

**SENATE BILL REPORT**

**SB 5844**

**AS REPORTED BY COMMITTEE ON GOVERNMENT OPERATIONS,  
FEBRUARY 26, 1993**

**Brief Description:** Allowing volunteers to assist agencies to serve at-risk children's needs.

**SPONSORS:** Senators McAuliffe, Erwin, M. Rasmussen, Amondson, Drew, Prentice, Pelz, Niemi, Winsley, Sheldon, McDonald, Talmadge, Owen, Snyder, Haugen, Hargrove, Moyer, Quigley, Roach, Jesernig, Oke, Hochstatter and Spanel

**SENATE COMMITTEE ON GOVERNMENT OPERATIONS**

**Majority Report:** That Substitute Senate Bill No. 5844 be substituted therefor, and the substitute bill do pass.

Signed by Senators Haugen, Chairman; Drew, Vice Chairman; Oke, von Reichbauer, and Winsley.

**Staff:** Katie Healy (786-7784)

**Hearing Dates:** February 24, 1993; February 26, 1993

**BACKGROUND:**

The Center for Volunteerism and Citizen Service supports, promotes and enhances the ethic of citizen service throughout the state.

**SUMMARY:**

A collaborative program permits a volunteer organization and individual to assist a public agency in attending to at-risk children. The center establishes guidelines for the collaborative programs. Volunteers are not considered employees of the agency administering the program, and the agency is not subject to liability arising out of volunteer activity. A volunteer acting in good faith is also exempt from liability when working with an agency under this program.

**EFFECT OF PROPOSED SUBSTITUTE:**

The changes are not substantive, but clarify the bill. The guidelines define at-risk children and establish reasonable safety standards for the activities of any volunteers. A volunteer and the public agency will sign a written master agreement, approved in form by the Attorney General, which defines the scope of the volunteer activities and waives any claims against each other. No participating party to the agreement is subject to liability arising out of the volunteer activity when acting in good faith.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** none requested

**TESTIMONY FOR:**

The portion of the bill providing for liability protection is innovative. Policymakers have been trying for years to give liability protection.

**TESTIMONY AGAINST:**

The intervention program to provide alternatives to at-risk youth is supported. Concern is with programs that are dangerous if not done correctly. Programs are for kids who carry knives and guns. No one is responsible if someone is injured. Standards should be designed to protect public health and safety. There needs to be incentive to follow the guidelines. At-risk youth should be defined.

**TESTIFIED:** Joby Winans, Department of Community Development (pro);  
Dennis Martin, Washington State Trial Attorneys (con)