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**SENATE BILL 5481**

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**State of Washington**

**54th Legislature**

**1995 Regular Session**

**By** Senators Hargrove, Long, Snyder and Winsley; by request of Governor Lowry and Attorney General

Read first time 01/24/95. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to community public health and safety networks; and  
2 amending RCW 70.190.005, 70.190.010, 70.190.060, 70.190.070,  
3 70.190.090, 70.190.100, 70.190.120, 70.190.130, and 69.50.520.

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

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

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

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

17 The legislature finds that a broad variety of services for children  
18 and families has been independently designed over the years and that  
19 the coordination and cost-effectiveness of these services will be

1 enhanced through the adoption of an approach that allows communities to  
2 prioritize and coordinate services to meet their local needs. The  
3 legislature further finds that the most successful programs for  
4 reaching and working with at-risk families and children treat  
5 individuals' problems in the context of the family, offer a broad  
6 spectrum of services, are flexible in the use of program resources, and  
7 use staff who are trained in crossing traditional program categories in  
8 order to broker services necessary to fully meet a family's needs.

9 The legislature further finds that eligibility criteria,  
10 expenditure restrictions, and reporting requirements of state and  
11 federal categorical programs often create barriers toward the effective  
12 use of resources for addressing the multiple problems of at-risk  
13 families and children.

14 The purposes of this chapter are to (1) ~~((to))~~ modify public policy  
15 and programs to empower communities to support and respond to the needs  
16 of individual families and children ~~((and))~~, (2) ~~((to))~~ improve the  
17 responsiveness of services for children and families at risk by  
18 facilitating greater coordination and flexibility in the use of funds  
19 by state and local service agencies, and (3) ensure that in providing  
20 and coordinating these programs, administrative costs are held to a  
21 minimum so the most dollars flow to planning and direct services.

22 **Sec. 2.** RCW 70.190.010 and 1992 c 198 s 3 are each amended to read  
23 as follows:

24 Unless the context clearly requires otherwise, the definitions in  
25 this section apply throughout this chapter.

26 (1) "Comprehensive plan" means a two-year plan that examines  
27 available resources and unmet needs for a county or multicounty area,  
28 barriers that limit the effective use of resources, and a plan to  
29 address these issues that is broadly supported.

30 (2) "Participating state agencies" means the office of the  
31 superintendent of public instruction, the department of social and  
32 health services, the department of health, the employment security  
33 department, the department of community, trade, and economic  
34 development, and such other departments as may be specifically  
35 designated by the governor.

36 (3) "Family policy council" or "council" means the superintendent  
37 of public instruction, the secretary of social and health services, the  
38 secretary of health, the commissioner of the employment security

1 department, and the director of the department of community, trade, and  
2 economic development or their designees, one legislator from each  
3 caucus of the senate and house of representatives, and one  
4 representative of the governor.

5 (4) "Outcome based" means defined and measurable outcomes and  
6 indicators that make it possible for communities to evaluate progress  
7 in meeting their goals and whether systems are fulfilling their  
8 responsibilities.

9 (5) "Matching funds" means an amount no less than twenty-five  
10 percent of the amount budgeted for a consortium's project. Up to half  
11 of the consortium's matching funds may be in-kind goods and services.  
12 Funding sources allowable for match include appropriate federal or  
13 local levy funds, private charitable funding, and other charitable  
14 giving. Basic education funds shall not be used as a match.

15 (~~("Consortium" means a diverse group of individuals that~~  
16 ~~includes at least representatives of local service providers, service~~  
17 ~~recipients, local government administering or funding children or~~  
18 ~~family service programs, participating state agencies, school~~  
19 ~~districts, existing children's commissions, ethnic and racial minority~~  
20 ~~populations, and other interested persons organized for the purpose of~~  
21 ~~designing and providing collaborative and coordinated services under~~  
22 ~~this chapter. Consortiums shall represent a county, multicounty, or~~  
23 ~~municipal service area. In addition, consortiums may represent Indian~~  
24 ~~tribes applying either individually or collectively)) "Community public  
25 health and safety network" means the regional public agency, whose  
26 members are volunteers, and which is approved by the council. A  
27 network is organized for the purpose of designing and implementing a  
28 plan to provide coordinated services within the network's boundary with  
29 the goal of reducing risk factors for youth within that boundary.~~

30 (7) "Beneficial interest" for the purposes of satisfying membership  
31 requirements as set forth in RCW 70.190.060 has the meaning ascribed to  
32 it under Washington case law. However, having an ownership interest in  
33 a mutual fund or similar investment pooling fund in which the owner has  
34 no management powers does not constitute a beneficial interest in the  
35 entities in which the fund or pool invests.

36 (8) "Financial interest" for the purposes of satisfying network  
37 membership requirements as set forth in RCW 70.190.060 means (a) being  
38 beneficially interested, directly or indirectly, in a contract, grant,  
39 or other authorized transaction that will be made or coordinated, in

1 whole or in part, by or through the network upon which the member  
2 serves, or (b) accepting, directly or indirectly, any compensation,  
3 gratuity, or reward from another person beneficially interested in the  
4 contract, grant, or any other authorized transaction with the network.

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

7 (1) The legislature (~~((intends to create))~~) hereby establishes  
8 community public health and safety networks as regional public agencies  
9 having those powers and duties provided to them by law. The  
10 legislature intends that through the exercise of their statutory duties  
11 and authority, the networks will serve to reconnect parents and other  
12 citizens with children, youth, families, and community institutions  
13 which support health and safety(~~(. The networks should))~~) and to  
14 empower parents and other citizens by being a means of expressing their  
15 attitudes, spirit, and perspectives regarding safe and healthy family  
16 and community life. The legislature intends that parent and other  
17 citizen perspectives exercise a controlling influence over policy and  
18 program operations of professional organizations concerned with  
19 children and family issues within networks in a manner consistent with  
20 the Constitution and state law. It is not the intent of the  
21 legislature that health, social service, or educational professionals  
22 dominate community public health and safety network processes or  
23 programs, but rather that these professionals use their skills to lend  
24 support to parents and other citizens in expressing their values as  
25 parents and other citizens identify community needs and establish  
26 community priorities. To this end, the legislature intends full  
27 participation of parents and other citizens in community public health  
28 and safety networks. The intent is that local community values are  
29 reflected in the operations of the network.

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

33 (3) Each community public health and safety network shall be  
34 composed of twenty-three people, thirteen of whom shall be citizens  
35 with no (~~((direct fiduciary interest in health, education, social~~  
36 ~~service, or justice system organizations operating within the network~~  
37 ~~area))~~) beneficial or financial interest in organizations operating  
38 within the network boundary that provide services under contract,

1 grant, or other authorized transaction with or through the network. In  
2 selecting these members, first priority shall be given to members of  
3 community mobilization advisory boards, city or county children's  
4 services commissions, human services advisory boards, or other such  
5 organizations which may exist within the network. The thirteen persons  
6 shall be selected as follows: Three by the chambers of commerce  
7 located in the network, three by school board members of the school  
8 districts within the network boundary, three by the county legislative  
9 authorities of the counties within the network boundary, three by the  
10 city legislative authorities of the cities within the network boundary,  
11 and one high school student, selected by student organizations within  
12 the network boundary. The remaining ten members shall include local  
13 representation from the following groups and entities: Cities,  
14 counties, federally recognized Indian tribes, parks and recreation  
15 programs, law enforcement agencies, superior court judges, state  
16 children's service workers from within the network area, employment  
17 assistance workers from within the network area, private social,  
18 educational, or health service providers from within the network area,  
19 and broad-based nonsecular organizations.

20 (4) A list of the network members shall be submitted to the council  
21 by December 1, 1994, by the network chair who shall be selected by  
22 network members at their first meeting. The list shall become final  
23 ~~((unless the council chooses other members within twenty days after the~~  
24 ~~list is submitted))~~ upon council approval, or sixty days following the  
25 submission of the list by the network chair, whichever occurs sooner.  
26 The council shall accept the ~~((list))~~ members as submitted unless ~~((he~~  
27 ~~or she))~~ the council believes the proposed list does not adequately  
28 represent all parties identified in subsection (3) of this section or  
29 a member has a ~~((conflict of interest between his or her membership and~~  
30 ~~his or her livelihood))~~ prohibited beneficial or financial interest in  
31 the contract, grant, or other authorized funding mechanism with the  
32 network. If the council does not approve a member of the proposed  
33 network list, the council shall notify the network chair and specify a  
34 deadline for resubmission. The network shall provide information to  
35 the council that indicates what efforts were made to recruit broad  
36 representation from the community. Members of the community network  
37 shall serve terms of three years.

38 The terms of the initial members of each network shall be as  
39 follows: (a) One-third shall serve for one year; (b) one-third shall

1 serve for two years; and (c) one-third shall serve for three years.  
2 Initial members may agree which shall serve fewer than three years or  
3 the decision may be made by lot. The same process shall be used in the  
4 selection of the chair and members for subsequent terms. Any vacancy  
5 occurring during the term may be filled by the chair for the balance of  
6 the unexpired term. The network shall notify the council of changes in  
7 membership and secure the council's approval.

8 ~~(5) ((The network shall select a public entity as the lead fiscal~~  
9 ~~agency for the network. The lead agency may contract with a public or~~  
10 ~~private entity to perform other administrative duties required by the~~  
11 ~~state. In making the selection, the network shall consider: (a)~~  
12 ~~Experience in administering prevention and intervention programs; (b)~~  
13 ~~the relative geographical size of the network and its members; (c)~~  
14 ~~budgeting and fiscal capacity; and (d) how diverse a population each~~  
15 ~~entity represents))~~ Each network shall contract with the following  
16 entities to perform the fiscal, accounting, contract administration,  
17 legal, and other administrative functions of the network: (a) A school  
18 district, educational service district, city, county, or tribal agency,  
19 which are within the network; or (b) a state agency. These entities  
20 may subcontract with a public or private entity to perform the  
21 network's administrative, but not fiscal, functions. A network's  
22 contracts shall be approved by the council to ensure that  
23 administrative costs are held to a minimum so the most dollars flow to  
24 planning and direct services. The council may require a lid on  
25 administrative and planning costs in approving network plans and  
26 contracts.

27 (6) The networks and their fiscal agents shall comply with the  
28 accounting and reporting requirements of chapter 43.09 RCW and shall be  
29 subject to examination and audit by the state auditor and the  
30 department of social and health services. Network meetings are subject  
31 to the open public meetings act under chapter 42.30 RCW.

32 (7) Network members shall serve without compensation but shall be  
33 eligible to receive reimbursement from the network for necessary  
34 mileage expense incurred in traveling to and from official network  
35 meetings at the rate established under RCW 43.03.060.

36 **Sec. 4.** RCW 70.190.070 and 1994 sp.s. c 7 s 304 are each amended  
37 to read as follows:

38 The community public health and safety networks shall:

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

3 (2) Prioritize the risk factors and protective factors to reduce  
4 the likelihood of their children and youth being at risk. The  
5 priorities shall be based upon public health data and assessment and  
6 policy development standards provided by the department of health under  
7 RCW 43.70.555;

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

11 (4) ~~((Distribute funds to))~~ Contract with service providers for  
12 local programs that reflect the locally established priorities of the  
13 network's plan and as provided in RCW 70.190.140, but shall not provide  
14 or operate programs or services directly;

15 (5) Comply with outcome-based standards;

16 (6) Cooperate with the department of health and local boards of  
17 health to provide data and determine outcomes; ~~((and))~~

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

21 (8) Have authority to contract with service providers under  
22 subsection (4) of this section with funds provided for that purpose by  
23 federal, state, or local government and private donation; and

24 (9) File a report with the family policy council by May 1 of each  
25 year that includes but is not limited to the following information:  
26 Detailed expenditures, programs under way, progress on providing  
27 services, and successes and problems in coordinating services within  
28 the network's boundary.

29 **Sec. 5.** RCW 70.190.090 and 1994 sp.s. c 7 s 306 are each amended  
30 to read as follows:

31 (1) A community network that has its membership finalized under RCW  
32 70.190.060(4) shall, upon application to the council, be eligible to  
33 receive planning grants and technical assistance from the council.  
34 Planning grants may be funded through available federal funds for  
35 family preservation services. After receiving the planning grant the  
36 ~~((region))~~ network will be given up to one year to submit the long-term  
37 comprehensive plan. A network may request an extension for planning.  
38 The family policy council may grant a network an extension for planning

1 on a month-to-month basis for a total period not to exceed one year.  
2 Upon application the community networks are eligible to receive funds  
3 appropriated under RCW 70.190.140.

4 (2) The council shall enter into biennial contracts with community  
5 networks as part of the grant process. The contracts shall be  
6 consistent with available resources, and shall be distributed in  
7 accordance with the distribution formula developed pursuant to RCW  
8 43.41.195.

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

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

16 **Sec. 6.** RCW 70.190.100 and 1994 sp.s. c 7 s 307 are each amended  
17 to read as follows:

18 The family policy council shall:

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

30 (2) Develop a technical assistance and training program to assist  
31 communities in creating and developing community networks and  
32 comprehensive plans;

33 (3) Approve the structure, purpose, goals, plan, contracts, and  
34 performance measurements of each community network;

35 (4) Identify all prevention and early intervention programs and  
36 funds, including all programs funded under RCW 69.50.520, in addition  
37 to the programs set forth in RCW 70.190.110, which could be  
38 transferred, in all or part, to the community networks, and report

1 their findings and recommendations to the governor and the legislature  
2 regarding any appropriate program transfers by January 1 of each year;

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

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

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

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

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

29 (9) Review the implementation of chapter 7, Laws of 1994 sp. sess.  
30 and report its recommendations to the legislature annually. The report  
31 shall use measurable performance standards to evaluate the  
32 implementation.

33 If the council determines that a network is in noncompliance with  
34 the requirements of this chapter, the council may take action to revoke  
35 the network's status and specify a deadline and a process for the  
36 network to come into compliance.

37 **Sec. 7.** RCW 70.190.120 and 1994 sp.s. c 7 s 309 are each amended  
38 to read as follows:

1 (1) The participating state agencies shall execute an interagency  
2 agreement to ensure the coordination of their local program efforts  
3 regarding children. This agreement shall recognize and give specific  
4 planning(~~(7)~~) and coordination(~~(7, and program administration)~~)  
5 responsibilities to community networks, after the approval under RCW  
6 70.190.130 of their comprehensive plans. The community networks shall  
7 encourage the development of integrated, regionally based children,  
8 youth, and family activities and services with adequate local  
9 flexibility to accomplish the purposes stated in section 101, chapter  
10 7, Laws of 1994 sp. sess. and RCW 74.14A.020.

11 (2) The community networks shall exercise the planning,  
12 coordinating, and program administration functions specified by the  
13 state interagency agreement in addition to other activities required by  
14 law, and shall participate in the planning process required by chapter  
15 71.36 RCW.

16 (3) Any state or federal funds identified for contracts with  
17 community networks shall be transferred with no reductions.

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

20 The council shall only disburse funds to a community network after  
21 a comprehensive plan has been prepared by the network and approved by  
22 the council or as provided in RCW 70.190.140. In approving the plan  
23 the council shall consider whether the network:

24 (1) Promoted input from the widest practical range of agencies and  
25 affected parties;

26 (2) Reviewed the indicators of violence data compiled by the local  
27 public health departments and incorporated a response to those  
28 indicators in the plan;

29 (3) Obtained a declaration by the largest health department within  
30 the network's boundaries, ensuring that the plan met minimum standards  
31 for assessment and policy development relating to social development  
32 according to RCW 43.70.555;

33 (4) Held a public hearing after serving notice to constituent  
34 groups represented on the network, juvenile courts within the network  
35 boundary, and other interested groups within the network boundary, and  
36 submitted comments received at the hearing to the council with the  
37 plan;

1       (5) Included a specific mechanism of data collection and  
2 transmission based on the rules established under RCW 43.70.555;

3       (~~(5)~~) (6) Considered all relevant causes of violence in its  
4 community and did not isolate only one or a few of the elements to the  
5 exclusion of others and demonstrated evidence of building community  
6 capacity through effective neighborhood and community development; and

7       (~~(6)~~) (7) Committed to make measurable reductions in the rate of  
8 at-risk children and youth by reducing the rate of state-funded out-of-  
9 home placements and make reductions in at least three of the following  
10 rates of youth: Violent criminal acts, substance abuse, pregnancy and  
11 male parentage, suicide attempts, or dropping out of school.

12       **Sec. 9.** RCW 69.50.520 and 1994 sp.s. c 7 s 910 are each amended to  
13 read as follows:

14       The violence reduction and drug enforcement account is created in  
15 the state treasury. All designated receipts from RCW 9.41.110(~~(5)~~)  
16 (8), 66.24.210(4), 66.24.290(3), 69.50.505(h)(1), 82.08.150(5),  
17 82.24.020(2), 82.64.020, and section 420, chapter 271, Laws of 1989  
18 shall be deposited into the account. Expenditures from the account may  
19 be used only for funding services and programs under chapter 271, Laws  
20 of 1989 and chapter 7, Laws of 1994 sp. sess., as now or hereafter  
21 amended, including state incarceration costs. At least seven and one-  
22 half percent of (~~expenditures from~~) all designated receipts from RCW  
23 9.41.110(8), 66.24.210(4), 66.24.290(3), 69.50.505(h), 82.08.150(5),  
24 82.24.020(2), 82.64.020, and section 420, chapter 271, Laws of 1989  
25 deposited into the account shall be used for providing grants to  
26 community public health and safety networks under chapter 70.190 RCW by  
27 the family policy council.

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