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**ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2319**

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**State of Washington**

**53rd Legislature**

**1994 Regular Session**

**By** House Committee on Appropriations (originally sponsored by Representatives Appelwick, Leonard, Johanson, Valle, Wang, Wineberry, Scott, Karahalios, Caver, Kessler, Basich, Wolfe, J. Kohl, Veloria, Quall, Holm, Jones, Shin, King, Patterson, Eide, Dellwo, L. Johnson, Springer, Pruitt, Ogden, H. Myers and Anderson; by request of Governor Lowry)

Read first time 02/08/94.

1       AN ACT Relating to violence prevention; amending RCW 74.14A.020,  
2 70.190.005, 70.190.010, 70.190.030, 74.14A.050, 74.14B.040, 70.123.010,  
3 70.123.070, 28A.635.060, 13.40.080, 28A.170.080, 28A.170.090,  
4 28A.170.100, 43.63A.700, 43.63A.710, 82.60.020, 82.62.010, 43.270.010,  
5 43.270.020, 43.270.030, 43.270.040, 43.270.050, 43.270.060, and  
6 43.270.070; reenacting and amending RCW 43.185.070; adding new sections  
7 to chapter 43.131 RCW; adding a new section to chapter 43.84 RCW;  
8 adding new sections to chapter 74.13 RCW; adding new sections to  
9 chapter 28A.300 RCW; adding a new section to chapter 28A.305 RCW;  
10 adding new sections to chapter 43.330 RCW; adding a new section to  
11 chapter 28A.320 RCW; adding a new section to chapter 28A.225 RCW;  
12 adding a new section to chapter 28B.50 RCW; adding a new section to  
13 chapter 50.67 RCW; adding a new section to chapter 43.310 RCW; adding  
14 new sections to chapter 43.70 RCW; adding new sections to chapter  
15 70.190 RCW; adding a new chapter to Title 70 RCW; adding new chapters  
16 to Title 43 RCW; adding a new chapter to Title 50 RCW; creating new  
17 sections; recodifying RCW 43.63A.700 and 43.63A.710; providing an  
18 expiration date; and declaring an emergency.

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

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1           **PART I - HUMAN SERVICES: PREVENTION AND EARLY INTERVENTION**

2                   **A. PREVENTION OF CHILD ABUSE AND NEGLECT**

3           NEW SECTION.   **Sec. 101.**   HEALTHY FAMILIES-WASHINGTON PROGRAM--  
4 FINDINGS. The legislature finds that:

5           (1) Child abuse and neglect has been shown to be a significant risk  
6 factor for violent behavior. Abused or neglected children have an  
7 increased likelihood of arrest and involvement in violent crime as  
8 youths or adults, and of victimization;

9           (2) One of the most effective strategies for preventing child abuse  
10 and neglect is to offer parents education and support, at their  
11 request, beginning with the birth of their first baby in locations  
12 comfortable for parents; and

13           (3) Primary prevention efforts that offer parents education and  
14 support, and thereby reduce the rate of child abuse and neglect, are an  
15 essential component of any youth violence prevention effort.

16           NEW SECTION.   **Sec. 102.**   HEALTHY FAMILIES--WASHINGTON PROGRAM. (1)  
17 The department of health shall coordinate and fund community-based  
18 projects providing screening, tracking, and the delivery of appropriate  
19 primary prevention services to infants and toddlers and their families.  
20 The program shall be known as the healthy families--Washington program  
21 and shall have a goal of helping families and communities promote  
22 healthy child development, reduce preventable illnesses and  
23 disabilities, and reduce child abuse and neglect in Washington state.

24           (2) Participation by parents in the healthy families--Washington  
25 program shall be voluntary.

26           (3) Parents who elect to participate in the healthy families--  
27 Washington program shall receive education and support services only  
28 after signing a voluntary written authorization. The parents shall be  
29 informed of their right to withdraw their decision to participate in  
30 the healthy families--Washington program at any time of their choosing.

31           (4) Program criteria shall be established by the department of  
32 health in consultation with the family policy council established  
33 pursuant to chapter 70.190 RCW, and with private and public groups  
34 involved in child abuse and neglect prevention and shall reflect the  
35 following principles:

1 (a) Family policy principles enunciated by the family policy  
2 council;

3 (b) Flexibility in program design and implementation to accommodate  
4 unique community characteristics and needs;

5 (c) Services are offered, subject to the availability of funding,  
6 to infants and their families where a screening has revealed the infant  
7 meets one or more risk factors related to a biological, environmental,  
8 or psychosocial risk factor; and

9 (d) Increased coordination of existing services to prospective  
10 parents and parents of newborn children.

11 (5) The department of health shall establish a sliding fee scale  
12 for the provision of services under sections 102 through 104 of this  
13 act.

14 (6) For the purposes of sections 102 through 104 of this act  
15 "parent" means the birth or adoptive parent, or the legal guardian of  
16 a child.

17 NEW SECTION. **Sec. 103.** HEALTHY FAMILIES-WASHINGTON PROGRAM  
18 SITES--REQUIREMENTS. (1) Each community-based healthy families--  
19 Washington program site shall be designed to promote healthy child  
20 development and to reduce the incidence of preventable illnesses,  
21 disabilities, and child abuse and neglect in the defined community.

22 (2) Program participation by parents shall be voluntary. In  
23 offering or providing services, every effort shall be made to  
24 coordinate with and utilize other programs that fund or provide any of  
25 the services referenced in subsection (3) of this section. The primary  
26 focus for expenditure of healthy families--Washington program funds  
27 should be development of a coordinated system of family support  
28 services for parents of newborn children in the community who meet  
29 eligibility criteria, provision of visits at locations comfortable for  
30 parents and provision of services referenced in subsection (3) of this  
31 section that are not currently funded from other sources.

32 (3) Each program site shall make the following services available  
33 to families in the defined community:

34 (a) Voluntary screening prior to or soon after the birth of a child  
35 to determine whether an infant meets one or more risk factors related  
36 to a biological, environmental, or psychosocial risk factor;

37 (b) Visits for expectant or new parents of infants identified  
38 pursuant to (a) of this subsection and their parents, who have

1 voluntarily signed a written authorization to participate, at a  
2 location with which the parent is comfortable. Visits shall be  
3 conducted by professionals or paraprofessionals under rules established  
4 by the department of health. If a professional or paraprofessional is  
5 not available to conduct the visit, volunteers may be used to the  
6 extent that they meet minimum competency standards established by the  
7 department of health. At the initial visit, areas of concern shall be  
8 identified in consultation with the parents;

9 (c) Linking each family with a primary care provider for the  
10 infant, tracking the infant's utilization of well-child health  
11 services, and providing reminders to participating families when a  
12 well-child visit has been missed;

13 (d) Parenting education and skills development;

14 (e) Parenting and family support information and referral;

15 (f) Parent support groups;

16 (g) Service coordination for individual families, and assistance  
17 with accessing services, provided in a manner that ensures that  
18 individual families have only one individual or agency to which they  
19 look for service coordination. Where appropriate for a family, service  
20 coordination may be conducted through interdisciplinary or interagency  
21 teams.

22 (4) The department of health shall evaluate each program site. The  
23 evaluation shall include an analysis of the impact of program services  
24 on the rate of child abuse and neglect in the community served by the  
25 program. The department of health shall report to the appropriate  
26 committees of the house of representatives and senate on the  
27 effectiveness of the healthy families--Washington program and whether  
28 funding should be continued or terminated. The department of health  
29 shall report its findings on December 1, 1998.

30 NEW SECTION. **Sec. 104.** HEALTHY FAMILIES-WASHINGTON PROGRAM  
31 SITES--APPLICATIONS. In developing and designing each healthy  
32 families--Washington program site, the department shall:

33 (1) Actively involve entities in the community of the program site  
34 with a demonstrated interest in healthy child development and family  
35 support activities;

36 (2) Actively involve parents who are not affiliated with entities  
37 providing child development or family support services;

1 (3) Identify a lead agency in each site, which may be a private  
2 nonprofit or public agency, that will be responsible for fiscal and  
3 administrative coordination of the program site;

4 (4) Identify the entities that will be providing the services  
5 described in section 103(3) of this act to participating families  
6 through the program;

7 (5) Develop statistics for each program site, with the assistance  
8 of the department of social and health services, on the rate of  
9 childhood immunization, preventable illnesses and disabilities, and  
10 child abuse and neglect over at least the past five years;

11 (6) Identify the community matching funds required by the  
12 department of health by rule; and

13 (7) Include components that will demonstrate sensitivity to  
14 religious, cultural, and socioeconomic differences in the program site.

## 15 B. COMMUNITY-BASED PLANNING AND SERVICES FOR CHILDREN AND FAMILIES

### 16 1. Children and Family Services Policy

17 **Sec. 105.** RCW 74.14A.020 and 1983 c 192 s 2 are each amended to  
18 read as follows:

19 The ~~((department of social and health services))~~ efforts of state  
20 agencies participating in the family policy council, as provided in RCW  
21 70.190.010, individually and collectively, shall address the needs of  
22 children and their families, including emotionally disturbed ((and))  
23 children with special health care needs, developmentally disabled, and  
24 mentally ill children, potentially dependent children, and families-in-  
25 conflict by:

26 (1) Serving children and families as a unit in the least  
27 restrictive setting available and in close proximity to ((the)) family  
28 homes, consistent with the best interests and special needs of the  
29 child;

30 (2) Developing and implementing comprehensive, preventive, and  
31 early intervention social and health services that demonstrate the  
32 ability to delay or reduce the need for out-of-home placements and  
33 ameliorate problems before they become chronic or severe;

34 (3) Ensuring that appropriate social and health services are  
35 provided to the family unit both prior to the removal of a child from  
36 the home and after the family ((reunification)) is reunited;

1        ~~((3) Developing and implementing comprehensive, preventive, and~~  
2 ~~early intervention social and health services which have demonstrated~~  
3 ~~the ability to delay or reduce the need for out-of-home placements and~~  
4 ~~ameliorate problems before they become chronic or severe;))~~

5        (4) Ensuring that the safety and best interests of the child are  
6 the paramount considerations when making placement and service delivery  
7 decisions;

8        (5) Recognizing the interdependent and changing nature of families  
9 and communities, building upon inherent family strengths, maintaining  
10 families' dignity and respect, and tailoring programs to their specific  
11 circumstances;

12        (6) Being sensitive to family and community culture, norms, values,  
13 and expectations, ensuring that all services are accessible and are  
14 provided in a culturally competent and relevant manner, and ensuring  
15 participation of racial and ethnic minorities at all levels of service  
16 planning, delivery, and evaluation efforts;

17        (7)(a) Developing coordinated ((social and health)) services for  
18 children and families which:

19        ~~((a))~~ (i) Identify problems experienced by children and their  
20 families early and provide services which are adequate in availability,  
21 appropriate to the situation, and effective;

22        ~~((b))~~ (ii) Seek to bring about meaningful change before family  
23 situations become irreversibly destructive and before disturbed  
24 psychological behavioral patterns and health problems become severe or  
25 permanent;

26        ~~((c))~~ (iii) Serve children and families in their own homes thus  
27 preventing unnecessary out-of-home placement or institutionalization;

28        ~~((d))~~ (iv) Focus resources on ((social and health)) problems as  
29 they begin to manifest themselves rather than waiting for chronic and  
30 severe patterns of illness, criminality, and dependency to develop  
31 which require long-term treatment, maintenance, or custody;

32        ~~((e))~~ (v) Reduce duplication of and gaps in service delivery;

33        ~~((f))~~ (vi) Improve planning, budgeting, and communication among  
34 ((all units of the department)) state and local agencies and private  
35 organizations serving children and families; and

36        ~~((g) Develop)~~ (vii) Use outcome standards for measuring the  
37 effectiveness of ((social and health)) services for children and  
38 families.

1        (b) In developing services under this subsection, local communities  
2 shall be partners with the state in planning, developing, implementing,  
3 and administering support systems that are tailored to their unique  
4 needs.

5        **Sec. 106.** RCW 70.190.005 and 1992 c 198 s 1 are each amended to  
6 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, and strengthen(~~(, and help~~  
15 ~~refashion—family))~~ families' and (~~(community—associations))~~  
16 communities' efforts to care for 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  
20 enhanced through the adoption of (~~(a common))~~ an approach (~~(to their~~  
21 ~~delivery))~~ that allows communities to design and coordinate services to  
22 meet their local needs. The legislature further finds that the most  
23 successful programs for reaching and working with at-risk families and  
24 children treat individuals' problems in the context of the family,  
25 offer a broad spectrum of services, are flexible in the use of program  
26 resources, and use staff who are trained in crossing traditional  
27 program categories in order to broker services necessary to fully meet  
28 a family's needs.

29        The legislature further finds that eligibility criteria,  
30 expenditure restrictions, and reporting requirements of state and  
31 federal categorical programs often create barriers toward the effective  
32 use of resources for addressing the multiple problems of at-risk  
33 families and children.

34        The purposes of this chapter are (1) to modify public policy and  
35 programs to empower communities to support and respond to the needs of  
36 individual families and children (~~(and))~~; (2) to improve the  
37 responsiveness of services for children and families at risk by  
38 facilitating greater coordination and flexibility in the use of funds



1 by state and local services agencies; (3) to more effectively utilize  
2 state, regional, and local funds currently available for services to  
3 children and families by breaking down programmatic and administrative  
4 barriers, increasing collaboration among all child-serving systems,  
5 reducing duplication of services and coordinating services provided to  
6 individual children and their families; (4) to build upon local efforts  
7 already in place to accomplish the purposes of sections 105 through 125  
8 of this act; (5) to bring together representatives of a broad range of  
9 local agencies, organizations, and individuals to develop an integrated  
10 children and family services system at the local level; (6) to provide  
11 data on unmet need and emerging issues that may require further state  
12 and local action; and (7) to partially decentralize and reconfigure  
13 children and family services, which may include those currently  
14 administered by the department of social and health services, the  
15 department of community, trade, and economic development, the  
16 department of health, the employment security department, and the  
17 office of the superintendent of public instruction.

18 **Sec. 107.** RCW 70.190.010 and 1992 c 198 s 3 are each amended to  
19 read as follows:

20 Unless the context clearly requires otherwise, the definitions in  
21 this section apply throughout this chapter.

22 (1) "Comprehensive plan" or "plan" means a two-year plan that  
23 identifies achievable outcomes for children and families, examines  
24 available resources and unmet needs ((for)), and designs an integrated  
25 system of services for children and families, as provided in section  
26 112 of this act, for a city with a population in excess of one hundred  
27 fifty thousand, an Indian tribe, a county or a multicounty area((~~7~~  
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, the office of financial management, and such other  
35 departments as may be specifically 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,  
2 and economic development, and the director of the office of financial  
3 management, or their designees, one legislator from each caucus of the  
4 senate and house of representatives, and one representative of the  
5 governor. One representative each from counties, cities or towns, and  
6 school districts, one representative of the superior courts with a  
7 demonstrated interest in children, two representatives of children and  
8 family services providers, two citizens with a demonstrated interest in  
9 children, one representative of the business community and one  
10 representative of organized labor who has demonstrated an interest in  
11 children, also shall be appointed by the governor to serve on the  
12 council.

13 (4) "Outcome ~~((based))~~ standard" means a defined and measurable  
14 ~~((outcomes and indicators that make it possible for communities to))~~  
15 standard against which the state and communities can evaluate progress  
16 in meeting their goals and ~~((whether systems))~~ that can be used to  
17 determine whether community family councils are fulfilling their  
18 responsibilities.

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

25 ~~(6) "Consortium))~~ "Community family council" or "community council"  
26 means ~~((a diverse group of individuals that includes at least~~  
27 representatives of local service providers, service recipients, local  
28 government administering or funding children or family service  
29 programs, participating state agencies, school districts, existing  
30 children's commissions, ethnic and racial minority populations, and  
31 other interested persons organized for the purpose of designing and  
32 providing collaborative and coordinated services under this chapter.  
33 Consortiums shall represent a county, multicounty, or municipal  
34 service area. In addition, consortiums may represent Indian tribes  
35 applying either individually or collectively)) an entity, other than a  
36 state agency, established pursuant to section 109 of this act.

37 (6) "Case management" means a service delivery method that provides  
38 easy access to the system and, where appropriate, development of a case

1 plan for a child and his or her family, and service brokering between  
2 the family and service providers.

3 NEW SECTION. **Sec. 108.** DEVELOPMENT OF OUTCOME STANDARDS FOR  
4 CHILDREN AND FAMILIES. (1) The family policy council shall coordinate  
5 an interagency process to develop defined and measurable program and  
6 policy outcome standards for children and families, including children  
7 and families of color, in Washington state with respect to:

8 (a) Family self-sufficiency and stability;

9 (b) Family health;

10 (c) Readiness to learn; and

11 (d) Youth at risk.

12 (2) In developing outcome standards, the council shall identify  
13 those measurable risk factors that are empirically linked to the  
14 outcomes identified in subsection (1) (a) through (d) of this section.  
15 Risk factors considered shall include, but are not limited to:

16 (a) Violent acts by youth;

17 (b) Substance abuse;

18 (c) Teen pregnancy and parenting;

19 (d) Suicide and suicide attempts;

20 (e) Dropping out of school or school absenteeism;

21 (f) Child abuse and neglect and out-of-home placement;

22 (g) Poverty, homelessness, and inadequate nutrition and hunger;

23 (h) Single parent households;

24 (i) Unemployment or lack of job skills;

25 (j) Gang affiliation and lack of recreational or cultural  
26 opportunities;

27 (k) Domestic violence and sexual assault; and

28 (l) Physical, emotional, or behavioral disabilities.

29 (3) Outcome standards shall be developed in consultation with and  
30 with reference to the department of health's public health services  
31 improvement plan; the department of social and health services needs  
32 assessment data base; the commission on student learning; the child  
33 care coordinating committee; the developmental disabilities planning  
34 council; the comprehensive housing affordability strategies developed  
35 pursuant to 42 U.S.C. Secs. 12701 et seq.; the five-year Washington  
36 state housing advisory plan; the commissions on African-American  
37 affairs, Asian-American affairs, and Hispanic affairs; the governor's  
38 office on Indian affairs; other appropriate state entities involved in

1 children and family services planning, and other appropriate research  
2 organizations, and shall make every effort to utilize outcome standards  
3 already developed through these efforts. On or before July 1, 1995,  
4 the family policy council shall report to appropriate committees of the  
5 legislature on the outcome standards developed to date, and a timeline  
6 for completing remaining standards.

7 **2. Community Family Councils**

8 NEW SECTION. **Sec. 109.** ESTABLISHMENT OF COMMUNITY FAMILY  
9 COUNCILS. A community family council shall be established according to  
10 the following process:

11 (1) No later than July 1, 1994, the county legislative authority of  
12 each county in the state shall convene a meeting of a diverse group of  
13 individuals interested in designing and providing coordinated services  
14 to children and their families. At a minimum, representatives of the  
15 following groups shall be invited: Parents, youth, people of color,  
16 Indian tribes, existing children's commissions, coalitions or task  
17 forces, community organizations providing support to families, such as  
18 churches and neighborhood associations, community mobilization  
19 coalitions or task forces, business, labor, local economic development  
20 and job training programs, housing organizations, local law and justice  
21 councils, juvenile courts, children and family services providers,  
22 regional support networks, county developmental disabilities boards,  
23 county drug and alcohol boards, school districts, community action  
24 agencies, cities or towns, local offices of state agencies, local  
25 health departments and districts, and any other entity that contracts  
26 with the state or local government to provide services to children and  
27 their families. If a county fails to convene a meeting by July 1,  
28 1994, the family policy council may authorize an alternative local  
29 organization to convene the meeting.

30 (2) At the initial meeting of the consortium, a representative of  
31 the family policy council or its participating state agencies shall  
32 present an overview of sections 105 through 125 of this act, including  
33 its purpose and philosophy, and the role and responsibilities of  
34 community family councils. The consortium convened under subsection  
35 (1) of this section shall:

36 (a) Determine the membership of the community family council. A  
37 community family council shall consist of not less than nine, nor more

1 than twenty-five members. The chair of the council shall be chosen as  
2 provided in subsection (3) of this section. Of the remaining members:  
3 One-fourth shall represent citizens, including parents, youth,  
4 business, religious institutions, and neighborhood associations; one-  
5 fourth shall represent local government; one-fourth shall represent  
6 children and family service providers; and one-fourth shall be  
7 individuals with demonstrated involvement in children's issues.  
8 Membership of the community family council shall be culturally diverse  
9 and adequately reflect the racial and cultural composition of the  
10 community. Community family council members shall serve a term of  
11 three years and until their successors are designated by the council.  
12 No member may serve in excess of two consecutive terms. Initial  
13 membership terms shall be staggered. Members shall not be compensated  
14 for the performance of their duties as members of the council, but may  
15 be reimbursed for essential travel and per diem expenses to ensure  
16 performance of the council's duties.

17 (b) Solicit nominations for community family council members from  
18 the various groups represented at the meeting. Each group to be  
19 represented shall select its own representatives. If, however, a  
20 particular group whose representation is required on the community  
21 family council cannot agree on a nominee or is not represented at the  
22 meeting, the consortium shall select the nominee.

23 (3) The community family council chosen under subsection (2) of  
24 this section shall:

25 (a) Define the jurisdiction of the community family council to  
26 include a county, multicounty area, a city with a population in excess  
27 of one hundred fifty thousand, or a tribal government. If a city or  
28 tribal government forms its own community family council, its  
29 comprehensive plan shall describe how it will be coordinated with the  
30 plan of the county in which it is located. Community family councils  
31 may break down into smaller geographic areas for development of  
32 community specific plans, which shall then be incorporated into the  
33 jurisdiction-wide comprehensive plan.

34 (b) Choose a chair from among the council's membership. The chair  
35 shall be a lay person.

36 (c) Designate a lead agency or entity. The lead agency shall be  
37 primarily responsible for coordinating development and implementation  
38 of the comprehensive plan, and shall serve as the fiscal agent for  
39 receipt and administration of any funds received from the children and

1 family services fund established in section 116 of this act. The lead  
2 agency also shall be responsible for initial efforts to resolve  
3 disputes within community family councils. If resolution of such a  
4 dispute cannot be achieved at the community level, the dispute shall be  
5 mediated as provided in section 115 of this act. Funds expended by a  
6 lead agency for administration shall not exceed the greater of:

7 (i) Five percent of funds received from the children and family  
8 services fund or of funds allocated to programs for which modifications  
9 have been authorized by the legislature under section 119 of this act;

10 (ii) Up to ten percent of funds received from the children and  
11 family services fund or of funds allocated to programs for which  
12 modifications have been authorized by the legislature under section 119  
13 of this act, upon a showing by the lead agency that good cause exists  
14 to exceed the five percent limitation, and upon approval by the family  
15 policy council; or

16 (iii) The minimum fixed dollar amount for administration  
17 established by the family policy council.

18 (4) The family policy council shall have final approval authority  
19 of the designated membership, chair, lead agency, and jurisdiction of  
20 each community family council to ensure that the requirements of this  
21 section have been met. The family policy council shall act upon a  
22 community family council's request for approval within ninety days of  
23 receipt of such request. If a community family council is unable to  
24 reach consensus on its membership, chair, lead agency, or jurisdiction  
25 by January 1, 1995, the family council shall designate such membership,  
26 chair, lead agency, or jurisdiction, following consultation with  
27 appropriate persons or organizations in the affected county or  
28 counties. If the family policy council finds that a particular  
29 geographic area is not included in the jurisdiction of any community  
30 family council, the family policy council may require one or more of  
31 the community family councils in closest proximity to the identified  
32 geographic area to extend their jurisdiction to include all or part of  
33 such area.

34 (5) All meetings of the community family council are subject to the  
35 open public meetings act under chapter 42.30 RCW.

36 (6) The first meeting of the community family council shall occur  
37 no later than October 1, 1994.

1        NEW SECTION.        **Sec. 110.**        DEVELOPMENT AND IMPLEMENTATION OF

2 COMPREHENSIVE PLANS. (1) The community family council shall promote  
3 wellness for children and families in its jurisdiction, and oversee the  
4 development and implementation of an integrated system of services for  
5 children and their families, and of a comprehensive plan.

6        (2) The community family council shall take the following actions  
7 in development of its comprehensive plan:

8        (a) Utilize state-wide data provided by the family policy council.  
9 Such data may include, but is not limited to census information, broken  
10 down by race and ethnicity, and free and reduced price school lunch  
11 participation rates;

12        (b) Define outcome standards, with numeric goals, for its  
13 jurisdiction, based upon the outcome standards in section 108 of this  
14 act;

15        (c) Define the needs of children and families that must be  
16 addressed to achieve the outcome standards defined in (b) of this  
17 subsection;

18        (d) Conduct a local needs assessment, in accordance with rules  
19 adopted by the family policy council for this purpose, that examines  
20 services available to meet the needs identified pursuant to (c) of this  
21 subsection. The assessment shall identify:

22        (i) Available services that function effectively;

23        (ii) Available services that do not function effectively and why  
24 those services do not function effectively;

25        (iii) Duplication of available services;

26        (iv) Needed services that are unavailable; and

27        (v) Facilities in which services for children and families are or  
28 could be located, including but not limited to school buildings.

29        If a jurisdiction served by a community family council has  
30 conducted a needs assessment that substantially meets the requirements  
31 of this subsection through utilization of recent and relevant data, an  
32 additional needs assessment shall not be required;

33        (e) Prepare the comprehensive plan and such later amendments to the  
34 plan as are necessary, as provided in sections 111 and 112 of this act.  
35 Prior to finalization of the comprehensive plan, the council shall hold  
36 a public hearing to solicit oral and written comments on the draft  
37 plan. A summary of the public response regarding the appropriateness  
38 and effectiveness of the comprehensive plan shall be submitted to the  
39 family policy council with the plan;

1 (f) Submit the comprehensive plan to the legislative authority of  
2 each county, city, town, or tribal government within the council's  
3 jurisdiction for review prior to submission to the family policy  
4 council. The legislative authority of a county, city, or town with  
5 population in excess of five thousand shall hold a public hearing to  
6 solicit comments on the plan. All other counties, cities, and towns  
7 are encouraged to hold such a public hearing. Any oral or written  
8 response of the legislative authority to the plan and any testimony  
9 given at the public hearing shall be submitted to the family policy  
10 council with the plan;

11 (g) Submit the comprehensive plan to the family council for review  
12 and approval on or before October 1, 1996, as provided in section 118  
13 of this act.

14 (3) The community family council also shall:

15 (a) Monitor progress of key outcomes related to the comprehensive  
16 plan; and

17 (b) Adopt calendar year budgets for the council within the funds  
18 available and forward them to the lead agency.

19 (4) A community family council may make interim recommendations to  
20 the family policy council, and other state and local agencies on how  
21 services might be improved in the interim until the final comprehensive  
22 plan is adopted.

23 NEW SECTION. **Sec. 111.** ENSURE PUBLIC PARTICIPATION. Each  
24 community family council shall establish procedures providing for early  
25 and continuous public participation in the development and amendment of  
26 comprehensive plans. The procedures shall provide for broad  
27 dissemination of proposals, opportunity for written comments, public  
28 meetings after effective notice, provision for scheduled open public  
29 discussion at each community family council meeting, and consideration  
30 of and response to public comments. Community family councils are  
31 encouraged to establish task forces, work groups, or other advisory  
32 committees to broaden public participation in their efforts.

33 NEW SECTION. **Sec. 112.** COMPREHENSIVE PLAN COMPONENTS. (1) The  
34 submission of a comprehensive plan meeting the requirements of this  
35 section to the family policy council shall be a condition precedent to  
36 modification of categorical program requirements by the legislature as  
37 provided in section 119 of this act.



1 (2) A comprehensive plan shall include:

2 (a) Defined, measurable outcome standards for the jurisdiction  
3 served by the plan based upon the standards developed under section 108  
4 of this act. The outcome standards shall reflect ten-year goals, and  
5 the plan shall be designed to achieve measurable progress toward  
6 meeting those goals;

7 (b) Results of the local needs assessment conducted pursuant to  
8 section 110(2) of this act;

9 (c) An explanation of how the principles of RCW 74.14A.025 and  
10 70.190.005 are reflected in the plan;

11 (d) An assessment of the economic status of the community, economic  
12 opportunities available within the community, and recommendations  
13 pertaining to coordination of economic and social development efforts;

14 (e) A detailed description of how the plan will meet its outcome  
15 standards. This description shall include an explanation of:

16 (i) How appropriate needs of children and families in the community  
17 family council's jurisdiction will be identified and addressed, giving  
18 consideration to the use of uniform application forms and assessment  
19 tools, case management services, and centralized information and  
20 referral services;

21 (ii) How emphasis has been placed on contracting with, or utilizing  
22 existing service delivery systems and entities that have in the past  
23 provided quality services to children and their families in the  
24 jurisdiction served by the community family council and have  
25 demonstrated an interest in continuing to provide such services;

26 (iii) Current interagency efforts to collaborate in the delivery of  
27 services to children and families and to coordinate services to  
28 children and families across service systems, the barriers to achieving  
29 full collaboration and coordination, and how full collaboration and  
30 coordination will be achieved under the comprehensive plan, including  
31 discussion of how existing interagency efforts addressing children and  
32 family services issues will be incorporated into the plan;

33 (iv) How funding for existing services will be coordinated to  
34 create more flexibility; and

35 (v) How children and families will benefit from the restructuring  
36 of children and family services proposed in the plan, with specific  
37 attention to the defined outcome standards;

38 (f) Designation of the lead agency;

1 (g) Any requests for grants from the children and family services  
2 fund as provided in section 117 of this act, or for legislative  
3 modification of categorical program restrictions as provided in section  
4 119 of this act;

5 (h) Assurances that services provided under the plan will be  
6 culturally relevant and accessible to communities of color and  
7 underserved populations; and

8 (i) Assurance that funding for services to children and families by  
9 counties, cities, towns, and tribal governments in the jurisdiction  
10 served by the council will be maintained at levels no less than those  
11 in effect on January 1, 1994.

12 (3) Each community family council shall submit its comprehensive  
13 plan to the family policy council on or before October 1, 1996. Plans  
14 submitted prior to that date shall be reviewed and acted upon by the  
15 family policy council within ninety days of their receipt by the  
16 council. If a jurisdiction fails to establish a community family  
17 council or to submit a comprehensive plan by that date, the family  
18 policy council shall designate a single state agency to assume  
19 responsibility for development of a comprehensive plan, in consultation  
20 with interested persons and organizations in the jurisdiction.

21 (4) Upon request of the family policy council, community family  
22 councils shall cooperate with, and participate in any evaluation of,  
23 the efforts undertaken through this chapter.

24 NEW SECTION. **Sec. 113.** The designated lead agency of the  
25 community family council is authorized to receive and spend funds  
26 received through the state under this chapter, any federal funds  
27 received through any state agency, any local funds made available by  
28 political subdivisions within the jurisdiction of the community family  
29 council for planning or service delivery, or any private gifts,  
30 donations, funds, or property received by it for the benefit of  
31 children and families.

32 **3. The Family Policy Council**

33 **Sec. 114.** RCW 70.190.030 and 1992 c 198 s 5 are each amended to  
34 read as follows:

35 POWERS AND DUTIES OF THE FAMILY POLICY COUNCIL. ~~((+))~~ The family  
36 policy council shall ~~((annually solicit from consortiums proposals to~~

1 facilitate greater flexibility, coordination, and responsiveness of  
2 services at the community level. The council shall consider such  
3 proposals only if:

4 (a) A comprehensive plan has been prepared by the consortium; and

5 (b) The consortium has identified and agreed to contribute matching  
6 funds as specified in RCW 70.190.010; and

7 (c) An interagency agreement has been prepared by the family policy  
8 council and the participating local service and support agencies that  
9 governs the use of funds, specifies the relationship of the project to  
10 the principles listed in RCW 74.14A.025, and identifies specific  
11 outcomes and indicators; and

12 (d) Funds are to be used to provide support or services needed to  
13 implement a family's or child's case plan that are not otherwise  
14 adequately available through existing categorical services or community  
15 programs; [and]

16 (e) The consortium has provided written agreements that identify a  
17 lead agency that will assume fiscal and programmatic responsibility for  
18 the project, and identify participants in a consortium council with  
19 broad participation and that shall have responsibility for ensuring  
20 effective coordination of resources; and

21 (f) The consortium has designed into its comprehensive plan  
22 standards for accountability. Accountability standards include, but  
23 are not limited to, the public hearing process eliciting public comment  
24 about the appropriateness of the proposed comprehensive plan. The  
25 consortium must submit reports to the family policy council outlining  
26 the public response regarding the appropriateness and effectiveness of  
27 the comprehensive plan.

28 (2) The family policy council may submit a prioritized list of  
29 projects recommended for funding in the governor's budget document.

30 (3) The participating state agencies shall identify funds to  
31 implement the proposed projects from budget requests or existing  
32 appropriations for services to children and their families.)):

33 (1) Be responsible for state-wide planning and policy development  
34 for services to children and families, in consultation with community  
35 family councils;

36 (2) Initiate an interagency effort to identify opportunities to  
37 utilize common program applications and eligibility criteria,  
38 assessment tools, and reporting and recordkeeping procedures for  
39 children and family services funded by participating state agencies;

1 (3) Define children and family services outcome standards as  
2 provided in section 108 of this act;

3 (4) Review and act upon requests from community family councils for  
4 grants from the children and family services fund submitted pursuant to  
5 section 117 of this act;

6 (5) Review and act upon comprehensive plans as provided in section  
7 118 of this act;

8 (6) Review and act upon requests for legislative modification of  
9 categorical program restrictions as provided in section 119 of this  
10 act;

11 (7) Establish a uniform system of reporting and collecting  
12 statistical data from agencies serving children and families, with the  
13 department of health as the primary state repository of this data;

14 (8) Negotiate federal waivers as necessary;

15 (9) Adopt rules as necessary to implement this chapter, as provided  
16 in chapter 34.05 RCW; and

17 (10) Beginning on November 1, 1994, make annual reports to the  
18 governor and the appropriate legislative committees of the legislature  
19 on the following:

20 (a) The status and results of efforts undertaken pursuant to  
21 subsection (2) of this section;

22 (b) Grants awarded pursuant to section 117 of this act;

23 (c) Requests for legislative modification of categorical program  
24 restrictions as provided in section 119 of this act;

25 (d) The progress in meeting outcome standards established pursuant  
26 to section 108 of this act; and

27 (e) Recommended statutory changes to improve the delivery and  
28 financing of services to children and their families.

29 NEW SECTION. Sec. 115. TECHNICAL ASSISTANCE, GRANTS, AND  
30 MEDIATION SERVICES. (1) The family policy council and its  
31 participating state agencies shall provide technical and financial  
32 assistance and incentives to community family councils to encourage and  
33 facilitate the adoption and implementation of comprehensive plans.

34 (2) The department of community, trade, and economic development,  
35 with approval of the family policy council may issue grants from the  
36 children and family services fund established pursuant to section 116  
37 of this act to provide direct financial assistance to community family  
38 councils for the preparation of comprehensive plans under this chapter.

1 The council may establish provisions for matching funds to conduct  
2 activities under this subsection. Grants may be expended for any  
3 purpose directly related to the preparation of a comprehensive plan as  
4 the department of community, trade, and economic development and the  
5 community family council may agree, including citizen participation,  
6 conducting needs assessments, data gathering, the retention of  
7 consultants, and other related purposes. The department of community,  
8 trade, and economic development shall monitor grants issued under this  
9 subsection.

10 (3) Participating state agencies shall provide technical assistance  
11 to community family councils, upon request, that includes but is not  
12 limited to assistance with: Initiation of collaborative efforts to  
13 plan services for children and families, coordination of service  
14 delivery for children and families across service systems, development  
15 of comprehensive plans, allowable use of federal and state funds,  
16 feedback on the progress of local restructuring efforts, implementation  
17 of comprehensive plans and training and professional development for  
18 front line workers who work directly with children and their families.  
19 Technical assistance also shall include attendance at the initial  
20 meeting of each consortium, as provided in section 109(2) of this act,  
21 and identification and distribution of state-wide data and relevant  
22 research.

23 (4) Participating state agencies shall provide mediation services  
24 to resolve disputes between community family councils, and disputes  
25 within community family councils that could not be resolved at the  
26 community level by the lead agency as provided in section 109(3) of  
27 this act.

28 NEW SECTION. **Sec. 116.** CHILDREN AND FAMILY SERVICES FUND. The  
29 children and family services fund is created in the state treasury.  
30 Moneys in the account may be spent only after appropriation. Moneys in  
31 the account may be expended only for:

32 (1) Grants of flexible funds to designated lead agencies of  
33 community family councils to facilitate improved delivery of services  
34 to children and families, as provided in section 117 of this act; and

35 (2) Technical assistance and planning grants to designated lead  
36 agencies of community family councils for development of comprehensive  
37 plans, as provided in section 115 of this act.

1        NEW SECTION.    **Sec. 117.**    REQUESTS FOR GRANTS FROM THE CHILDREN AND  
2 FAMILY SERVICES FUND.    (1)    Lead agencies, on behalf of community  
3 family councils, may make requests for grants from the children and  
4 family services fund for:

5            (a) Development of comprehensive plans;

6            (b) Implementation of comprehensive plans; or

7            (c) Improved delivery of services to children and families pending  
8 completion of a comprehensive plan, if the community family council has  
9 completed the needs assessment described in section 110(2) of this act,  
10 identified unmet needs in their jurisdiction, and met any other  
11 requirements established by the family policy council in rule.    The  
12 request for funds shall describe the intended use of the funds and  
13 demonstrate that the intended use is consistent with the principles  
14 stated in RCW 74.14A.020 and 70.190.005.

15            (2) In adopting rules to implement this section, the family policy  
16 council shall consider the population of the area served, the needs of  
17 the area, and the ability of the community to provide funds for and  
18 participate in the coordination and delivery of services for children  
19 and their families.    The family policy council may condition the  
20 receipt of a grant under subsection (1) (b) or (c) of this section on  
21 the following:

22            (a) Availability of information and referral services for children  
23 and their families in the community served by the community family  
24 council;

25            (b) Coordination of services for children and families to ensure  
26 maximum utilization of all available services and funding; and

27            (c) Preparation of a comprehensive plan for present and future  
28 development of services and for reasonable progress toward the  
29 coordination of all services for children and their families.

30            (3) The family policy council shall review applications from lead  
31 agencies made under this section.    The family policy council may  
32 approve an application if it meets the requirements of this section and  
33 rules adopted by the family policy council.    The department of  
34 community, trade, and economic development shall be responsible for  
35 issuance, administration, and monitoring of grants approved by the  
36 family policy council under this section.

37        NEW SECTION.    **Sec. 118.**    REVIEW OF COMPREHENSIVE PLANS.    (1)    The  
38 family policy council shall review comprehensive plans submitted

1 pursuant to sections 110 and 112 of this act. The council may  
2 disapprove a comprehensive plan in whole or in part only upon making  
3 specific findings that the local plan substantially fails to comply  
4 with the principles stated in RCW 74.14A.020 or 70.190.005 or with  
5 section 112 of this act. If the council disapproves a comprehensive  
6 plan in whole, the council shall identify with particularity the manner  
7 in which the plan is deficient. If the council disapproves only part  
8 of the plan, the remainder of the plan may be implemented. The council  
9 shall assist in remedying the deficiencies in the comprehensive plan.  
10 The council shall set a date by which the comprehensive plan or the  
11 deficient portions of the plan shall be revised and resubmitted.

12 (2) Upon approval of a comprehensive plan, the family policy  
13 council shall enter into contracts with designated lead agencies of  
14 community family councils. The contracts shall:

15 (a) Reflect the principles stated in RCW 74.14A.020 and 70.190.005;

16 (b) Clearly articulate the responsibilities of the lead agency and  
17 the community family council;

18 (c) Clearly state the terms of any grants issued pursuant to  
19 section 117 of this act or any legislative modifications of categorical  
20 program restrictions made pursuant to section 119 of this act that are  
21 part of a comprehensive plan;

22 (d) Ensure that coordination within and across counties is  
23 maximized;

24 (e) Ensure that community family councils have access to sufficient  
25 and timely data to make informed and equitable funding decisions; and

26 (f) Include procedures for taking action in identified incidents of  
27 misfeasance or nonfeasance by the lead agency or a community family  
28 council.

29 NEW SECTION. **Sec. 119.** LEGISLATIVE MODIFICATION OF CATEGORICAL  
30 PROGRAM RESTRICTIONS. (1) The family policy council shall review  
31 requests by community family councils for modification of state  
32 statutory restrictions on categorical children and family services  
33 programs that seek to utilize such categorical program funds in a more  
34 flexible fashion. Modification requests may seek flexibility in the  
35 use of categorical program funds with respect to: Eligibility  
36 criteria; services provided to children or families; or use of funds  
37 appropriated for the program to meet a need other than that for which  
38 the program was established, upon a showing by the council that the

1 need the categorical funds were intended to address has been met  
2 through an alternative program or fund source.

3 (2) Any modification request submitted by a community family  
4 council shall be submitted as part of the council's comprehensive plan.  
5 The request shall state with specificity:

6 (a) The statutory requirements for which modification is requested;

7 (b) The reasons such modification is necessary in the context of  
8 the comprehensive plan; and

9 (c) How children and families in the jurisdiction served by the  
10 community family council will benefit from the modification,  
11 particularly with respect to achieving the outcome standards defined in  
12 the comprehensive plan.

13 (3) The family policy council shall review modification requests  
14 submitted by community family councils. Modification requests meeting  
15 the requirements of this section shall be submitted to the legislature  
16 for its consideration in the report submitted pursuant to RCW  
17 70.190.030(10).

18 NEW SECTION. **Sec. 120.** STATE AGENCY COMPLIANCE WITH COMPREHENSIVE  
19 PLANS. Consistent with state and federal law and the biennial  
20 appropriations act, participating state agencies shall comply with  
21 approved comprehensive plans adopted pursuant to this chapter. Nothing  
22 in this chapter shall be construed to limit the duties of participating  
23 state agencies under chapters 13.34 and 74.13 RCW.

24 NEW SECTION. **Sec. 121.** The family policy council may solicit,  
25 accept, and receive federal, state, or private funds or property for  
26 the purpose of carrying out the provisions of sections 105 through 125  
27 of this act.

#### 28 **4. Miscellaneous**

29 **Sec. 122.** RCW 74.14A.050 and 1993 c 508 s 7 are each amended to  
30 read as follows:

31 The secretary shall:

32 (1)(a) Consult with relevant qualified professionals to develop a  
33 set of minimum guidelines to be used for identifying all children who  
34 are in a state-assisted support system, whether at-home or out-of-home,



1 who are likely to need long-term care or assistance, because they face  
2 physical, emotional, medical, mental, or other long-term challenges;

3 (b) The guidelines must, at a minimum, consider the following  
4 criteria for identifying children in need of long-term care or  
5 assistance:

6 (i) Placement within the foster care system for two years or more;

7 (ii) Multiple foster care placements;

8 (iii) Repeated unsuccessful efforts to be placed with a permanent  
9 adoptive family;

10 (iv) Chronic behavioral or educational problems;

11 (v) Repetitive criminal acts or offenses;

12 (vi) Failure to comply with court-ordered disciplinary actions and  
13 other imposed guidelines of behavior, including drug and alcohol  
14 rehabilitation; and

15 (vii) Chronic physical, emotional, medical, mental, or other  
16 similar conditions necessitating long-term care or assistance;

17 (2) In consultation with community family councils, develop  
18 programs that are necessary for the long-term care of children and  
19 youth that are identified for the purposes of this section. Programs  
20 must: (a) Effectively address the educational, physical, emotional,  
21 mental, and medical needs of children and youth; and (b) incorporate an  
22 array of family support options, to meet individual needs and choices  
23 of the child and family. The programs must be ready for implementation  
24 by ~~((January 1, 1995))~~ July 1, 1996;

25 ~~(3) ((Conduct an evaluation of all children currently within the~~  
26 ~~foster care agency caseload to identify those children who meet the~~  
27 ~~criteria set forth in this section. The evaluation shall be completed~~  
28 ~~by January 1, 1994. All children entering the foster care system after~~  
29 ~~January 1, 1994, must be evaluated for identification of long term~~  
30 ~~needs within thirty days of placement;~~

31 ~~(4))~~ Study and develop a comprehensive plan for the evaluation and  
32 identification of all children and youth in need of long-term care or  
33 assistance, including, but not limited to, the mentally ill,  
34 developmentally disabled, medically fragile, seriously emotionally or  
35 behaviorally disabled, and physically impaired;

36 ~~((+5))~~ (4) Study and develop a plan for the children and youth in  
37 need of long-term care or assistance to ensure the coordination of  
38 services between the department's divisions and between other state  
39 agencies who are involved with the child or youth; and

1       (~~(6)~~) (5) Study and develop guidelines for transitional services,  
2 between long-term care programs, based on the person's age or mental,  
3 physical, emotional, or medical condition(~~(; and~~  
4       ~~(7) Study and develop a statutory proposal for the emancipation of~~  
5 ~~minors and report its findings and recommendations to the legislature~~  
6 ~~by January 1, 1994)~~).

7       NEW SECTION.   **Sec. 123.** A new section is added to chapter 43.131  
8 RCW to read as follows:

9       SUNSET REVIEW OF FAMILY POLICY COUNCIL. The family policy council  
10 and its powers and duties shall terminate effective June 30, 2001.

11       NEW SECTION.   **Sec. 124.** A new section is added to chapter 43.131  
12 RCW to read as follows:

13       SUNSET REVIEW OF FAMILY POLICY COUNCIL. The following acts or  
14 parts of acts, as now existing or hereafter amended, are each repealed,  
15 effective June 30, 2002.

- 16       (1) RCW 70.190.005 and section 106 of this act & 1992 c 198 s 1;
- 17       (2) RCW 70.190.010 and section 107 of this act & 1992 c 198 s 3;
- 18       (3) Section 108 of this act;
- 19       (4) Section 109 of this act;
- 20       (5) Section 110 of this act;
- 21       (6) Section 111 of this act;
- 22       (7) Section 112 of this act;
- 23       (8) Section 113 of this act;
- 24       (9) RCW 70.190.030 and section 114 of this act & 1992 c 198 s 5;
- 25       (10) Section 115 of this act;
- 26       (11) Section 116 of this act;
- 27       (12) Section 117 of this act;
- 28       (13) Section 118 of this act;
- 29       (14) Section 119 of this act;
- 30       (15) Section 120 of this act; and
- 31       (16) Section 121 of this act.

32       NEW SECTION.   **Sec. 125.** A new section is added to chapter 43.84  
33 RCW to read as follows:

34       The children and family services fund established under section 116  
35 of this act is exempt from the provisions of RCW 43.84.092 and shall

1 receive its proportionate share of earnings based upon the account's  
2 average daily balance for each monthly period.

3 **C. THERAPEUTIC CHILD CARE**

4 NEW SECTION. **Sec. 126.** The legislature finds that therapeutic  
5 child care services have been shown to be effective in preventing  
6 delinquent and aggressive behavior, drug and alcohol use, and  
7 involvement in violent crime by children who have been abused or  
8 neglected. The legislature further finds that state general fund  
9 savings will be realized beginning in the current biennium through the  
10 receipt of federal medical assistance matching payments for therapeutic  
11 child care services. It is the intent of the legislature that these  
12 general fund state savings be used to continue to support abused or  
13 neglected children who have received intensive therapeutic child care  
14 services and are living with their parents, other family members, or in  
15 foster care.

16 **Sec. 127.** RCW 74.14B.040 and 1987 c 503 s 13 are each amended to  
17 read as follows:

18 (1) The department shall, within funds appropriated for this  
19 purpose, provide therapeutic ((day)) child care and day treatment to  
20 children who have been abused or neglected and meet program eligibility  
21 criteria.

22 (2) As used in this section, "therapeutic child care" means  
23 services provided to abused or neglected children, one month through  
24 five years of age, and their families referred by child protective  
25 services in the context of a child care setting to protect children  
26 from further maltreatment and remediate the effects of past  
27 maltreatment. Such services shall include, but are not limited to:  
28 Transportation to and from the therapeutic child care program;  
29 development and implementation of an individualized developmental plan  
30 for each child served in the program; counseling and parent instruction  
31 for the family; play therapy for the child; physical examinations and  
32 nursing services; and home visits. Counseling and parent instruction  
33 in the home setting may be provided as transitional services to  
34 children and families who are no longer receiving therapeutic services  
35 at the site of the therapeutic child care program.

1 **D. BEFORE AND AFTER-SCHOOL CHILD CARE**

2 NEW SECTION. **Sec. 128.** A new section is added to chapter 74.13  
3 RCW to read as follows:

4 (1) The legislature finds that there has been a dramatic increase  
5 in participation of women in the work force that has made the  
6 availability of quality, affordable child care a critical concern for  
7 the state and its citizens. An unacceptably high number of children  
8 ages five to fourteen have no adult supervision when school is not in  
9 session and their parents are at work. These "latchkey" children are  
10 at increased risk of lower academic achievement, emotional and social  
11 adjustment problems, and substance abuse. Children age eleven to  
12 fourteen are particularly at risk for making destructive choices about  
13 alcohol and drugs, tobacco, sexual activity, gang involvement, and  
14 their overall role in society. The lack of affordable before-and-  
15 after-school child care programs also represents a lost opportunity for  
16 school-aged children to gain academically, develop social skills, and  
17 increase their self-reliance.

18 (2) It is the policy of the state of Washington to encourage and  
19 support efforts by local communities to develop affordable, quality  
20 before-and-after-school child care programs by:

21 (a) Raising awareness of the benefits children and their parents  
22 can realize through participation in before-and-after-school child care  
23 programs;

24 (b) Providing technical assistance to local communities in their  
25 efforts to develop before-and-after-school child care programs through  
26 state agencies and child care resource and referral programs; and

27 (c) Providing financial support, to the extent of available federal  
28 and state funds, for before-and-after-school child care through  
29 subsidies for low-income families and direct assistance for start-up  
30 and expansion of before-and-after-school child care programs to reduce  
31 inequities among populations or communities.

32 NEW SECTION. **Sec. 129.** A new section is added to chapter 74.13  
33 RCW to read as follows:

34 The child care coordinating committee, established pursuant to RCW  
35 74.13.090, shall administer grant funds for before-and-after-school  
36 child care programs for school-aged children. A school district or  
37 community-based organization may receive a grant under this section

1 only if the district or organization has adopted a fee schedule based  
2 on the projected costs of services and has submitted to the child care  
3 coordinating committee an operating plan demonstrating that, after its  
4 initial twenty-four months of operation, the program is expected to be  
5 fully supported through fees, other local revenues and child care  
6 subsidy payments made by the department of social and health services  
7 or other agencies on behalf of the children of low-income families  
8 using the program. The grants may be used for establishing new  
9 programs or for expanding existing programs, but may not be used for  
10 costs incurred more than twenty-four months after the establishment of  
11 a before-and-after-school program at a particular site. No grant may  
12 support more than seventy-five percent of a district's or  
13 organization's program costs during the initial twenty-four months.  
14 The grants may be used for community needs assessments, planning and  
15 design of programs, equipment and supplies, capital improvements  
16 including portables, and initial operating expenses, for the first six  
17 months of operation. School districts or community-based organizations  
18 shall be selected to receive grants based on documented demand for  
19 expansion of child care services, and, in particular, demand from low-  
20 income families.

21

#### E. DOMESTIC VIOLENCE TREATMENT

22 **Sec. 130.** RCW 70.123.010 and 1979 ex.s. c 245 s 1 are each amended  
23 to read as follows:

24 The legislature finds that domestic violence is an issue of growing  
25 concern at all levels of government and that there is a present and  
26 growing need to develop innovative strategies and services which will  
27 ameliorate and reduce the trauma of domestic violence. Research  
28 findings show that domestic violence constitutes a significant  
29 percentage of homicides, aggravated assaults, and assaults and  
30 batteries in the United States. Domestic violence is a disruptive  
31 influence on personal and community life and is often interrelated with  
32 a number of other family problems and stresses. Shelters for victims  
33 of domestic violence and their children are essential to provide  
34 protection to victims and their children from further abuse and  
35 physical harm and to help the victim and children find long-range  
36 alternative living situations, if requested. Shelters provide safety,  
37 refuge, advocacy, and helping resources to victims and their children

1 who may not have access to such things if they remain in abusive  
2 situations.

3 The legislature therefore recognizes the need for the state-wide  
4 development and expansion of shelters for victims of domestic violence.

5 **Sec. 131.** RCW 70.123.070 and 1979 ex.s. c 245 s 7 are each amended  
6 to read as follows:

7 Shelters receiving state funds under this chapter shall:

8 (1) Make available shelter services to any person who is a victim  
9 of domestic violence and to that person's children;

10 (2) Encourage victims, with the financial means to do so, to  
11 reimburse the shelter for the services provided;

12 (3) Recruit, to the extent feasible, persons who are former victims  
13 of domestic violence to work as volunteers or staff personnel. An  
14 effort shall also be made to provide bilingual services;

15 (4) Provide prevention and treatment programs to victims of  
16 domestic violence(()) and their children, including but not limited to  
17 parenting support for victims, education and conflict resolution  
18 skills, and information and referral services, and, where possible, the  
19 abuser;

20 (5) Provide a day program or drop-in center to assist victims of  
21 domestic violence who have found other shelter but who have a need for  
22 support services; and

23 (6) Provide information and referral services to victims of  
24 domestic violence and their children for appropriate services from  
25 other service providers.

26 **F. SUICIDE PREVENTION**

27 NEW SECTION. **Sec. 132.** The legislature finds that suicide is one  
28 of the most serious and tragic phenomena affecting children and youth,  
29 the third leading cause of death of young persons from fifteen to  
30 twenty-four years of age, and the second leading cause of death for  
31 youth from fifteen to nineteen years of age, following unintentional  
32 injuries and homicide. The suicide rate among teenagers, in today's  
33 age of rage where anger is turned inwards in the form of depression,  
34 has increased forty percent from 1980 to 1990. Over forty percent of  
35 teenage girls and twenty-five percent of teenage boys have seriously  
36 considered suicide; and one out of every seven teenagers has attempted

1 suicide at least once. Between 1979 and 1988, according to national  
2 figures, the suicide rate for the ten to fourteen year old age group  
3 alone increased seventy-five percent, while the murder rate increased  
4 forty-two percent.

5 Suicide is a dimension of violence that is directed towards self  
6 instead of others, an implosion rather than an explosion, in response  
7 to a sense of hopelessness from troubling problems associated with drug  
8 and alcohol abuse, loneliness, depression, and relationship  
9 difficulties in a society increasingly characterized by dysfunctional  
10 families, new economic realities, and the widening gap between rising  
11 youthful aspirations and fewer opportunities.

12 Suicide can be preventable through intervention strategies that  
13 involve crisis intervention through trained professionals; attention  
14 towards the amelioration of those personal conditions that engender  
15 anger and related depression; education programs for managing personal  
16 problems that augment self-esteem; and through control of contagion and  
17 unresolved grief in crisis situations. It is imperative to address  
18 this tragic phenomenon not only as a serious public health and safety  
19 problem, but in the interests of assuring the future of American  
20 society with healthy role models fully capable of participating and  
21 contributing to the welfare of their own families and the community.

22 The purpose of sections 133 through 135 of this act is to provide  
23 for the development of a plan for a state-wide suicide prevention  
24 program for addressing youth suicide.

25 NEW SECTION. **Sec. 133.** Unless the context clearly requires  
26 otherwise, the definitions in this section apply throughout this  
27 chapter.

28 (1) "Program" means a youth suicide prevention program established  
29 under section 134 of this act.

30 (2) "Secretary" means the secretary of the department of health.

31 NEW SECTION. **Sec. 134.** (1) The secretary shall develop a plan for  
32 a state-wide suicide prevention program to include state-wide and local  
33 strategies for addressing youth suicide. The plan shall be developed  
34 in consultation with:

35 (a) The superintendent of public instruction;

36 (b) The department of community, trade, and economic development;

37 (c) Local government;

- 1 (d) The department of social and health services;
- 2 (e) Local community agencies involved in suicide prevention;
- 3 (f) Local community mental health programs; and
- 4 (g) Such other entities as the secretary deems appropriate.

5 (2) In developing the plan, the secretary may include:

6 (a) An assessment of data and identification of the populations at  
7 risk, including effective programs currently available, and review of  
8 literature for models that have proven effective;

9 (b) Development of techniques for minimizing suicide contagion;

10 (c) The development of a suicide prevention policy and implementing  
11 state-wide and local strategies for addressing youth suicide, including  
12 community-based or school-based components where appropriate;

13 (d) An assurance function providing ongoing evaluation of the  
14 overall effectiveness of the youth suicide prevention program;

15 (e) The establishment of an interagency cooperative work group,  
16 appointing such participants as the secretary deems appropriate to  
17 facilitate development of policies and the implementing strategies of  
18 a suicide prevention program; and

19 (f) A twenty-four hour hotline telephone service.

20 (3) The secretary shall submit a proposed plan for establishing a  
21 state-wide suicide prevention program with implementing strategies to  
22 the appropriate standing committees of the legislature by December 1,  
23 1994.

24 NEW SECTION. **Sec. 135.** In contemplation of the plan developed  
25 pursuant to section 134 of this act, the secretary may adopt rules  
26 establishing eligibility guidelines for state funding of youth suicide  
27 prevention programs pursuant to the plan. The rules shall include but  
28 not be limited to:

29 (1) Procedures for developing local programs, in cooperation with  
30 community health centers and local education agencies;

31 (2) Standards and policies for programs to offer, including, but  
32 not limited to: (a) Counseling related to youth suicide prevention;  
33 and (b) referral, crisis intervention, and information to students,  
34 parents, and school personnel;

35 (3) Procedures for monitoring and evaluating the effectiveness of  
36 programs receiving state funds; and

37 (4) Procedures governing the review of, and approval and  
38 disapproval of, applications for state funding of approved programs.



1        NEW SECTION.    **Sec. 136.** Sections 132 through 135 of this act shall  
2 constitute a new chapter in Title 70 RCW.

3        NEW SECTION.    **Sec. 137.** If specific funding for the purposes of  
4 sections 132 through 135 of this act, referencing sections 132 through  
5 135 of this act by bill and section numbers, is not provided by June  
6 30, 1994, in the omnibus appropriations act, sections 132 through 135  
7 of this act are null and void.

8                                    **PART II - EDUCATION: TRAINING, SAFE SCHOOLS, AND**  
9                                    **PREVENTION AND INTERVENTION**

10        NEW SECTION.    **Sec. 201.** The legislature finds that there is an  
11 increase in violence among our youth, including an increase in violent  
12 acts committed by and against youth, in the use of weapons, in  
13 substance abuse, in hate crimes, in sexual harassment, sexual abuse,  
14 and sexual assaults, and in deaths by suicide and homicide.

15        The legislature further finds that collaborative efforts among our  
16 youth and their families, schools, and communities are essential to  
17 reversing this increasing incidence of violence, and that both short-  
18 term safe school strategies and long-term conflict resolution skills  
19 development are needed.

20        The legislature further finds that it is essential to support staff  
21 development programs for school employees and teacher training programs  
22 that focus on the roots of violence and on strategies for teaching  
23 conflict resolution skills to students.

24                                    **A. EDUCATOR TRAINING AND ASSISTANCE**

25        NEW SECTION.    **Sec. 202.** (1) To the extent funding is available, by  
26 December 31, 1994, the superintendent of public instruction shall  
27 prepare, or contract to prepare, a guide of available programs and  
28 strategies pertaining to conflict resolution and other violence  
29 prevention topics. The guide shall include descriptions of curricular  
30 and training resources that are developmentally and culturally  
31 appropriate for the school populations being served, and shall include  
32 information regarding how to contact the organizations offering these  
33 resources.

1 (2) The superintendent of public instruction shall provide the  
2 curricular and training resources guide to those educational service  
3 districts, school districts, schools, teachers, classified staff,  
4 parents, and other interested parties who request it.

5 (3) In carrying out its responsibilities under this section, the  
6 superintendent of public instruction shall coordinate with other  
7 agencies engaged in related efforts, such as the department of  
8 community, trade, and economic development, and consult with educators,  
9 parents, community groups, and other interested parties.

10 NEW SECTION. Sec. 203. A new section is added to chapter 28A.300  
11 RCW to read as follows:

12 The superintendent of public instruction shall, to the extent  
13 funding is available, contract with school districts, educational  
14 service districts, and approved in-service providers to conduct  
15 training sessions for school certificated and classified employees in  
16 conflict resolution and other violence prevention topics. The training  
17 shall be developmentally and culturally appropriate for the school  
18 populations being served and be research based. The training shall not  
19 be based solely on providing materials, but also shall include  
20 techniques on imparting these skills to students. The training  
21 sessions shall be developed in coordination with school districts, the  
22 superintendent of public instruction, parents, law enforcement  
23 agencies, human services providers, and other interested parties. The  
24 training shall be offered to school districts and school staff  
25 requesting the training, and shall be made available at locations  
26 throughout the state.

27 NEW SECTION. Sec. 204. A new section is added to chapter 28A.305  
28 RCW to read as follows:

29 Effective September 1, 1995, the state board of education shall  
30 require, as a condition of program approval of teacher preparation  
31 programs under RCW 28A.305.130(1), that the programs provide  
32 instruction in, or have educational outcomes pertaining to, the  
33 teaching of conflict resolution and other violence prevention skills.

34 **B. SAFE SCHOOLS-SAFE COMMUNITIES GRANT PROGRAM**

1        NEW SECTION.    **Sec. 205.**    A new section is added to chapter 43.330  
2    RCW to read as follows:

3        (1) The department of community, trade, and economic development  
4    shall administer a safe schools-safe communities program that provides  
5    financial and technical resources for community and school-based  
6    initiatives that offer youth long-term positive alternatives to  
7    violence, reduce the factors contributing to youth violence, and  
8    establish strong ties between children and youth and their communities.

9        (2) The department shall establish a process to fund:

10       (a) Safe school teams that develop and implement strategies to make  
11    schools safer and prevent violence;

12       (b) Education assistance, including tutoring, mentoring, drop-out  
13    prevention, and reentry assistance services;

14       (c) Employment assistance, including job development,  
15    school-to-work placement, employment readiness training, basic skills,  
16    apprenticeships, and community service employment;

17       (d) Peer-to-peer, group, and individual counseling, including  
18    crisis intervention for at-risk youth and their parents;

19       (e) Youth coalitions that provide opportunities to develop  
20    leadership skills and gain appropriate respect, recognition, and  
21    rewards for their positive contribution to their community;

22       (f) Recreational opportunities that provide healthy, viable  
23    alternatives to violence;

24       (g) Life skills training, including anger management, conflict  
25    resolution, victim awareness, sexual harassment and assault awareness,  
26    empathy awareness, and cultural awareness training;

27       (h) Parental involvement, including education and training, home  
28    visits, and referrals;

29       (i) Resource and referral services for youth for a full range of  
30    basic services including health, food, housing, mental health, and  
31    other basic needs; and

32       (j) Self-esteem training, particularly for youth at high risk of  
33    teen pregnancy.

34       (3) The following organizations shall be eligible to receive  
35    grants: School districts, community family councils, community-based  
36    private nonprofit organizations, educational service districts,  
37    juvenile institutions, Indian tribes, private industry councils, and  
38    local governments.

1 (4) The department shall consider at least the following factors  
2 when selecting projects for funding:

3 (a) Whether there was an assessment made of the factors  
4 contributing to the problem of youth violence in the community that  
5 includes empirical evidence linking these factors to youth violence and  
6 a strategy proposed that addresses the factors identified;

7 (b) Whether there was active community and youth participation in  
8 designing the program and in proposed implementation of the program;

9 (c) Whether there is proposed collaboration among local community  
10 entities in carrying out the project;

11 (d) Whether there is collaboration with the local business  
12 community, labor organizations, and training institutions when  
13 employment and training projects are proposed;

14 (e) Whether there is local commitment of resources and effort to  
15 carrying out the project in the short term and a long-term commitment  
16 to reducing youth violence;

17 (f) Whether there is research that supports the likely success of  
18 the proposed project;

19 (g) Whether the proposed intervention will include cognitive,  
20 affective, and behavioral interventions;

21 (h) The likelihood that the project will significantly benefit  
22 youth who are at risk or will increase public safety in areas with high  
23 rates of violent crime by juveniles;

24 (i) The experience or expertise of the applicant to carry out the  
25 proposed project; and

26 (j) The plan for evaluating the project.

27 (5) The department shall provide additional assistance to  
28 community-based efforts in skill development, employment readiness, and  
29 work experience, including: (a) Community-based mentoring programs,  
30 providing technical assistance and providing funds for program  
31 development; (b) tutoring services to at-risk youth by the retired  
32 senior volunteer program; and (c) private-sector efforts to assist in  
33 the employment and training of at-risk youth in such areas as work  
34 experience, mentoring programs, skill development, and apprenticeships.  
35 In developing and implementing these efforts, the department shall  
36 consult with the work force training and education coordinating board,  
37 employment security department, and other relevant agencies. The  
38 department shall provide funds to community-based organizations to

1 identify at-risk youth to participate in private-sector efforts and to  
2 provide ongoing assistance to youth participating in the programs.

3 (6) The grants shall require local matching funds so that the grant  
4 amounts support a maximum of eighty percent of the costs of the  
5 services funded. In-kind contributions may be used in calculating the  
6 local match.

7 (7) Subject to funding, grants shall be funded for three years. A  
8 second series of grants shall be awarded in 1996.

9 (8) The department shall provide successful applicants with  
10 technical assistance and training resources.

11 (9) The department shall work to involve youth in its efforts to  
12 reduce youth violence.

13 (10) The department shall establish a system to evaluate the  
14 effectiveness of the prevention and intervention initiatives. By  
15 January 1, 1996, and every biennium through June 30, 1999, the  
16 department shall submit to the governor and the legislature an  
17 evaluation of the projects funded under this section.

18 (11) For the purposes of this section, "community" means a  
19 geographic region recognized as a community by the applicant, including  
20 a neighborhood, city, county, Indian tribe, or multicounty region.

21 (12) This section shall expire June 30, 1999.

22 NEW SECTION. **Sec. 206.** If specific funding for the purposes of  
23 section 205 of this act, referencing section 205 of this act by bill  
24 and section number, is not provided by June 30, 1994, in the omnibus  
25 appropriations act, section 205 of this act is null and void.

26 **C. CAREER LADDERS FOR AT-RISK YOUTH**

27 NEW SECTION. **Sec. 207.** (1) The legislature finds that many teens  
28 who have dropped out of high school possess little motivation to return  
29 to a traditional high school setting. Teens with children often  
30 receive public assistance and do not have the skills or education to  
31 secure employment to support their basic needs. Inadequate job skills,  
32 the lack of a high school diploma, and limited access to child care  
33 prevent high school-age mothers from leaving public assistance to enter  
34 the work force.

35 (2) The legislature further finds that providing dropouts with  
36 school-to-work transition options to increase job readiness, to work

1 toward high school graduation, and to provide access to support  
2 services is an effective strategy to address the needs of secondary  
3 students who have dropped out of school.

4 (3) The legislature further finds that vocational skills centers  
5 are equipped to offer educational services to secondary students that  
6 emphasize successful school-to-work transition, life skills, parenting  
7 education, and high school graduation. Vocational skills centers can  
8 best offer these services by making them available, for students not  
9 currently in school and for students enrolled in a full schedule at a  
10 high school, during hours other than normal school hours.

11 (4) The purpose of section 208 of this act is to provide students  
12 with the job training, education, and support services necessary to  
13 achieve high school graduation and job readiness through the creation  
14 of extended day school-to-work transition projects.

15 NEW SECTION. **Sec. 208.** (1) To the extent funds are available, the  
16 superintendent of public instruction shall award start-up grants to  
17 vocational skills centers to provide extended day school-to-work  
18 transition options for secondary students who are at risk of academic  
19 failure and who have dropped out or who are enrolled full time at a  
20 home high school. Grants shall be awarded based on applications  
21 describing how the project will achieve the following goals:

22 (a) Identifying, recruiting, assessing, and enrolling teens who  
23 have dropped out of school or who are at risk of academic failure;

24 (b) Developing job-readiness skills, job retention skills, and high  
25 school completion competencies in secondary students using work-based  
26 learning;

27 (c) Equipping students with vocational skills and abilities  
28 consistent with entry level employment in their chosen career field;

29 (d) Preparing students to seek further education and training if  
30 advisable for their particular career field;

31 (e) Assisting students who have dropped out to reenter school to  
32 achieve their high school diploma; and

33 (f) Increasing vocational programs' availability to students during  
34 other than normal school hours.

35 (2) To the extent funds are available, the superintendent of public  
36 instruction shall award start-up grants to organizations capable of  
37 providing programs as specified in subsection (1) of this section, to

1 urban areas not served by skills centers. Organizations eligible to  
2 compete for grants awarded under this subsection include:

- 3 (a) Nonprofit organizations;
- 4 (b) Education service districts;
- 5 (c) Community and technical colleges; and
- 6 (d) School districts.

7 (3) To the extent funds are available, the state board for  
8 community and technical colleges shall award start-up grants to  
9 technical colleges to provide services as specified in subsection (1)  
10 of this section. The state board shall work with the superintendent of  
11 public instruction to develop program guidelines consistent with  
12 programs offered in skills centers.

13 NEW SECTION. **Sec. 209.** The legislature recognizes the importance  
14 of education and employment experiences for youth and the critical role  
15 of school-to-work transition options to achieving job readiness.  
16 Therefore, in light of these priorities, the department of labor and  
17 industries is directed to accelerate its evaluation of the minor work  
18 rules adopted under chapter 49.12 RCW, including an evaluation of the  
19 impact of these rules on the school-to-work transition projects  
20 provided for in section 208 of this act. The department shall report  
21 to the governor and the appropriate committees of the legislature on  
22 its evaluation of the minor work rules prior to the start of the 1995  
23 regular legislative session.

24 **D. SCHOOL DISCIPLINE AND SAFETY**

25 NEW SECTION. **Sec. 210.** A new section is added to chapter 28A.320  
26 RCW to read as follows:

27 (1) School district boards of directors may establish schools or  
28 programs which parents may choose for their children to attend in  
29 which: (a) Students are required to conform to dress and grooming  
30 codes, including requiring that students wear uniforms; (b) parents are  
31 required to participate in the student's education; and/or (c)  
32 discipline requirements are more stringent than in other schools in the  
33 district.

34 (2) School district boards of directors may establish schools or  
35 programs in which: (a) Students are required to conform to dress and  
36 grooming codes, including requiring that students wear uniforms; (b)

1 parents are regularly counseled and encouraged to participate in the  
2 student's education; and/or (c) discipline requirements are more  
3 stringent than in other schools in the district. School boards may  
4 require that students who are subject to suspension or expulsion attend  
5 these schools or programs as a condition of continued enrollment in the  
6 school district.

7 (3) If students are required to wear uniforms in these programs or  
8 schools, school districts shall accommodate students so that the  
9 uniform requirement is not an unfair barrier to school attendance and  
10 participation.

11 (4) Nothing in this section impairs or reduces in any manner  
12 whatsoever the authority of a board under other law to impose a dress  
13 and appearance code. However, if a board requires uniforms under such  
14 other authority, it shall accommodate students so that the uniform  
15 requirement is not an unfair barrier to school attendance and  
16 participation.

17 NEW SECTION. **Sec. 211.** (1) A task force on student conduct is  
18 created. The purpose of the task force is to identify laws, rules, and  
19 practices that make it difficult for educators to manage their  
20 classrooms and schools effectively. Based on these findings, the task  
21 force shall make recommendations to the legislature, the state board of  
22 education, the superintendent of public instruction, school districts,  
23 institutions of higher education, and others regarding actions that  
24 could be taken to reduce the problems generated by disruptive students  
25 and thereby make schools more conducive to learning.

26 (2) Members of the task force and the chair shall be appointed by  
27 the superintendent of public instruction, and shall include, but not be  
28 limited to, representatives of parents, elementary teachers, secondary  
29 teachers, middle/junior high school vice-principals, senior high school  
30 vice-principals, classified employees, and special education educators.

31 (3) Staffing for the task force shall be the responsibility of the  
32 superintendent of public instruction. Personnel from the office of the  
33 superintendent may staff the task force, or the superintendent may  
34 enter into a contract with a public or private entity.

35 (4) The findings and recommendations of the task force shall be  
36 submitted to the entities identified in subsection (1) of this section  
37 by November 1, 1994.

38 (5) This section shall expire December 31, 1994.



1       **Sec. 212.** RCW 28A.635.060 and 1993 c 347 s 3 are each amended to  
2 read as follows:

3       (1) Any pupil who shall deface or otherwise injure any school  
4 property, shall be liable to suspension and punishment. Any school  
5 district whose property has been lost or willfully cut, defaced, or  
6 injured, may withhold the grades, diploma, and transcripts of the pupil  
7 responsible for the damage or loss until the pupil or the pupil's  
8 parent or guardian has paid for the damages(~~(, unless the student is~~  
9 ~~transferring to another elementary or secondary educational~~  
10 ~~institution, in which case the student's permanent record shall be~~  
11 ~~released promptly to the receiving school)~~). When the pupil and parent  
12 or guardian are unable to pay for the damages, the school district  
13 shall provide a program of voluntary work for the pupil in lieu of the  
14 payment of monetary damages. Upon completion of voluntary work the  
15 grades, diploma, and transcripts of the pupil shall be released. The  
16 parent or guardian of such pupil shall be liable for damages as  
17 otherwise provided by law.

18       (2) Before any penalties are assessed under this section, a school  
19 district board of directors shall adopt procedures which insure that  
20 pupils' rights to due process are protected.

21       (3) If the department of social and health services or a child-  
22 placing agency licensed by the department has been granted custody of  
23 a child, that child's records, if requested by the department or  
24 agency, are not to be withheld for nonpayment of school fees or any  
25 other reason.

26       NEW SECTION. **Sec. 213.** A new section is added to chapter 28A.225  
27 RCW to read as follows:

28       (1) When enrolling a student who has attended school in another  
29 school district, the school enrolling the student shall request the  
30 parent and the student to provide written information about:

- 31       (a) Any history of placement in special educational programs;
- 32       (b) Past, current, or pending disciplinary action;
- 33       (c) Any history of violent behavior;
- 34       (d) Any unpaid fines or fees imposed by other schools; and
- 35       (e) Health conditions affecting the student's educational needs.

36       (2) The school enrolling the student shall request the school the  
37 student previously attended to send the student's permanent record,  
38 including records of disciplinary action. However, if the student has

1 not paid a fine or fee under RCW 28A.635.060, the school may withhold  
2 the student's official transcript and send information about the  
3 student's academic performance, special placement, and records of  
4 disciplinary action. If the official transcript is not sent due to  
5 unpaid fees or fines, the enrolling school shall notify both the  
6 student and parent or guardian that the official transcript will not be  
7 sent until the obligation is met and that the failure to have an  
8 official transcript may result in exclusion from extracurricular  
9 activities or failure to graduate.

10 (3) If information is requested under subsection (2) of this  
11 section, the information shall be transmitted by the student's previous  
12 school within five working days after receiving the request.

13 **Sec. 214.** RCW 13.40.080 and 1992 c 205 s 108 are each amended to  
14 read as follows:

15 (1) A diversion agreement shall be a contract between a juvenile  
16 accused of an offense and a diversionary unit whereby the juvenile  
17 agrees to fulfill certain conditions in lieu of prosecution. Such  
18 agreements may be entered into only after the prosecutor, or probation  
19 counselor pursuant to this chapter, has determined that probable cause  
20 exists to believe that a crime has been committed and that the juvenile  
21 committed it. Such agreements shall be entered into as expeditiously  
22 as possible. If a juvenile enters into a diversion agreement and is  
23 placed in a public school program, the agreement shall contain  
24 provisions describing required conduct and behavior of the juvenile  
25 while under the supervision of the school or school district. To the  
26 extent practicable, school officials shall be included in the  
27 development of the school program portion of the diversion agreement.

28 (2) A diversion agreement shall be limited to:

29 (a) Community service not to exceed one hundred fifty hours, not to  
30 be performed during school hours if the juvenile is attending school;

31 (b) Restitution limited to the amount of actual loss incurred by  
32 the victim, and to an amount the juvenile has the means or potential  
33 means to pay;

34 (c) Attendance at up to ten hours of counseling and/or up to twenty  
35 hours of educational or informational sessions at a community agency:  
36 PROVIDED, That the state shall not be liable for costs resulting from  
37 the diversionary unit exercising the option to permit diversion

1 agreements to mandate attendance at up to ten hours of counseling and/  
2 or up to twenty hours of educational or informational sessions; and

3 (d) A fine, not to exceed one hundred dollars. In determining the  
4 amount of the fine, the diversion unit shall consider only the  
5 juvenile's financial resources and whether the juvenile has the means  
6 to pay the fine. The diversion unit shall not consider the financial  
7 resources of the juvenile's parents, guardian, or custodian in  
8 determining the fine to be imposed.

9 (3) In assessing periods of community service to be performed and  
10 restitution to be paid by a juvenile who has entered into a diversion  
11 agreement, the court officer to whom this task is assigned shall  
12 consult with victims who have contacted the diversionary unit and, to  
13 the extent possible, involve members of the community. Such members of  
14 the community shall meet with the juvenile and advise the court officer  
15 as to the terms of the diversion agreement and shall supervise the  
16 juvenile in carrying out its terms.

17 (4) A diversion agreement may not exceed a period of six months and  
18 may include a period extending beyond the eighteenth birthday of the  
19 divertee. Any restitution assessed during its term may not exceed an  
20 amount which the juvenile could be reasonably expected to pay during  
21 this period. If additional time is necessary for the juvenile to  
22 complete restitution to the victim, the time period limitations of this  
23 subsection may be extended by an additional six months.

24 (5) The juvenile shall retain the right to be referred to the court  
25 at any time prior to the signing of the diversion agreement.

26 (6) Divertees and potential divertees shall be afforded due process  
27 in all contacts with a diversionary unit regardless of whether the  
28 juveniles are accepted for diversion or whether the diversion program  
29 is successfully completed. Such due process shall include, but not be  
30 limited to, the following:

31 (a) A written diversion agreement shall be executed stating all  
32 conditions in clearly understandable language;

33 (b) Violation of the terms of the agreement shall be the only  
34 grounds for termination;

35 (c) No divertee may be terminated from a diversion program without  
36 being given a court hearing, which hearing shall be preceded by:

37 (i) Written notice of alleged violations of the conditions of the  
38 diversion program; and

39 (ii) Disclosure of all evidence to be offered against the divertee;

1 (d) The hearing shall be conducted by the juvenile court and shall  
2 include:

3 (i) Opportunity to be heard in person and to present evidence;

4 (ii) The right to confront and cross-examine all adverse witnesses;

5 (iii) A written statement by the court as to the evidence relied on  
6 and the reasons for termination, should that be the decision; and

7 (iv) Demonstration by evidence that the diverttee has substantially  
8 violated the terms of his or her diversion agreement.

9 (e) The prosecutor may file an information on the offense for which  
10 the diverttee was diverted:

11 (i) In juvenile court if the diverttee is under eighteen years of  
12 age; or

13 (ii) In superior court or the appropriate court of limited  
14 jurisdiction if the diverttee is eighteen years of age or older.

15 (7) The diversion unit shall, subject to available funds, be  
16 responsible for providing interpreters when juveniles need interpreters  
17 to effectively communicate during diversion unit hearings or  
18 negotiations.

19 (8) The diversion unit shall be responsible for advising a diverttee  
20 of his or her rights as provided in this chapter.

21 (9) The diversion unit may refer a juvenile to community-based  
22 counseling or treatment programs.

23 (10) The right to counsel shall inure prior to the initial  
24 interview for purposes of advising the juvenile as to whether he or she  
25 desires to participate in the diversion process or to appear in the  
26 juvenile court. The juvenile may be represented by counsel at any  
27 critical stage of the diversion process, including intake interviews  
28 and termination hearings. The juvenile shall be fully advised at the  
29 intake of his or her right to an attorney and of the relevant services  
30 an attorney can provide. For the purpose of this section, intake  
31 interviews mean all interviews regarding the diversion agreement  
32 process.

33 The juvenile shall be advised that a diversion agreement shall  
34 constitute a part of the juvenile's criminal history as defined by RCW  
35 13.40.020(9) (~~as now or hereafter amended~~). A signed acknowledgment  
36 of such advisement shall be obtained from the juvenile, and the  
37 document shall be maintained by the diversionary unit together with the  
38 diversion agreement, and a copy of both documents shall be delivered to  
39 the prosecutor if requested by the prosecutor. The supreme court shall

1 promulgate rules setting forth the content of such advisement in simple  
2 language.

3 (11) When a juvenile enters into a diversion agreement, the  
4 juvenile court may receive only the following information for  
5 dispositional purposes:

6 (a) The fact that a charge or charges were made;

7 (b) The fact that a diversion agreement was entered into;

8 (c) The juvenile's obligations under such agreement;

9 (d) Whether the alleged offender performed his or her obligations  
10 under such agreement; and

11 (e) The facts of the alleged offense.

12 (12) A diversionary unit may refuse to enter into a diversion  
13 agreement with a juvenile. When a diversionary unit refuses to enter  
14 a diversion agreement with a juvenile, it shall immediately refer such  
15 juvenile to the court for action and shall forward to the court the  
16 criminal complaint and a detailed statement of its reasons for refusing  
17 to enter into a diversion agreement. The diversionary unit shall also  
18 immediately refer the case to the prosecuting attorney for action if  
19 such juvenile violates the terms of the diversion agreement.

20 (13) A diversionary unit may, in instances where it determines that  
21 the act or omission of an act for which a juvenile has been referred to  
22 it involved no victim, or where it determines that the juvenile  
23 referred to it has no prior criminal history and is alleged to have  
24 committed an illegal act involving no threat of or instance of actual  
25 physical harm and involving not more than fifty dollars in property  
26 loss or damage and that there is no loss outstanding to the person or  
27 firm suffering such damage or loss, counsel and release or release such  
28 a juvenile without entering into a diversion agreement. A diversion  
29 unit's authority to counsel and release a juvenile under this  
30 subsection shall include the authority to refer the juvenile to  
31 community-based counseling or treatment programs. Any juvenile  
32 released under this subsection shall be advised that the act or  
33 omission of any act for which he or she had been referred shall  
34 constitute a part of the juvenile's criminal history as defined by RCW  
35 13.40.020(9) (~~as now or hereafter amended~~). A signed acknowledgment  
36 of such advisement shall be obtained from the juvenile, and the  
37 document shall be maintained by the unit, and a copy of the document  
38 shall be delivered to the prosecutor if requested by the prosecutor.  
39 The supreme court shall promulgate rules setting forth the content of

1 such advisement in simple language. A juvenile determined to be  
2 eligible by a diversionary unit for release as provided in this  
3 subsection shall retain the same right to counsel and right to have his  
4 or her case referred to the court for formal action as any other  
5 juvenile referred to the unit.

6 (14) A diversion unit may supervise the fulfillment of a diversion  
7 agreement entered into before the juvenile's eighteenth birthday and  
8 which includes a period extending beyond the diverttee's eighteenth  
9 birthday.

10 (15) If a fine required by a diversion agreement cannot reasonably  
11 be paid due to a change of circumstance, the diversion agreement may be  
12 modified at the request of the diverttee and with the concurrence of the  
13 diversion unit to convert an unpaid fine into community service. The  
14 modification of the diversion agreement shall be in writing and signed  
15 by the diverttee and the diversion unit. The number of hours of  
16 community service in lieu of a monetary penalty shall be converted at  
17 the rate of the prevailing state minimum wage per hour.

18 (16) Fines imposed under this section shall be collected and paid  
19 into the county general fund in accordance with procedures established  
20 by the juvenile court administrator under RCW 13.04.040 and may be used  
21 only for juvenile services. In the expenditure of funds for juvenile  
22 services, there shall be a maintenance of effort whereby counties  
23 exhaust existing resources before using amounts collected under this  
24 section.

25 NEW SECTION. **Sec. 215.** A new section is added to chapter 28A.300  
26 RCW to read as follows:

27 The superintendent of public instruction and the office of the  
28 attorney general, in cooperation with the Washington state bar  
29 association, shall develop a volunteer-based conflict resolution and  
30 mediation program for use in community groups such as neighborhood  
31 organizations and the public schools. The program shall use lawyers to  
32 train students who in turn become trainers and mediators for their  
33 peers in conflict resolution.

34 NEW SECTION. **Sec. 216.** A new section is added to chapter 28B.50  
35 RCW to read as follows:

36 The state board for community and technical colleges and the office  
37 of the superintendent of public instruction shall work cooperatively to

1 establish a state-wide toll-free hotline to provide information to high  
2 school students who are at risk of dropping out or who have dropped out  
3 of a Washington state common school before obtaining a high school  
4 diploma. The hotline shall provide information on financial aid, adult  
5 education courses, general educational development programs, and basic  
6 skills programs available at community and technical colleges.

7 **E. DRUG, ALCOHOL, AND VIOLENCE PREVENTION AND INTERVENTION PROGRAM**

8 NEW SECTION. **Sec. 217.** The legislature finds that the alcohol and  
9 drug abuse prevention and intervention program and school security  
10 program created by the 1989 legislature have been effective, and should  
11 be continued.

12 The legislature further finds that there is a strong link between  
13 youth violence and the use of alcohol and drugs, and that efforts in  
14 our schools to reduce the use of alcohol and drugs should, where  
15 appropriate, be combined with efforts to reduce youth violence.  
16 Therefore, the legislature intends to expand the current alcohol and  
17 drug abuse prevention and intervention program to also include violence  
18 prevention and intervention, and to allow more flexibility in how grant  
19 funds may be used.

20 **Sec. 218.** RCW 28A.170.080 and 1990 c 33 s 157 are each amended to  
21 read as follows:

22 (1) Grants provided under RCW 28A.170.090 may be used solely for  
23 services provided by ((a-substance-abuse)) an intervention specialist  
24 or for dedicated staff time for counseling and intervention services  
25 provided by any school district certificated employee who has been  
26 trained by and has access to consultation with ((a-substance-abuse)) an  
27 intervention specialist. Services shall be directed at assisting  
28 students in kindergarten through twelfth grade in overcoming problems  
29 of drug and alcohol abuse, ((and)) in preventing abuse and addiction to  
30 such substances, including nicotine, and in preventing and intervening  
31 in youth violence. The grants shall require local matching funds so  
32 that the grant amounts support a maximum of eighty percent of the costs  
33 of the services funded. The services of ((a-substance-abuse)) an  
34 intervention specialist may be obtained by means of a contract with a  
35 state or community services agency or a drug treatment center.

1 Services provided by ((a substance abuse)) an intervention specialist  
2 may include:

3 (a) Individual and family counseling, including preventive  
4 counseling;

5 (b) Assessment and referral for treatment;

6 (c) Referral to peer support groups;

7 (d) Aftercare;

8 (e) Development and supervision of student mentor programs;

9 (f) Staff training, including training in the identification of  
10 high-risk children and effective interaction with those children in the  
11 classroom; ((and))

12 (g) Development and coordination of school drug and alcohol core  
13 teams, involving staff, students, parents, and community members;

14 (h) Development and coordination of safe school teams. The drug  
15 and alcohol core teams may be expanded to serve also as safe school  
16 teams, but must include additional members whose interest is in  
17 violence prevention; and

18 (i) Implementation of short-term and long-term violence prevention  
19 strategies, which could include such subjects as conflict resolution,  
20 anger management, empathy training, peer mediation, and child abuse  
21 prevention.

22 (2) For the purposes of this section, "((substance abuse))  
23 intervention specialist" means any one of the following, except that  
24 diagnosis and assessment, counseling and aftercare specifically  
25 identified with treatment of chemical dependency shall be performed  
26 only by personnel who meet the same qualifications as are required of  
27 a qualified chemical dependency counselor employed by an alcoholism or  
28 drug treatment program approved by the department of social and health  
29 services.

30 (a) An educational staff associate employed by a school district or  
31 educational service district who holds certification as a school  
32 counselor, school psychologist, school nurse, or school social worker  
33 under state board of education rules adopted pursuant to RCW  
34 28A.305.130;

35 (b) An individual who meets the definition of a qualified drug or  
36 alcohol counselor established by the bureau of alcohol and substance  
37 abuse;

38 (c) A counselor, social worker, or other qualified professional  
39 employed by the department of social and health services;



- 1 (d) A psychologist licensed under chapter 18.83 RCW; ~~((or))~~  
2 (e) A children's mental health specialist as defined in RCW  
3 71.34.020; or  
4 (f) A classroom teacher or other individual who has had training or  
5 experience in violence prevention and conflict resolution skills.

6 **Sec. 219.** RCW 28A.170.090 and 1990 c 33 s 158 are each amended to  
7 read as follows:

8 (1) The superintendent of public instruction shall select school  
9 districts and cooperatives of school districts to receive grants for  
10 drug ~~((and))~~, alcohol abuse, and violence prevention and intervention  
11 programs for students in kindergarten through twelfth grade, from funds  
12 appropriated by the legislature for this purpose. ~~((The minimum annual~~  
13 ~~grant amount per district or cooperative of districts shall be twenty~~  
14 ~~thousand dollars.))~~ Factors to be used in selecting proposals for  
15 funding and in determining grant awards for drug and alcohol abuse  
16 programs shall be developed in consultation with the substance abuse  
17 advisory committee appointed under RCW 28A.170.050, with the intent of  
18 targeting funding to districts with high-risk populations. These  
19 factors may include:

20 (a) Characteristics of the school attendance areas to be served,  
21 such as the number of students from low-income families, truancy rates,  
22 juvenile justice referrals, and social services caseloads;

23 (b) The total number of students who would have access to services;  
24 and

25 (c) Participation of community groups and law enforcement agencies  
26 in drug ~~((and))~~, alcohol abuse, and violence prevention and  
27 intervention activities.

28 (2) The application procedures for grants under this section shall  
29 ~~((be consistent with the application procedures for other grants for~~  
30 ~~substance abuse awareness programs under RCW 28A.170.020, including))~~  
31 include provisions for comprehensive planning, establishment of a  
32 school and community ~~((substance abuse))~~ advisory committee, and  
33 documentation of the district's needs assessment. Planning and  
34 application for grants under this section may be integrated with the  
35 development of other substance abuse awareness and violence prevention  
36 programs by school districts, and other grants under RCW 28A.170.010  
37 through 28A.170.040 shall not require a separate application. School  
38 districts shall, to the maximum extent feasible, coordinate the use of

1 grants provided under this section with other funding available for  
2 substance abuse awareness and violence prevention programs. ((School  
3 districts should allocate resources giving emphasis to drug and alcohol  
4 abuse intervention services for students in grades five through nine.))  
5 Grants may be used to provide services for students who are enrolled in  
6 approved private schools.

7 (3) School districts receiving grants under this section for  
8 substance abuse programs shall be required to establish a means of  
9 accessing formal assessment services for determining treatment needs of  
10 students with drug and alcohol problems. The grant applications  
11 submitted by districts shall identify the districts' plan for meeting  
12 this requirement.

13 (4) School districts receiving grants under this section shall be  
14 required to perform biennial evaluations of their drug ((and)),  
15 alcohol, and violence abuse prevention and intervention programs, and  
16 to report on the results of these evaluations to the superintendent of  
17 public instruction.

18 (5) The superintendent of public instruction may adopt rules to  
19 implement RCW 28A.170.080 through 28A.170.100.

20 **Sec. 220.** RCW 28A.170.100 and 1991 c 116 s 24 are each amended to  
21 read as follows:

22 (({1})) School districts are encouraged to promote parent and  
23 community involvement in drug ((and)), alcohol abuse, and violence  
24 prevention and intervention programs, through parent visits under RCW  
25 28A.605.020 and through any school involvement program established by  
26 the district.

27 (({2}) Districts are further encouraged to review drug and alcohol  
28 prevention and intervention programs as part of the self study  
29 procedures required under RCW 28A.320.200 and as part of any annual  
30 goal setting process the district may have established under RCW  
31 28A.320.220.))

32 **PART III - COMMUNITY EMPOWERMENT**

33 NEW SECTION. **Sec. 301.** (1) The legislature finds that:

34 (a) Neighborhoods are a powerful indicator of the diversity and  
35 health of the state;

1 (b) There are geographic areas within communities that are  
2 characterized by a lack of employment opportunities and high  
3 unemployment, by an average income that is below the median income  
4 level for the surrounding community, by a high rate of crime, by a lack  
5 of affordable housing, by deteriorating infrastructure, and by a lack  
6 of facilities for community services, job training, and education;

7 (c) Strategies to revitalize these neighborhoods and empower  
8 residents involve a variety of activities that increase economic and  
9 social diversity, make physical improvements, and improve economic  
10 opportunities for neighborhood residents;

11 (d) Revitalization strategies cannot be accomplished with  
12 governmental resources only and requires a comprehensive approach that  
13 depends on a local government's ability to coordinate public resources  
14 in a long-term strategy designed to leverage private and community  
15 investment in the neighborhood;

16 (e) Local governments, in cooperation with neighborhood residents,  
17 can provide leadership as well as planning and coordination of  
18 resources and necessary services to address revitalization of the  
19 neighborhood; and

20 (f) It is in the public interest to adopt a targeted approach to  
21 community empowerment and enlist the resources of the public and  
22 private sectors and neighborhood groups to revitalize neighborhoods.

23 (2) The legislature declares that the purposes of the community  
24 empowerment act are to:

25 (a) Encourage community empowerment through strong partnerships and  
26 cooperation between all levels of government, community-based  
27 organizations and groups, neighborhood residents, and the private  
28 sector;

29 (b) Involve and educate the private sector and stimulate private  
30 reinvestment through the judicious use of public resources;

31 (c) Target governmental resources to those neighborhoods in  
32 greatest need;

33 (d) Include neighborhood individuals and organizations in the  
34 policy-making process; and

35 (e) Enable economically disadvantaged young adults to obtain the  
36 education and employment skills necessary to achieve economic self-  
37 sufficiency.

38 **A. WASHINGTON YOUTHBUILD PROGRAM**

1        NEW SECTION.    **Sec. 302.**    (1) The legislature finds that there is a  
2 need to:

3        (a) Expand the supply of permanent affordable housing for homeless  
4 individuals, low and very low-income persons, and special need  
5 populations by utilizing the energies and talents of economically  
6 disadvantaged youth;

7        (b) Provide economically disadvantaged youth with opportunities for  
8 meaningful work and service to their communities in helping to meet the  
9 housing needs of homeless individuals, low and very low-income persons,  
10 and special need populations;

11        (c) Enable economically disadvantaged youth to obtain the education  
12 and employment skills necessary to achieve economic self-sufficiency;  
13 and

14        (d) Foster the development of leadership skills and commitment to  
15 community development among youth in designated community empowerment  
16 zones.

17        (2) The legislature declares that the purpose of the Washington  
18 youthbuild program is to:

19        (a) Help disadvantaged youth who have dropped out of school to  
20 obtain the education and employment skills necessary to achieve  
21 economic self-sufficiency and develop leadership skills and a  
22 commitment to community development in designated community empowerment  
23 zones; and

24        (b) Provide funding assistance to entities implementing programs  
25 that provide comprehensive education and skills training programs  
26 designed to lead to self-sufficiency for economically disadvantaged  
27 youth.

28        NEW SECTION.    **Sec. 303.**    Unless the context clearly requires  
29 otherwise, the definitions in this section apply throughout this  
30 chapter.

31        (1) "Applicant" means a public or private nonprofit organization  
32 agency eligible to provide education and employment training under  
33 federal or state employment training programs.

34        (2) "Commissioner" means the commissioner of employment security.

35        (3) "Department" means the employment security department.

36        (4) "Low income" has the same meaning as in RCW 43.185A.010.

37        (5) "Participant" means an individual that:

38        (a) Is sixteen to twenty-four years of age, inclusive;

1 (b) Is or is a member of a very low-income household; and

2 (c) Is neither attending any school nor subject to a compulsory  
3 attendance law and who has not received a secondary school diploma or  
4 a certificate of equivalency for such diploma.

5 (6) "Very low income" means a person or household whose income is  
6 at or below fifty percent of the median family income, adjusted for  
7 household size, for the county where the household is located.

8 (7) "Youthbuild" means any program that provides disadvantaged  
9 youth with opportunities for employment, education, leadership  
10 development, entrepreneurial skills development, and training in the  
11 construction or rehabilitation of housing for special need populations,  
12 very low-income households, or low-income households.

13 NEW SECTION. **Sec. 304.** The Washington youthbuild program is  
14 established within the department. The commissioner, in cooperation  
15 and consultation with the director of the department of community,  
16 trade, and economic development, shall:

17 (1) Make grants, up to the lesser of three hundred thousand dollars  
18 or twenty-five percent of the total costs of the youthbuild activities,  
19 to applicants eligible to provide education and employment training  
20 under federal or state employment training programs, for the purpose of  
21 carrying out a wide range of multidisciplinary activities and services  
22 to assist economically disadvantaged youth under the federal  
23 opportunities for youth: Youthbuild program (106 Stat. 3723; 42 U.S.C.  
24 Sec. 8011), or locally developed youthbuild-type programs for  
25 economically disadvantaged youth; and

26 (2) Coordinate youth employment and training efforts under the  
27 department's jurisdiction and cooperate with other agencies and  
28 departments providing youth services to ensure that funds appropriated  
29 for the purposes of this chapter will be used to supplement funding  
30 from federal, state, local, or private sources.

31 NEW SECTION. **Sec. 305.** (1) Grants made under this chapter shall  
32 be used to fund an applicant's activities to implement a comprehensive  
33 education and employment skills training program.

34 (2) Activities eligible for assistance under this chapter include:

35 (a) Education and job skills training services and activities that  
36 include:

1 (i) Work experience and skills training, coordinated to the maximum  
2 extent feasible, with preapprenticeship and apprenticeship programs in  
3 construction and rehabilitation trades;

4 (ii) Services and activities designed to meet the educational needs  
5 of participants, including basic skills instruction and remedial  
6 education, bilingual education for participants with limited-English  
7 proficiency, secondary education services and activities designed to  
8 lead to the attainment of a high school diploma or its equivalent, and  
9 counseling and assistance in attaining postsecondary education and  
10 required financial aid;

11 (b) Counseling services and related activities;

12 (c) Activities designed to develop employment and leadership  
13 skills;

14 (d) Support services and need-based stipends necessary to enable  
15 the participant to participate in the program and to assist  
16 participants through support services in retaining employment;

17 (e) Wage stipends and benefits provided to participants; and

18 (f) Administrative costs of the applicant, not to exceed five  
19 percent of the amount of assistance provided under this chapter.

20 NEW SECTION. **Sec. 306.** (1) An individual selected as a  
21 participant in the youthbuild program under this chapter may be offered  
22 full-time participation for a period of not less than six months and  
23 not more than twenty-four months.

24 (2) An applicant's program that is selected for funding under this  
25 chapter shall be structured so that fifty percent of the time spent by  
26 the participants in the youthbuild program is devoted to educational  
27 services and activities, such as those outlined in section 305 of this  
28 act.

29 NEW SECTION. **Sec. 307.** (1) An application for a grant under this  
30 chapter shall be submitted by the applicant in such form and in  
31 accordance with the requirements as determined by the commissioner.

32 (2) The application for a grant under this chapter shall contain at  
33 a minimum:

34 (a) The amount of the grant request and its proposed use;

35 (b) A description of the applicant and a statement of its  
36 qualifications, including a description of the applicant's past  
37 experience with housing rehabilitation or construction with youth and

1 youth education and employment training programs, and its relationship  
2 with local unions and apprenticeship programs and other community  
3 groups;

4 (c) A description of the proposed site for the program;

5 (d) A description of the educational and job training activities,  
6 work opportunities, and other services that will be provided to  
7 participants;

8 (e) A description of the proposed construction or rehabilitation  
9 activities to be undertaken and the anticipated schedule for carrying  
10 out such activities;

11 (f) A description of the manner in which eligible participants will  
12 be recruited and selected, including a description of arrangements  
13 which will be made with federal or state agencies, community-based  
14 organizations, local school districts, the courts of jurisdiction for  
15 status and youth offenders, shelters for homeless individuals and other  
16 agencies that serve homeless youth, foster care agencies, and other  
17 appropriate public and private agencies;

18 (g) A description of the special outreach efforts that will be  
19 undertaken to recruit eligible young women, including young women with  
20 dependent children;

21 (h) A description of how the proposed program will be coordinated  
22 with other federal, state, local, and private resources and programs,  
23 including vocational, adult, and bilingual education programs, and job  
24 training programs;

25 (i) Assurances that there will be a sufficient number of adequately  
26 trained supervisory personnel in the program who have attained the  
27 level of journeyman or have served an apprenticeship through the  
28 Washington state apprenticeship training council;

29 (j) A description of the applicant's relationship with building  
30 contractor groups and trade unions regarding their involvement in  
31 training, and the relationship of the youthbuild program with  
32 established apprenticeship and training programs;

33 (k) A description of activities that will be undertaken to develop  
34 the leadership skills of the participants;

35 (l) A description of the commitments for any additional resources  
36 to be made available to the local program from the applicant, from  
37 recipients of other federal, state, local, or private sources; and

38 (m) Other factors the commissioner deems necessary.

1        NEW SECTION.    **Sec. 308.**    (1) An applicant selected for funding  
2 under this chapter shall provide the department information on program  
3 and participant accomplishments. The information shall be provided in  
4 progress and final reports as requested by the department.

5        (2) The department shall prepare an initial evaluation report,  
6 which shall be made available to the governor and appropriate  
7 legislative committees, on or before December 1, 1995, on the progress  
8 of individual programs funded under this chapter. A final evaluation  
9 report shall be prepared on individual programs at the time of their  
10 completion. The final evaluation report shall include, but is not  
11 limited to, information on the effectiveness of the program, the status  
12 of program participants, and recommendations on program administration  
13 at the state and local level.

14        NEW SECTION.    **Sec. 309.**    A new section is added to chapter 50.67  
15 RCW to read as follows:

16        In addition to its duties under this chapter, the Washington state  
17 job training coordinating council shall advise the employment security  
18 department and the department of community, trade, and economic  
19 development on the development and implementation of the Washington  
20 youthbuild program created under sections 302 through 308 of this act.

21        **Sec. 310.**    RCW 43.185.070 and 1991 c 356 s 5 and 1991 c 295 s 2 are  
22 each reenacted and amended to read as follows:

23        (1) During each calendar year in which funds from the housing trust  
24 fund or other legislative appropriations are available for use by the  
25 department for the housing assistance program, the department shall  
26 announce to all known interested parties, and through major media  
27 throughout the state, a grant and loan application period of at least  
28 ninety days' duration. This announcement shall be made as often as the  
29 director deems appropriate for proper utilization of resources. The  
30 department shall then promptly grant as many applications as will  
31 utilize available funds less appropriate administrative costs of the  
32 department. Administrative costs paid out of the housing trust fund  
33 may not exceed four percent of annual revenues available for  
34 distribution to housing trust fund projects. In awarding funds under  
35 this chapter, the department shall provide for a geographic  
36 distribution on a state-wide basis.



1 (2) The department shall give first priority to applications for  
2 projects and activities which utilize existing privately owned housing  
3 stock including privately owned housing stock purchased by nonprofit  
4 public development authorities and public housing authorities as  
5 created in chapter 35.82 RCW. As used in this subsection, privately  
6 owned housing stock includes housing that is acquired by a federal  
7 agency through a default on the mortgage by the private owner. Such  
8 projects and activities shall be evaluated under subsection (3) of this  
9 section. Second priority shall be given to activities and projects  
10 which utilize existing publicly owned housing stock. All projects and  
11 activities shall be evaluated by some or all of the criteria under  
12 subsection (3) of this section, and similar projects and activities  
13 shall be evaluated under the same criteria.

14 (3) The department shall give preference for applications based on  
15 some or all of the criteria under this subsection, and similar projects  
16 and activities shall be evaluated under the same criteria:

17 (a) The degree of leveraging of other funds that will occur;

18 (b) The degree of commitment from programs to provide necessary  
19 habilitation and support services for projects focusing on special  
20 needs populations;

21 (c) Recipient contributions to total project costs, including  
22 allied contributions from other sources such as professional, craft and  
23 trade services, and lender interest rate subsidies;

24 (d) Local government project contributions in the form of  
25 infrastructure improvements, and others;

26 (e) Projects that encourage ownership, management, and other  
27 project-related responsibility opportunities;

28 (f) Projects that demonstrate a strong probability of serving the  
29 original target group or income level for a period of at least twenty-  
30 five years;

31 (g) The applicant has the demonstrated ability, stability and  
32 resources to implement the project;

33 (h) Projects which demonstrate serving the greatest need;

34 (i) Projects that provide housing for persons and families with the  
35 lowest incomes;

36 (j) Projects serving special needs populations which are under  
37 statutory mandate to develop community housing;

38 (k) Project location and access to employment centers in the region  
39 or area; ((and))

1 (1) Projects that provide employment and training opportunities for  
2 disadvantaged youth under a youthbuild or youthbuild-type program as  
3 defined in section 303 of this act; and

4 (m) Project location and access to available public transportation  
5 services.

6 (4) The department shall only approve applications for projects for  
7 mentally ill persons that are consistent with a regional support  
8 network six-year capital and operating plan.

9 **B. COMMUNITY EMPOWERMENT ZONES**

10 NEW SECTION. **Sec. 311.** Unless the context clearly requires  
11 otherwise, the definitions in this section apply throughout this  
12 chapter.

13 (1) "Affordable housing" has the same meaning as in RCW  
14 43.185B.010.

15 (2) "Afterschool program" means a program of tutoring, recreation,  
16 mentoring, or cultural activities that are offered to K-12 students  
17 either before or after school hours and is approved by the local school  
18 district.

19 (3) "Community empowerment zone" means a geographic area within the  
20 boundaries of a local government that: (a) Meets the requirements of  
21 RCW 43.63A.710 (as recodified by this act) and is so designated by the  
22 director; or (b) is designated an empowerment zone or enterprise  
23 community under Title XIII, Chapter I of the Omnibus Reconciliation Act  
24 of 1993 (P.L. 103-66) and is designated by the director.

25 (4) "Community empowerment zone assistance" means furnishing  
26 financial assistance, labor, material, or technical assistance to aid  
27 in the provision of community services, crime prevention, education,  
28 job training, and housing assistance activities within a designated  
29 community empowerment zone.

30 (5) "Community service" means any type of counseling and advice,  
31 emergency assistance, or medical care furnished to individuals or  
32 groups within a designated community empowerment zone.

33 (6) "Crime prevention" means any activity that aids in the  
34 reduction or prevention of crime within a designated community  
35 empowerment zone.

36 (7) "Department" means the department of community, trade, and  
37 economic development.

1 (8) "Director" means the director of community, trade, and economic  
2 development.

3 (9) "Education" means any type of scholastic instruction or  
4 scholarship assistance, including an afterschool program, to any person  
5 who resides within a designated community empowerment zone that enables  
6 that person to prepare for better employment opportunities.

7 (10) "Housing assistance" means any activity that aids in the  
8 acquisition, preservation, rehabilitation, or construction of  
9 affordable housing within a designated community empowerment zone.

10 (11) "Job training" means any type of instruction to any person who  
11 resides within a designated community empowerment zone that enables  
12 that person to acquire vocational skills to become employable or seek  
13 a higher grade of employment.

14 (12) "Local government" means a city, town, or county. The term  
15 local government also includes federally recognized Indian  
16 reservations.

17 (13) "Nonprofit organization" means any public or private  
18 organization that: (a) Is organized under federal, state, or local  
19 laws; (b) has no part of its net earnings inuring to the benefit of any  
20 member, founder, contributor, or individual; and (c) has among its  
21 purposes significant activities related to community empowerment zone  
22 assistance activities within a designated community empowerment zone.  
23 The term also includes public housing authorities created under chapter  
24 35.82 RCW and public corporations created under chapter 35.21 RCW that  
25 operate within a designated community empowerment zone.

26 **Sec. 312.** RCW 43.63A.700 and 1993 sp.s. c 25 s 401 are each  
27 amended to read as follows:

28 (1) The department, in cooperation with the department of revenue,  
29 the employment security department, and the office of financial  
30 management, shall approve applications submitted by local governments  
31 for designation as a (~~neighborhood reinvestment area~~) community  
32 empowerment zone under this section. The application shall be in the  
33 form and manner and contain such information as the department may  
34 prescribe, provided that the application for designation shall:

35 (a) Contain information sufficient for the director to determine if  
36 the criteria established in RCW 43.63A.710 (as recodified by this act)  
37 have been met.

1 (b) Be submitted on behalf of the local government by its chief  
2 elected official, or, if none, by the governing body of the local  
3 government.

4 (c) Contain a five-year (~~neighborhood reinvestment~~) community  
5 empowerment plan that describes the proposed designated (~~neighborhood~~  
6 ~~reinvestment—area's~~) community empowerment zone's community  
7 development needs and present a strategy for meeting those needs. The  
8 plan shall address the following categories: Housing needs; public  
9 infrastructure needs, such as transportation, water, sanitation,  
10 energy, and drainage/flood control; other public facilities needs, such  
11 as neighborhood facilities or facilities for provision of health,  
12 education, recreation, public safety, or other services; community  
13 economic development needs, such as commercial/industrial  
14 revitalization, job creation and retention considering the unemployment  
15 and underemployment of area residents, accessibility to financial  
16 resources by area residents and businesses, investment within the area,  
17 or other related components of community economic development; (~~and~~)  
18 social service needs; and public safety needs, such as gang and  
19 violence reduction or prevention, or community policing activities.

20 The local government is required to provide a description of its  
21 strategy for meeting the needs identified in this subsection (1)(c).  
22 As part of the strategy, the local government is required to identify  
23 the needs for which specific plans are currently in place and the  
24 source of funds expected to be used. For the balance of the area's  
25 needs, the local government must identify the source of funds expected  
26 to become available during the next two-year period and actions the  
27 local government will take to acquire those funds.

28 (d) Certify that neighborhood residents were given the opportunity  
29 to participate in the development of the five-year (~~neighborhood~~  
30 ~~reinvestment~~) community empowerment strategy required under (c) of  
31 this subsection.

32 (2) No local government shall submit more than two neighborhoods to  
33 the department for possible designation as a designated (~~neighborhood~~  
34 ~~reinvestment—area~~) community empowerment zone under this section.

35 (3)(a) Within ninety days after January 1, 1994, the director may  
36 designate up to six designated (~~neighborhood reinvestment—areas~~)  
37 community empowerment zones from among the applications eligible for  
38 designation as a designated (~~neighborhood reinvestment—area under this~~  
39 ~~section~~) community empowerment zone.

1 (b) The director shall make determinations of designated  
2 (~~neighborhood reinvestment areas~~) community empowerment zones on the  
3 basis of the following factors:

4 (i) The strength and quality of the local government commitments to  
5 meet the needs identified in the five-year (~~neighborhood~~  
6 ~~reinvestment~~) community empowerment plan required under this section.

7 (ii) The level of private commitments by private entities of  
8 additional resources and contribution to the designated (~~neighborhood~~  
9 ~~reinvestment area~~) community empowerment zone.

10 (iii) The potential for (~~reinvestment in~~) revitalization of the  
11 area as a result of designation as a designated (~~neighborhood~~  
12 ~~reinvestment area~~) community empowerment zone.

13 (iv) Other factors the director (~~of the department of community~~  
14 ~~development~~) deems necessary.

15 (~~(b)~~) (c) The determination of the director as to the areas  
16 designated as (~~neighborhood reinvestment areas~~) community empowerment  
17 zones shall be final.

18 **Sec. 313.** RCW 43.63A.710 and 1993 sp.s. c 25 s 402 are each  
19 amended to read as follows:

20 (1) The director may not designate an area as a designated  
21 (~~neighborhood reinvestment area~~) community empowerment zone unless  
22 that area meets the following requirements:

23 (a) The area must be designated by the legislative authority of the  
24 local government as an area to receive federal, state, and local  
25 assistance designed to increase economic, physical, or social activity  
26 in the area;

27 (b) The area must have at least fifty-one percent of the households  
28 in the area with incomes at or below eighty percent of the county's  
29 median income, adjusted for household size;

30 (c)(i) The average unemployment rate for the area, for the most  
31 recent twelve-month period for which data is available must be at least  
32 one hundred twenty percent of the average unemployment rate of the  
33 county; or (ii) the percentage rate of households, for the area, that  
34 receives public assistance under Title 74 RCW must be at least one  
35 hundred twenty percent of the percentage rate of households that  
36 receive public assistance for the county; and

37 (d) A five-year (~~neighborhood reinvestment~~) community empowerment  
38 plan for the area that meets the requirements of RCW 43.63A.700(1)(c)

1 (as recodified by this act) and as further defined by the director must  
2 be adopted.

3 (2) The director may establish, by rule, such other requirements as  
4 the director may reasonably determine necessary and appropriate to  
5 assure that the purposes of this section are satisfied.

6 (3) In determining if an area meets the requirements of this  
7 section, the director may consider data provided by the United States  
8 bureau of the census from the most recent census or any other reliable  
9 data that the director determines to be acceptable for the purposes for  
10 which the data is used.

### 11 C. COMMUNITY EMPOWERMENT ZONE INCENTIVES

#### 12 1. Tax Deferrals for Investment Projects in Distressed Areas

13 **Sec. 314.** RCW 82.60.020 and 1993 sp.s. c 25 s 403 are each amended  
14 to read as follows:

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

17 (1) "Applicant" means a person applying for a tax deferral under  
18 this chapter.

19 (2) "Department" means the department of revenue.

20 (3) "Eligible area" means: (a) A county in which the average level  
21 of unemployment for the three years before the year in which an  
22 application is filed under this chapter exceeds the average state  
23 unemployment for those years by twenty percent; (b) a metropolitan  
24 statistical area, as defined by the office of federal statistical  
25 policy and standards, United States department of commerce, in which  
26 the average level of unemployment for the calendar year immediately  
27 preceding the year in which an application is filed under this chapter  
28 exceeds the average state unemployment for such calendar year by twenty  
29 percent; or (c) a designated (~~neighborhood reinvestment area~~)  
30 community empowerment zone approved under RCW 43.63A.700 (as recodified  
31 by this act).

32 (4)(a) "Eligible investment project" means that portion of an  
33 investment project which:

34 (i) Is directly utilized to create at least one new full-time  
35 qualified employment position for each three hundred thousand dollars  
36 of investment on which a deferral is requested; and

1 (ii) Either initiates a new operation, or expands or diversifies a  
2 current operation by expanding or renovating an existing building with  
3 costs in excess of twenty-five percent of the true and fair value of  
4 the plant complex prior to improvement; or

5 (iii) Acquires machinery and equipment to be used for either  
6 manufacturing or research and development if the machinery and  
7 equipment is housed in a new leased structure. The lessor/owner of the  
8 structure is not eligible for a deferral unless the underlying  
9 ownership of the buildings, machinery, and equipment vests exclusively  
10 in the same person.

11 (b) "Eligible investment project" does not include any portion of  
12 an investment project undertaken by a light and power business as  
13 defined in RCW 82.16.010(5) or investment projects which have already  
14 received deferrals under this chapter.

15 (5) "Investment project" means an investment in qualified buildings  
16 and qualified machinery and equipment, including labor and services  
17 rendered in the planning, installation, and construction of the  
18 project.

19 (6) "Manufacturing" means all activities of a commercial or  
20 industrial nature wherein labor or skill is applied, by hand or  
21 machinery, to materials so that as a result thereof a new, different,  
22 or useful substance or article of tangible personal property is  
23 produced for sale or commercial or industrial use and shall include the  
24 production or fabrication of specially made or custom made articles.  
25 "Manufacturing" also includes computer programming, the production of  
26 computer software, and other computer-related services, and the  
27 activities performed by research and development laboratories and  
28 commercial testing laboratories.

29 (7) "Person" has the meaning given in RCW 82.04.030.

30 (8) "Qualified buildings" means new structures used for  
31 manufacturing and research and development activities, including plant  
32 offices and warehouses or other facilities for the storage of raw  
33 material or finished goods if such facilities are an essential or an  
34 integral part of a factory, mill, plant, or laboratory used for  
35 manufacturing or research and development. If a building is used  
36 partly for manufacturing or research and development and partly for  
37 other purposes, the applicable tax deferral shall be determined by  
38 apportionment of the costs of construction under rules adopted by the  
39 department.

1 (9) "Qualified employment position" means a permanent full-time  
2 employee employed in the eligible investment project during the entire  
3 tax year. In addition to the requirements of this subsection, for  
4 projects located in community empowerment zones, the employee must  
5 initially reside in the community empowerment zone.

6 (10) "Qualified machinery and equipment" means all new industrial  
7 and research fixtures, equipment, and support facilities that are an  
8 integral and necessary part of a manufacturing or research and  
9 development operation. "Qualified machinery and equipment" includes:  
10 Computers; software; data processing equipment; laboratory equipment;  
11 manufacturing components such as belts, pulleys, shafts, and moving  
12 parts; molds, tools, and dies; operating structures; and all equipment  
13 used to control or operate the machinery.

14 (11) "Recipient" means a person receiving a tax deferral under this  
15 chapter.

16 (12) "Research and development" means the development, refinement,  
17 testing, marketing, and commercialization of a product, service, or  
18 process before commercial sales have begun. As used in this  
19 subsection, "commercial sales" excludes sales of prototypes or sales  
20 for market testing if the total gross receipts from such sales of the  
21 product, service, or process do not exceed one million dollars.

## 22 2. Tax Credits for Eligible Business Projects

23 **Sec. 315.** RCW 82.62.010 and 1993 sp.s. c 25 s 410 are each amended  
24 to read as follows:

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

27 (1) "Applicant" means a person applying for a tax credit under this  
28 chapter.

29 (2) "Department" means the department of revenue.

30 (3) "Eligible area" means: (a) A county in which the average level  
31 of unemployment for the three years before the year in which an  
32 application is filed under this chapter exceeds the average state  
33 unemployment for those years by twenty percent; (b) a metropolitan  
34 statistical area, as defined by the office of federal statistical  
35 policy and standards, United States department of commerce, in which  
36 the average level of unemployment for the calendar year immediately  
37 preceding the year in which an application is filed under this chapter



1 exceeds the average state unemployment for such calendar year by twenty  
2 percent; (c) a designated (~~neighborhood reinvestment area~~) community  
3 empowerment zone approved under RCW 43.63A.700 (as recodified by this  
4 act); or (d) subcounty areas in those counties that are not covered  
5 under (a) of this subsection that are timber impact areas as defined in  
6 RCW 43.31.601.

7 (4)(a) "Eligible business project" means manufacturing or research  
8 and development activities which are conducted by an applicant in an  
9 eligible area at a specific facility, provided the applicant's average  
10 full-time qualified employment positions at the specific facility will  
11 be at least fifteen percent greater in the year for which the credit is  
12 being sought than the applicant's average full-time qualified  
13 employment positions at the same facility in the immediately preceding  
14 year.

15 (b) "Eligible business project" does not include any portion of a  
16 business project undertaken by a light and power business as defined in  
17 RCW 82.16.010(5) or that portion of a business project creating  
18 qualified full-time employment positions outside an eligible area or  
19 those recipients of a sales tax deferral under chapter 82.61 RCW.

20 (5) "Manufacturing" means all activities of a commercial or  
21 industrial nature wherein labor or skill is applied, by hand or  
22 machinery, to materials so that as a result thereof a new, different,  
23 or useful substance or article of tangible personal property is  
24 produced for sale or commercial or industrial use and shall include the  
25 production or fabrication of specially made or custom made articles.  
26 "Manufacturing" also includes computer programming, the production of  
27 computer software, and other computer-related services, and the  
28 activities performed by research and development laboratories and  
29 commercial testing laboratories.

30 (6) "Person" has the meaning given in RCW 82.04.030.

31 (7) "Qualified employment position" means a permanent full-time  
32 employee employed in the eligible business project during the entire  
33 tax year. In addition to the requirements of this subsection, for  
34 projects located in community empowerment zones, the employee must  
35 initially reside in the community empowerment zone.

36 (8) "Tax year" means the calendar year in which taxes are due.

37 (9) "Recipient" means a person receiving tax credits under this  
38 chapter.

1 (10) "Research and development" means the development, refinement,  
2 testing, marketing, and commercialization of a product, service, or  
3 process before commercial sales have begun. As used in this  
4 subsection, "commercial sales" excludes sales of prototypes or sales  
5 for market testing if the total gross receipts from such sales of the  
6 product, service, or process do not exceed one million dollars.

7 **3. Commercial District Revitalization**  
8 **Technical Assistance**

9 NEW SECTION. **Sec. 316.** A new section is added to chapter 43.330  
10 RCW to read as follows:

11 The department shall provide technical assistance to support  
12 implementation of community empowerment zone plans. Such assistance  
13 may include, but is not limited to, commercial district revitalization  
14 techniques using the state's main street program approach, technical  
15 and leadership skills training for community-based development  
16 organizations, small business and entrepreneurial development, and real  
17 estate development and financing.

18 **4. Youth Gangs**

19 NEW SECTION. **Sec. 317.** A new section is added to chapter 43.310  
20 RCW to read as follows:

21 (1) For the period beginning July 1, 1994, through June 30, 1995,  
22 the department of community, trade, and economic development shall  
23 award grants to either school districts or community organizations for  
24 the development, administration, and implementation of community-based  
25 gang risk prevention and intervention pilot programs in those community  
26 mobilization projects in all communities.

27 (2) The provisions of this chapter shall apply to grants awarded  
28 under this section.

29 (3) This section shall expire June 30, 1995.

30 **5. Community Policing Assistance**

31 NEW SECTION. **Sec. 318.** The department of community, trade, and  
32 economic development shall administer a grant program which makes  
33 matching grants to local governments under section 319 of this act to

1 develop effective crime-fighting partnerships between law enforcement  
2 and the community using a problem-oriented approach.

3 NEW SECTION. **Sec. 319.** (1) Eligibility for matching grants under  
4 this section shall be limited to:

5 (a) Local governments that have developed an overall plan or  
6 strategy to address crime and related problems through community  
7 policing in designated community empowerment zones; and

8 (b) Community policing activities to address crime problems,  
9 including but not limited to multidisciplinary crime prevention teams,  
10 public education programs, neighborhood resource centers, and foot  
11 patrols.

12 (2) A grant of up to twenty percent of salaries and fringe benefits  
13 of additional newly sworn law enforcement officers, excluding overtime,  
14 for a three-year period may be made under this section to local  
15 governments.

16 (3) The department of community, trade, and economic development  
17 may enact rules to carry out this section.

18 (4) As used in this section, "community empowerment zone" has the  
19 same meaning as in section 311 of this act.

20 **D. COMMUNITY-BASED VIOLENCE PREVENTION AND REDUCTION**

21 **1. Violence Prevention and Intervention**

22 **Sec. 320.** RCW 43.270.010 and 1989 c 271 s 315 are each amended to  
23 read as follows:

24 The legislature recognizes that state-wide efforts aimed at  
25 reducing the incidence of substance abuse and violence must be  
26 increased. The legislature further recognizes that the most effective  
27 strategy for reducing the impact of alcohol ((and)), other drug abuse,  
28 and violence is through the collaborative efforts of educators, law  
29 enforcement, local government officials, local treatment providers, and  
30 concerned community and citizens' groups.

31 The legislature intends to support the development and activities  
32 of community mobilization strategies against substance abuse or  
33 violence through the following efforts:

34 (1) Provide funding support for prevention, treatment, and  
35 enforcement activities identified by communities that have brought

1 together education, treatment, local government, law enforcement, and  
2 other key elements of the community;

3 (2) Provide technical assistance and support to help communities  
4 develop and carry out effective activities; and

5 (3) Provide communities with opportunities to share suggestions for  
6 state program operations and budget priorities.

7 **Sec. 321.** RCW 43.270.020 and 1989 c 271 s 316 are each amended to  
8 read as follows:

9 There is established in the (~~office of the governor~~) department  
10 of community, trade, and economic development a grant program to  
11 provide incentive for and support for communities to develop targeted  
12 and coordinated strategies to reduce the incidence and impact of either  
13 substance abuse or violence.

14 Activities which may be funded through this grant program include  
15 those which:

16 (1) Prevent either substance abuse or violent behavior through  
17 educational and self-esteem efforts, development of positive  
18 alternatives, intervention with high-risk groups, and other prevention  
19 strategies;

20 (2) Support effective treatment by increasing access to and  
21 availability of treatment opportunities, particularly for underserved  
22 or highly impacted populations, developing aftercare and support  
23 mechanisms, and other strategies to increase the availability and  
24 effectiveness of treatment;

25 (3) Provide meaningful consequences for participation in illegal  
26 activity and promote safe and healthy communities through support of  
27 law enforcement strategies;

28 (4) Create or build on efforts by existing community programs,  
29 coordinate their efforts, and develop cooperative efforts or other  
30 initiatives to make most effective use of resources to carry out the  
31 community's strategy against either substance abuse or violence; and

32 (5) Other activities which demonstrate both feasibility and a  
33 rationale for how the activity will achieve measurable results in the  
34 strategy against either substance abuse or violence.

35 **Sec. 322.** RCW 43.270.030 and 1989 c 271 s 317 are each amended to  
36 read as follows:

37 Applications for funding under this chapter must:

1 (1) Demonstrate that the community has developed and is committed  
2 to carrying out a coordinated strategy of prevention, treatment, and  
3 law enforcement activities; and

4 (2)(a) For applications for substance abuse prevention or  
5 intervention activities, contain evidence of active participation of  
6 the community and specific commitments to implementing the community-  
7 wide agenda by leadership from at least education, law enforcement,  
8 local government, tribal government, and treatment entities in the  
9 community, and the opportunity for meaningful involvement from others  
10 such as neighborhood and citizen groups, businesses, human service,  
11 health and job training organizations, and other key elements of the  
12 community, particularly those whose responsibilities in law  
13 enforcement, treatment, prevention, or other community efforts provide  
14 direct, ongoing contact with substance abusers; or

15 (b) For applications for violence prevention or intervention  
16 activities, contain evidence of active participation of the community  
17 and specific commitments to implement the community-wide agenda by  
18 leadership from at least education, law enforcement, local government,  
19 and tribal government, and the opportunity for meaningful involvement  
20 from others such as neighborhood and citizen groups, businesses, human  
21 service, health and job training organizations, and other key elements  
22 of the community, particularly those that are involved in violence  
23 prevention or intervention activities.

24 **Sec. 323.** RCW 43.270.040 and 1989 c 271 s 318 are each amended to  
25 read as follows:

26 This grant program will be available to communities of any  
27 geographic size but will encourage and reward communities which develop  
28 coordinated or complimentary strategies within geographic areas such as  
29 county areas or groups of county areas which correspond to units of  
30 government with significant responsibilities in the area of substance  
31 abuse or violence prevention, existing coalitions, or other entities  
32 important to the success of a community's strategy against either  
33 substance abuse or violence.

34 **Sec. 324.** RCW 43.270.050 and 1989 c 271 s 319 are each amended to  
35 read as follows:

36 At a minimum, grant applications must include the following:

37 (1) Definition of geographic area;

1 (2) A description of the extent and impact of substance abuse or  
2 violence in the community, including an explanation of those who are  
3 most severely impacted and those most at risk of substance abuse or  
4 violence;

5 (3) An explanation of the community-wide strategy for prevention,  
6 treatment, and law enforcement activities related to substance abuse or  
7 violence with particular attention to those who are most severely  
8 impacted and those most at risk of substance abuse or violence;

9 (4) Explanation of who was involved in development of the strategy  
10 and what specific commitments have been made to carrying it out;

11 (5) Identification of existing prevention, treatment, and law  
12 enforcement resources committed by the community, including financial  
13 and other support, and an explanation of how the community's strategy  
14 involves and builds on the efforts of existing organizations or  
15 coalitions that have been carrying out community efforts against  
16 substance abuse or violence;

17 (6) Identification of activities that address specific objectives  
18 in the strategy for which additional resources are needed;

19 (7) Identification of additional local resources, including public  
20 or private funds, donated goods or services, and other measurable  
21 commitments, that have been committed to the activities identified in  
22 subsection (6) of this section;

23 (8) Identification of activities which address specific  
24 objectives in the strategy for which funding is requested.  
25 Activities should be presented in priority order;

26 (9) Each activity for which funding is requested must be explained  
27 in sufficient detail to demonstrate:

28 (a) Feasibility through deliberative design, specific  
29 objectives, and realistic plan for implementation;

30 (b) A rationale for how this activity will achieve measurable  
31 results and how it will be evaluated;

32 (c) That funds requested are necessary and appropriate to  
33 effectively carry out the activity; and

34 (10) Identification of a fiscal agent meeting state requirements  
35 for each activity proposed for funding.

36 **Sec. 325.** RCW 43.270.060 and 1989 c 271 s 320 are each amended to  
37 read as follows:

1 The (~~governor~~) director of community, trade, and economic  
2 development shall make awards, subject to funds appropriated by the  
3 legislature, under the following terms:

4 (1) In order to be eligible for consideration, applications must  
5 demonstrate, at a minimum:

6 (a) That proposals submitted for funding are based on and address  
7 specific objectives contained in a coordinated strategy of prevention,  
8 treatment, and law enforcement against substance abuse or violence;

9 (b)(i) For applications for substance abuse prevention or  
10 intervention activities, evidence of active participation in  
11 preparation of the proposal and specific commitments to implementing  
12 the community-wide agenda by leadership from at least education, law  
13 enforcement, local government, tribal government, and treatment  
14 entities in the community, and the opportunity for meaningful  
15 involvement from others such as neighborhood and citizen groups,  
16 businesses, human service, health and job training organizations, and  
17 other key elements of the community, particularly those whose  
18 responsibilities in law enforcement, treatment, prevention, or other  
19 community efforts provide direct, ongoing contact with substance  
20 abusers, or those at risk for substance abuse; or

21 (ii) For applications for violence prevention or intervention  
22 activities, evidence of active participation of the community and  
23 specific commitments to implement the community-wide agenda by  
24 leadership from at least education, law enforcement, local government,  
25 and tribal organizations, and the opportunity for meaningful  
26 involvement from others such as neighborhood and citizen groups,  
27 businesses, human service, health and job training organizations, and  
28 other key elements of the community, particularly those that are  
29 involved in violence prevention or intervention activities;

30 (c) That they have met the requirements listed in RCW 43.270.050;

31 (d) Evidence of additional local resources committed to its  
32 strategy totaling at least twenty-five percent of funds awarded under  
33 this section. These resources may consist of public or private funds,  
34 donated goods or services, and other measurable commitments, including  
35 in-kind contributions such as volunteer services, materials, supplies,  
36 physical facilities or a combination thereof; and

37 (e) That the funds applied for, if received, will not be used to  
38 replace funding for existing activities.

1 (2) In order to encourage and reward communities which develop  
2 coordinated or complementary strategies within geographic areas which  
3 correspond to units of government with significant responsibilities in  
4 the area of substance abuse or violence prevention, up to fifty percent  
5 of funds appropriated for the purposes of this chapter may be awarded  
6 on a per capita basis to eligible applications reflecting coordinated  
7 strategy from a county area or group of county areas. The ((governor))  
8 director of community, trade, and economic development may establish  
9 minimum allotments per eligible county areas up to fifteen thousand  
10 dollars; and

11 (3) No less than fifty percent of funds appropriated under this  
12 chapter shall be awarded on a competitive basis for activities by  
13 communities not participating in a county-wide strategy and activities  
14 identified by county-wide strategies but not funded through per capita  
15 grants. Eligible applications will be assessed and compared by a peer  
16 review committee whose members have experience in prevention,  
17 treatment, law enforcement, and other community efforts against  
18 substance abuse or violence using the following criteria:

19 (a) The extent and impact of substance abuse or violence;

20 (b) The extent to which key elements of the community are involved  
21 in and committed to the coordinated strategy;

22 (c) The extent of commitments of local resources to the coordinated  
23 strategy;

24 (d) The extent to which any activities in a community's strategy  
25 offer an innovative approach to a chronic, wide-spread problem.

26 The peer review committee will advise the ((governor)) director of  
27 community, trade, and economic development on the extent to which each  
28 eligible applicant has met these criteria. The ((governor)) director  
29 of community, trade, and economic development will distribute available  
30 funds based on this information.

31 ~~(4) ((The governor shall distribute fifty percent of the initial~~  
32 ~~appropriation for the purposes of this chapter no later than October 1,~~  
33 ~~1989, and the remainder no later than July 1, 1990.~~

34 ~~(5))~~ Activities funded under this section may be considered for  
35 funding in future years, but will be considered under the same terms  
36 and criteria of new activities. Funding under this section shall not  
37 constitute an obligation by the state of Washington to provide ongoing  
38 funding.



1       **Sec. 326.** RCW 43.270.070 and 1989 c 271 s 321 are each amended to  
2 read as follows:

3       The (~~governor~~) director of community, trade, and economic  
4 development shall ask communities for suggestions on state practices,  
5 policies, and priorities that would help communities implement their  
6 strategies against substance abuse or violence. The (~~governor~~)  
7 director of community, trade, and economic development or appropriate  
8 agency officials shall review and respond to those suggestions making  
9 necessary changes where feasible, making recommendations to the  
10 legislature where appropriate, and providing an explanation as to why  
11 suggested changes cannot be accomplished, if the suggestions cannot be  
12 acted upon.

13                                       **2. Shelter for Homeless Youth**

14       NEW SECTION.   **Sec. 327.** (1) The legislature finds that homeless,  
15 unaccompanied youth have essential needs that must be addressed if they  
16 are to be successfully reunited with their families or transitioned  
17 into independent living. The legislature further finds that one of  
18 these essential needs is safe housing.

19       (2) It is the intent of the legislature to facilitate the  
20 establishment and operation of temporary shelters for homeless,  
21 unaccompanied youth in which these youth can be housed safely and  
22 obtain appropriate supportive services.

23       NEW SECTION.   **Sec. 328.** (1) For the period beginning July 1, 1994,  
24 the department of community, trade, and economic development may award  
25 grants and loans to eligible organizations for the development of  
26 facilities that provide housing and related supportive services for  
27 homeless, unaccompanied youth. As used in this section, "eligible  
28 organizations" means organizations eligible for assistance under  
29 chapter 43.185 RCW.

30       (2) The requirements of RCW 43.185.050, 43.185.070, 43.185.080,  
31 43.185.090, and 43.185.120 shall apply to grants or loans made under  
32 this section.

33       (3) The department of community, trade, and economic development,  
34 in cooperation with the department of social and health services and  
35 department of health, shall develop a plan to address the housing and  
36 supportive service needs of homeless, unaccompanied youth using

1 existing federal, state, and local resources and programs. In  
2 developing the housing and supportive services plan required under this  
3 subsection, the departments may consult with homeless youth service  
4 providers, homeless or at-risk youth, and low-income housing  
5 organizations.

6 (4) This section shall expire July 1, 1995.

7 **PART IV - TECHNICAL PROVISIONS**

8 NEW SECTION. **Sec. 401.** (1) For the purposes of sections 311, 317  
9 through 319, 321, and 325 through 327 of this act, "department" and  
10 "department of community, trade, and economic development" mean the  
11 department of community development and "director" and "director of  
12 community, trade, and economic development" mean the director of  
13 community development.

14 (2) This section shall expire July 1, 1994.

15 NEW SECTION. **Sec. 402.** (1) Sections 102 through 104 of this act  
16 are each added to chapter 43.70 RCW.

17 (2) Sections 108 through 113 and 115 through 121 of this act are  
18 each added to chapter 70.190 RCW.

19 (3) Sections 301 and 311 of this act shall constitute a new chapter  
20 in Title 43 RCW.

21 (4) Sections 302 through 308 of this act shall constitute a new  
22 chapter in Title 50 RCW.

23 (5) Sections 318 and 319 of this act shall constitute a new chapter  
24 in Title 43 RCW.

25 NEW SECTION. **Sec. 403.** RCW 43.63A.700 and 43.63A.710 as amended  
26 by this act are each recodified as sections in the new chapter created  
27 by section 402(3) of this act.

28 NEW SECTION. **Sec. 404.** If specific funding for the purposes of  
29 sections 101 through 104 of this act, referencing sections 101 through  
30 104 of this act by bill number and section numbers, is not provided by  
31 June 30, 1994, in the omnibus appropriations act, sections 101 through  
32 104 of this act are null and void.

1        NEW SECTION.    **Sec. 405.**    If specific funding for the purposes of  
2 sections 105 through 125 of this act, referencing sections 105 through  
3 125 of this act by bill number and section numbers, is not provided by  
4 June 30, 1994, in the omnibus appropriations act, sections 105 through  
5 125 of this act are null and void.

6        NEW SECTION.    **Sec. 406.**    If specific funding for the purposes of  
7 sections 126 and 127 of this act, referencing sections 126 and 127 of  
8 this act by bill number and section numbers, is not provided by June  
9 30, 1994, in the omnibus appropriations act, sections 126 and 127 of  
10 this act are null and void.

11       NEW SECTION.    **Sec. 407.**    If specific funding for the purposes of  
12 sections 128 and 129 of this act, referencing sections 128 and 129 of  
13 this act by bill number and section numbers, is not provided by June  
14 30, 1994, in the omnibus appropriations act, sections 128 and 129 of  
15 this act are null and void.

16       NEW SECTION.    **Sec. 408.**    If specific funding for the purposes of  
17 sections 130 and 131 of this act, referencing sections 130 and 131 of  
18 this act by bill number and section numbers, is not provided by June  
19 30, 1994, in the omnibus appropriations act, sections 130 and 131 of  
20 this act are null and void.

21       NEW SECTION.    **Sec. 409.**    If specific funding for the purposes of  
22 section 132 of this act, referencing section 132 of this act by bill  
23 number and section number, is not provided by June 30, 1994, in the  
24 omnibus appropriations act, section 132 of this act is null and void.

25       NEW SECTION.    **Sec. 410.**    If specific funding for the purposes of  
26 sections 202 through 204 of this act, referencing sections 202 through  
27 204 of this act by bill number and section numbers, is not provided by  
28 June 30, 1994, in the omnibus appropriations act, sections 202 through  
29 204 of this act are null and void.

30       NEW SECTION.    **Sec. 411.**    If specific funding for the purposes of  
31 sections 207 and 208 of this act, referencing sections 207 and 208 of  
32 this act by bill number and section numbers, is not provided by June

1 30, 1994, in the omnibus appropriations act, sections 207 and 208 of  
2 this act are null and void.

3 NEW SECTION. **Sec. 412.** If specific funding for the purposes of  
4 sections 302 through 310 of this act, referencing sections 302 through  
5 310 of this act by bill number and section numbers, is not provided by  
6 June 30, 1994, in the omnibus appropriations act, sections 302 through  
7 310 of this act are null and void.

8 NEW SECTION. **Sec. 413.** If specific funding for the purposes of  
9 section 316 of this act, referencing section 316 of this act by bill  
10 number and section number, is not provided by June 30, 1994, in the  
11 omnibus appropriations act, section 316 of this act is null and void.

12 NEW SECTION. **Sec. 414.** If specific funding for the purposes of  
13 section 317 of this act, referencing section 317 of this act by bill  
14 number and section number, is not provided by June 30, 1994, in the  
15 omnibus appropriations act, section 317 of this act is null and void.

16 NEW SECTION. **Sec. 415.** If specific funding for the purposes of  
17 sections 318 and 319 of this act, referencing sections 318 and 319 of  
18 this act by bill number and section numbers, is not provided by June  
19 30, 1994, in the omnibus appropriations act, sections 318 and 319 of  
20 this act are null and void.

21 NEW SECTION. **Sec. 416.** If any provision of this act or its  
22 application to any person or circumstance is held invalid, the  
23 remainder of the act or the application of the provision to other  
24 persons or circumstances is not affected.

25 NEW SECTION. **Sec. 417.** Captions and part and subpart headings as  
26 used in this act do not constitute any part of the law.

27 NEW SECTION. **Sec. 418.** Sections 105 through 125, 301, 311 through  
28 313, 317 through 328, and 401 of this act are necessary for the  
29 immediate preservation of the public peace, health, or safety, or  
30 support of the state government and its existing public institutions,  
31 and shall take effect immediately.

1        NEW SECTION.    **Sec. 419.**    Sections 207 and 208 of this act shall  
2 expire June 30, 1997.

3        NEW SECTION.    **Sec. 420.**    (1) Sections 301 and 311 through 313 of  
4 this act may be known and cited as the community empowerment act.

5        (2) Sections 302 through 308 of this act may be known and cited as  
6 the youthbuild violence prevention act.

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