~~

1 ~~later than July 1, 1992. Each such district shall implement a school~~  
2 ~~breakfast program in all severe-need schools no later than the second~~  
3 ~~day of school in the 1992-93 school year and in each school year~~  
4 ~~thereafter.~~

5 ~~(d) School districts that did not offer a school lunch program in~~  
6 ~~the 1988-89 school year are encouraged to implement such a program and~~  
7 ~~to provide a school breakfast program in all severe-need schools when~~  
8 ~~eligible.))~~

9 (4) The requirements in this section shall lapse if the federal  
10 reimbursement rate for breakfasts served in severe-need schools is  
11 eliminated.

12 (5) Students who do not meet family-income criteria for free  
13 breakfasts shall be eligible to participate in the school breakfast  
14 programs established under this section, and school districts may  
15 charge for the breakfasts served to these students except as provided  
16 in section 15 of this act. Requirements that school districts have  
17 school breakfast programs under this section shall not create or imply  
18 any state funding obligation for these costs. The legislature does not  
19 intend to include these programs within the state's obligation for  
20 basic education funding under Article IX of the Constitution.

21 (6) School districts that as of the effective date of this act do  
22 not have a school lunch program shall develop a plan for a school lunch  
23 program and establish a feasible timeline for instituting the program.

24 **Sec. 13.** RCW 28A.235.150 and 1993 c 333 s 3 are each amended to  
25 read as follows:

26 (1) To the extent funds are appropriated, the superintendent of  
27 public instruction may award grants to school districts to increase  
28 participation in school breakfast and lunch programs, to improve  
29 program quality, and to improve the equipment and facilities used in  
30 the programs. School districts shall demonstrate that they have  
31 applied for applicable federal funds before applying for funds under  
32 this subsection.

33 (2) To the extent funds are appropriated, the superintendent of  
34 public instruction shall increase the state support for school  
35 breakfasts and lunches. Funds appropriated under this subsection are  
36 intended to increase participation by eligible students in school food  
37 programs, and shall be used solely to enhance school breakfast and  
38 lunch programs.

1       **Sec. 14.** RCW 28A.235.155 and 1993 c 333 s 4 are each amended to  
2 read as follows:

3       (1) The superintendent of public instruction shall administer funds  
4 for the federal summer food service program.

5       (2) The superintendent of public instruction may award grants, to  
6 the extent funds are appropriated, to eligible organizations to help  
7 start new summer food service programs for children or to help expand  
8 summer food services for children.

9       (3) The superintendent of public instruction shall apply for all  
10 available federal funds for summer food service program outreach.

11       NEW SECTION. **Sec. 15.** A new section is added to chapter 28A.235  
12 RCW to read as follows:

13       School districts are encouraged to take advantage of the  
14 opportunity to serve all enrolled students in designated high-needs  
15 schools under special assistance known as Provision 2, 7 C.F.R. 245(b).  
16 The superintendent of public instruction shall ensure that information  
17 on Provision 2 is provided to all school districts with schools where  
18 more than seventy-five percent of students qualify for free or reduced-  
19 price school meals by the end of 1994.

20       NEW SECTION. **Sec. 16.** A new section is added to chapter 28A.235  
21 RCW to read as follows:

22       Within six months of the effective date of this act, and every two  
23 years thereafter, school districts with breakfast or lunch programs  
24 shall assess whether the programs allow the students sufficient and  
25 realistic time to be served and to eat. If the assessment shows that  
26 there is insufficient time for personal hygiene, serving, and  
27 consumption of school meals, the school shall allow more time by any  
28 feasible means, including the use of adult volunteer help, additional  
29 cafeteria shifts, or more staffing. Failure to properly assess such  
30 programs and correct problems identified by assessment, or to promptly  
31 investigate and take appropriate action on complaints regarding  
32 compliance with this section shall be remedied by the superintendent of  
33 public instruction.

34       NEW SECTION. **Sec. 17.** A new section is added to chapter 28A.235  
35 RCW to read as follows:

1 School districts shall ensure that food sold on school grounds is  
2 consistent with the dietary guidelines for Americans as provided in the  
3 edition of "Nutrition & Your Health: Dietary Guidelines for  
4 Americans," by the United States departments of agriculture and health  
5 and human services in print on the effective date of this act, or a  
6 later edition as adopted by reference by the superintendent by rule.

7 NEW SECTION. **Sec. 18.** A new section is added to chapter 43.70 RCW  
8 to read as follows:

9 (1) The legislature intends to increase the number of persons being  
10 served by the women, infant, and children (WIC) program, using state  
11 funding to maximize federal fund availability. The WIC program is a  
12 federally funded program established in 1972 by an amendment to the  
13 child nutrition act of 1966. The purpose of the program is to serve as  
14 an adjunct to health care by providing nutritious food; nutrition  
15 education and counseling; health screening; and referral services to  
16 pregnant and breast-feeding women, infants, and children in certain  
17 high-risk categories. The WIC program in the state of Washington is  
18 administered by the office of WIC services in the department of health.

19 (2) The department of health shall establish a capacity building  
20 task force to seek ways to reach more of the WIC target populations.  
21 The department of health shall consider cost-containment options, such  
22 as sole-source contracting and multistate buying agreements, for  
23 cereals and other foods, and shall implement the options if the options  
24 appear cost-effective.

25 (3) State funding provided for the WIC program shall not be  
26 supplanted by federal funds or reallocated to other programs within the  
27 department of health.

28 NEW SECTION. **Sec. 19.** The department of social and health  
29 services shall form a task force with representatives from the  
30 financial services industry and grocery industry to discuss initiation  
31 of a future pilot project using electronic benefit transfer technology  
32 for the food stamp program. The task force shall research the status  
33 of federal implementation efforts, as well as the effectiveness of  
34 pilot programs in other states. The department shall report to the  
35 appropriate standing committees of the legislature on the task force's  
36 findings by December 1, 1995.

1 Private industry members of the task force shall serve voluntarily,  
2 without compensation or reimbursement of expense.

3 NEW SECTION. **Sec. 20.** A new section is added to chapter 74.04 RCW  
4 to read as follows:

5 The department shall, with the assistance of the antihunger  
6 coordinator, develop an outcome measurement to show increased service  
7 to individuals in the department's nutrition program for the elderly.  
8 The purpose of the outcome measurement shall be to improve  
9 accountability and effectiveness and to motivate outreach programs to  
10 the elderly, by measuring program success in empirical evidence of  
11 increased numbers of persons served.

12 NEW SECTION. **Sec. 21.** The antihunger coordinator shall report to  
13 the legislature by December 1, 1995, on the effectiveness of chapter  
14 . . . , Laws of 1994 (this act).

15 NEW SECTION. **Sec. 22.** If any provision of this act or its  
16 application to any person or circumstance is held invalid, the  
17 remainder of the act or the application of the provision to other  
18 persons or circumstances is not affected.

19 NEW SECTION. **Sec. 23.** If any part of this act is found to be in  
20 conflict with federal requirements that are a prescribed condition to  
21 the allocation of federal funds to the state, the conflicting part of  
22 this act is inoperative solely to the extent of the conflict and with  
23 respect to the agencies directly affected, and this finding does not  
24 affect the operation of the remainder of this act in its application to  
25 the agencies concerned. The rules under this act shall meet federal  
26 requirements that are a necessary condition to the receipt of federal  
27 funds by the state.

28 NEW SECTION. **Sec. 24.** This act is necessary for the immediate  
29 preservation of the public peace, health, or safety, or support of the  
30 state government and its existing public institutions, and shall take  
31 effect immediately.

--- END ---