

VETO MESSAGE ON SB 5710-S2

May 15, 1997

To the Honorable President and Members,  
The Senate of the State of Washington  
Ladies and Gentlemen:

I am returning herewith, without my approval as to sections 2, 3, 4, 6, 8, 14, 20, 36 through 39, 46, 58, 59, 69 and 70, Engrossed Second Substitute Senate Bill No. 5710 entitled:

"AN ACT Relating to reform of social and health services;"

This legislation addresses a number of issues related to services for children and families. I support a number of the proposed measures included in this bill, including the further development of an alternative response system for families in which abuse and neglect is a matter of concern, but not yet a serious danger to the health and safety of the children.

Within the portions of E2SSB 5710 that I have signed, the bill provides the authority to create the position of "Social Worker V" in the Division of Children and Family Services ("DCFS"); further develops an alternative response system of services for families where there has been an indication of child abuse or neglect, but where the risk of danger to the children is regarded as low; provides for a voluntary placement agreement, instead of a termination of parental rights, for families of developmentally disabled children receiving intensive support services; requires the Department of Social and Health Services ("DSHS") to segregate sexually aggressive youth from other populations under the authority of Juvenile Rehabilitation Administration and DCFS; and, extends a tax credit for the construction of facilities for youth in crisis.

#### Sections 2, 3, 4, and 6

I support giving DSHS the flexibility to create a Social Worker V position and to undertake planning for the deployment of those workers. Sections 2, 3, 4 and 6 do not allow for the flexibility to implement these positions within already scarce resources.

#### Section 8

This section, relating to the placement of a child under the care of DCFS, was enacted as part of ESSB 5491, which I have already signed.

#### Sections 14 and 20

I am vetoing sections 14 and 20 which require a transfer of certain developmentally disabled children from DCFS to the Division of Developmental Disabilities ("DDD"). At the same time, I am directing DSHS to begin planning now for the transfer. DSHS will prepare for this transfer to take place as soon as April 1, 1998. When this transfer occurs, the quality of services provided to the developmentally disabled youngsters through DDD and to the child victims of abuse and neglect served by DCFS should both improve.

The transfer will require the provision of sufficient funds to permit DDD to develop the expertise to handle complicated out-of-home placements, and the authority to transfer funds between DSHS divisions to permit an adequate level of care for the children who will be served by DDD. I request the legislature to clearly grant DSHS the necessary budget transfer authority as soon as possible in the next legislative session, so that the transfer may occur.

Sections 36 through 39

These sections attempt to correct erroneous citations in our statutes. However, a wrong citation is stated. It is better to leave in place the current interpretations than to add to the confusion. A part of the necessary corrections were made in ESSB 5491.

Section 46

This section requires child protective services and child welfare services to be provided by different employees. I have vetoed section 46 because it does not allow DSHS the flexibility to make use of a team approach to some of their cases and would also present a problem in small, rural areas where there are a limited number of staff to perform these duties.

Sections 58 and 59

These sections relate to harboring and contributing to the delinquency of a minor. They reiterate the existing law and make no meaningful changes.

Sections 69 and 70

These sections provide effective dates of April 1, 1998 for sections 14 through 19, and July 1, 1997 for sections 7 and 20. By vetoing sections 69 and 70, and with sections 14 and 20 vetoed, sections 7 and 15 through 19 will become effective 90 days after the session. These sections are rendered unnecessary by the other section vetoes.

For these reasons I have vetoed sections 2, 3, 4, 6, 8, 14, 20, 36 through 39, 46, 58, 59, 69 and 70 of Engrossed Second Substitute Senate Bill No. 5710.

With the exception of sections 2, 3, 4, 6, 8, 14, 20, 36 through 39, 46, 58, 59, 69 and 70 Engrossed Second Substitute Senate Bill No. 5710 is approved.

Respectfully submitted,  
Gary Locke  
Governor