

2 **2SSB 5258** - CONF REPT  
3 By Conference Committee

4 ADOPED 3/7/96

5 Strike everything after the enacting clause and insert the  
6 following:

7 "NEW SECTION. Sec. 1. It is the intent of this act only to make  
8 minimal clarifying, technical, and administrative revisions to the laws  
9 concerning community public health and safety networks and to the  
10 related agencies responsible for implementation of the networks. This  
11 act is not intended to change the scope of the duties or  
12 responsibilities, nor to undermine the underlying policies, set forth  
13 in chapter 7, Laws of 1994 sp. sess.

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

16 Unless the context clearly requires otherwise, the definitions in  
17 this section apply throughout this chapter.

18 (1) "Administrative costs" means the costs associated with  
19 procurement; payroll processing; personnel functions; management;  
20 maintenance and operation of space and property; data processing and  
21 computer services; accounting; budgeting; auditing; indirect costs; and  
22 organizational planning, consultation, coordination, and training.

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

24 (3) "At-risk" children are children who engage in or are victims of  
25 at-risk behaviors.

26 (4) "At-risk behaviors" means violent delinquent acts, teen  
27 substance abuse, teen pregnancy and male parentage, teen suicide  
28 attempts, dropping out of school, child abuse or neglect, and domestic  
29 violence.

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

32 (6) "Comprehensive plan" means a two-year plan that examines  
33 available resources and unmet needs for a county or multicounty area,  
34 barriers that limit the effective use of resources, and a plan to  
35 address these issues that is broadly supported by local residents.

1        ~~((2))~~ (7) "Participating state agencies" means the office of the  
2 superintendent of public instruction, the department of social and  
3 health services, the department of health, the employment security  
4 department, the department of community, trade, and economic  
5 development, and such other departments as may be specifically  
6 designated by the governor.

7        ~~((3))~~ (8) "Family policy council" or "council" means the  
8 superintendent of public instruction, the secretary of social and  
9 health services, the secretary of health, the commissioner of the  
10 employment security department, and the director of the department of  
11 community, trade, and economic development or their designees, one  
12 legislator from each caucus of the senate and house of representatives,  
13 and one representative of the governor.

14        ~~((4))~~ (9) "Fiduciary interest" means (a) the right to  
15 compensation from a health, educational, social service, or justice  
16 system organization that receives public funds, or (b) budgetary or  
17 policy-making authority for an organization listed in (a) of this  
18 subsection. A person who acts solely in an advisory capacity and  
19 receives no compensation from a health, educational, social service, or  
20 justice system organization, and who has no budgetary or policy-making  
21 authority is deemed to have no fiduciary interest in the organization.

22        (10) "Outcome" or "outcome based" means defined and measurable  
23 outcomes ~~((and indicators that make it possible for communities))~~ used  
24 to evaluate progress in ((meeting their goals and whether systems are  
25 fulfilling their responsibilities)) reducing the rate of at-risk  
26 children and youth through reducing risk factors and increasing  
27 protective factors.

28        ~~((5))~~ (11) "Matching funds" means an amount no less than twenty-  
29 five percent of the amount budgeted for a ~~((consortium's project))~~  
30 network. ((Up to half of)) The ((consortium's)) network's matching  
31 funds may be in-kind goods and services. Funding sources allowable for  
32 match include appropriate federal or local levy funds, private  
33 charitable funding, and other charitable giving. Basic education funds  
34 shall not be used as a match. State general funds shall not be used as  
35 a match for violence reduction and drug enforcement account funds  
36 created under RCW 69.50.520.

37        ~~((6))~~ "~~Consortium~~" means a diverse group of individuals that  
38 includes at least representatives of local service providers, service  
39 recipients, local government administering or funding children or

1 ~~family service programs, participating state agencies, school~~  
2 ~~districts, existing children's commissions, ethnic and racial minority~~  
3 ~~populations, and other interested persons organized for the purpose of~~  
4 ~~designing and providing collaborative and coordinated services under~~  
5 ~~this chapter. Consortiums shall represent a county, multicounty, or~~  
6 ~~municipal service area. In addition, consortiums may represent Indian~~  
7 ~~tribes applying either individually or collectively.))~~

8 (12) "Policy development" has the same meaning as provided in RCW  
9 43.70.010.

10 (13) "Protective factors" means those factors determined by the  
11 department of health to be empirically associated with behaviors that  
12 contribute to socially acceptable and healthy nonviolent behaviors.  
13 Protective factors include promulgation, identification, and acceptance  
14 of community norms regarding appropriate behaviors in the area of  
15 delinquency, early sexual activity, alcohol and substance abuse,  
16 educational opportunities, employment opportunities, and absence of  
17 crime.

18 (14) "Risk factors" means those factors determined by the  
19 department of health to be empirically associated with at-risk  
20 behaviors that contribute to violence.

21 **Sec. 3.** RCW 70.190.060 and 1994 sp.s. c 7 s 303 are each amended  
22 to read as follows:

23 (1) The legislature (~~((intends to create))~~) authorizes community  
24 public health and safety networks to reconnect parents and other  
25 citizens with children, youth, families, and community institutions  
26 which support health and safety. The networks have only those powers  
27 and duties expressly authorized under this chapter. The networks  
28 should empower parents and other citizens by being a means of  
29 expressing their attitudes, spirit, and perspectives regarding safe and  
30 healthy family and community life. The legislature intends that parent  
31 and other citizen perspectives exercise a controlling influence over  
32 policy and program operations of professional organizations concerned  
33 with children and family issues within networks in a manner consistent  
34 with the Constitution and state law. It is not the intent of the  
35 legislature that health, social service, or educational professionals  
36 dominate community public health and safety network processes or  
37 programs, but rather that these professionals use their skills to lend  
38 support to parents and other citizens in expressing their values as

1 parents and other citizens identify community needs and establish  
2 community priorities. To this end, the legislature intends full  
3 participation of parents and other citizens in community public health  
4 and safety networks. The intent is that local community values are  
5 reflected in the operations of the network.

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

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

35 (4) (~~((A list of the network members shall be submitted to the~~  
36 ~~council by December 1, 1994, by the network chair who shall be selected~~  
37 ~~by network members at their first meeting. The list shall become final~~  
38 ~~unless the council chooses other members within twenty days after the~~  
39 ~~list is submitted. The council shall accept the list unless he or she~~

1 ~~believes the proposed list does not adequately represent all parties~~  
2 ~~identified in subsection (3) of this section or a member has a conflict~~  
3 ~~of interest between his or her membership and his or her livelihood.))~~  
4 Members of the ((community)) network shall serve terms of three years.

5 The terms of the initial members of each network shall be as  
6 follows: (a) One-third shall serve for one year; (b) one-third shall  
7 serve for two years; and (c) one-third shall serve for three years.  
8 Initial members may agree which shall serve fewer than three years or  
9 the decision may be made by lot. ~~((The same process shall be used in~~  
10 ~~the selection of the chair and members for subsequent terms.))~~ Any  
11 vacancy occurring during the term may be filled by the chair for the  
12 balance of the unexpired term.

13 (5) ~~((The network shall select a public entity as the lead fiscal~~  
14 ~~agency for the network. The lead agency may contract with a public or~~  
15 ~~private entity to perform other administrative duties required by the~~  
16 ~~state. In making the selection, the network shall consider: (a)~~  
17 ~~Experience in administering prevention and intervention programs; (b)~~  
18 ~~the relative geographical size of the network and its members; (c)~~  
19 ~~budgeting and fiscal capacity; and (d) how diverse a population each~~  
20 ~~entity represents.))~~ Not less than sixty days before the expiration of  
21 a network member's term, the chair shall submit the name of a nominee  
22 to the network for its approval. The network shall comply with  
23 subsection (3) of this section.

24 (6) Networks ~~((meetings))~~ are subject to the open public meetings  
25 act under chapter 42.30 RCW and the public records provisions of RCW  
26 42.17.270 through 42.17.310.

27 NEW SECTION. Sec. 4. A new section is added to chapter 70.190 RCW  
28 to read as follows:

29 (1) Each network shall contract with a public entity as its lead  
30 fiscal agent. The contract shall grant the agent authority to perform  
31 fiscal, accounting, contract administration, legal, and other  
32 administrative duties, including the provision of liability insurance.  
33 Any contract under this subsection shall be submitted to the council by  
34 the network for approval prior to its execution. The council shall  
35 review the contract to determine whether the administrative costs will  
36 be held to no more than ten percent.

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

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

6 NEW SECTION. **Sec. 5.** A new section is added to chapter 70.190 RCW  
7 to read as follows:

8 No network member may vote to authorize, or attempt to influence  
9 the authorization of, any expenditure in which the member's immediate  
10 family has a fiduciary interest. For the purpose of this section  
11 "immediate family" means a spouse, parent, grandparent, adult child,  
12 brother, or sister.

13 **Sec. 6.** RCW 70.190.080 and 1994 sp.s. c 7 s 305 are each amended  
14 to read as follows:

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

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

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

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

35 (c) Parenting education and skills development;

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

37 (e) Parent support groups; and

1 (f) Service coordination for individual families, and assistance  
2 with accessing services, provided in a manner that ensures that  
3 individual families have only one individual or agency to which they  
4 look for service coordination. Where appropriate for a family, service  
5 coordination may be conducted through interdisciplinary or interagency  
6 teams.

7 These programs are intended to be voluntary for the parents  
8 involved.

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

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

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

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

19 (iii) Provide career and occupational counseling to each youth  
20 recruited;

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

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

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

27 (vii) Include, to the extent possible, collaboration of business,  
28 labor, education and training, community organizations, and local  
29 government;

30 (b) Employment assistance, including job development, school-to-  
31 work placement, employment readiness training, basic skills,  
32 apprenticeships, job mentoring, and private sector and community  
33 service employment;

34 (c) Education assistance, including tutoring, mentoring,  
35 interactions with role models, entrepreneurial education and projects,  
36 violence prevention training, safe school strategies, and employment  
37 reentry assistance services;

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

1        (a) Peer-to-peer, group, and individual counseling, including  
2 crisis intervention, for at-risk youth and their parents;  
3        ~~((e))~~ (b) Youth coalitions that provide opportunities to develop  
4 leadership skills and gain appropriate respect, recognition, and  
5 rewards for their positive contribution to their community;  
6        ~~((f))~~ (c) Technical assistance to applicants to increase their  
7 organizational capacity and to improve the likelihood of a successful  
8 application; and  
9        ~~((g))~~ (d) Technical assistance and training resources to  
10 successful applicants.

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

13        (1) A ~~((community))~~ network that has its membership finalized under  
14 RCW 70.190.060(4) shall, upon application to the council, be eligible  
15 to receive planning grants and technical assistance from the council.  
16 Planning grants may be funded through available federal funds for  
17 family preservation services. After receiving the planning grant the  
18 ~~((region will be given))~~ network has up to one year to submit the long-  
19 term comprehensive plan. ((Upon application the community networks are  
20 eligible to receive funds appropriated under RCW 70.190.140.))

21        (2) The council shall enter into biennial contracts with  
22 ~~((community))~~ networks as part of the grant process. The contracts  
23 shall be consistent with available resources, and shall be distributed  
24 in accordance with the distribution formula developed pursuant to RCW  
25 43.41.195, subject to the applicable matching fund requirement.

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

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

33        (5) The networks shall, by contract, distribute funds (a)  
34 appropriated for plan implementation by the legislature, and (b)  
35 obtained from nonstate or federal sources. In distributing funds, the  
36 networks shall ensure that administrative costs are held to a maximum  
37 of ten percent.

38        (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 achieving the  
5 outcomes required by RCW 70.190.130(1)(h) related to reducing the rate  
6 of state-funded out-of-home placements and the other three at-risk  
7 behaviors covered by the comprehensive plan and approved by the  
8 council.

9       **Sec. 8.** RCW 70.190.130 and 1994 sp.s. c 7 s 310 are each amended  
10 to read as follows:

11       (1) The council shall only disburse funds to a ((community))  
12 network after a comprehensive plan has been prepared by the network and  
13 approved by the council ((or as provided in RCW 70.190.140)). In  
14 approving the plan the council shall consider whether the network:

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

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

20       ((+3)) (c) Obtained a declaration by the largest health department  
21 within the ((network's boundaries, ensuring that)) network boundary,  
22 indicating whether the plan ((met)) meets minimum standards for  
23 assessment and policy development relating to social development  
24 according to RCW 43.70.555;

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

27       ((+5)) (e) Considered all relevant causes of violence in its  
28 community and did not isolate only one or a few of the elements to the  
29 exclusion of others and demonstrated evidence of building community  
30 capacity through effective neighborhood and community development;  
31 ((and

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

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

37       (h) Committed to make measurable reductions in the rate of at-risk  
38 children and youth by reducing the rate of state-funded out-of-home

1 placements and make reductions in at least three of the following rates  
2 of youth: Violent criminal acts, substance abuse, pregnancy and male  
3 parentage, suicide attempts, ((or)) dropping out of school, child abuse  
4 or neglect, and domestic violence; and

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

8 (2) The council may establish a maximum amount to be expended by a  
9 network for purposes of planning and administrative duties, that shall  
10 not, in total, exceed ten percent of funds available to a network.

11 (3) The council may determine that a network is not in compliance  
12 with this chapter if it fails to comply with statutory requirements.  
13 Upon a determination of noncompliance, the council may suspend or  
14 revoke a network's status or contract and specify a process and  
15 deadline for the network's compliance.

16 NEW SECTION. Sec. 9. A new section is added to chapter 70.190 RCW  
17 to read as follows:

18 (1) The network members are immune from all civil liability arising  
19 from their actions done in their decision-making capacity as a network  
20 member, except for their intentional tortious acts or acts of official  
21 misconduct.

22 (2) The assets of a network are not subject to attachment or  
23 execution in satisfaction of a judgment for the tortious acts or  
24 official misconduct of any network member or for the acts of any agency  
25 or program to which it provides funds.

26 NEW SECTION. Sec. 10. If any provision of this act or its  
27 application to any person or circumstance is held invalid, the  
28 remainder of the act or the application of the provision to other  
29 persons or circumstances is not affected.

30 NEW SECTION. Sec. 11. The amendments to RCW 70.190.060 in 1996 c  
31 . . . s 3 (section 3 of this act) shall apply prospectively only and  
32 are not intended to affect the composition of any community public  
33 health and safety network's membership that has been approved by the  
34 family policy council prior to the effective date of this section.

1        NEW SECTION.   **Sec. 12.**   (1) Section 7 of this act shall take effect  
2 July 1, 1996.

3        (2) Section 8 of this act is 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."

7        **2SSB 5258** - CONF REPT  
8        By Conference Committee  
9

ADOPTED 3/7/96

10        On page 1, line 2 of the title, after "networks;" strike the  
11 remainder of the title and insert "amending RCW 70.190.010, 70.190.060,  
12 70.190.080, 70.190.090, and 70.190.130; adding new sections to chapter  
13 70.190 RCW; creating new sections; providing an effective date; and  
14 declaring an emergency."

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