

HOUSE BILL REPORT

2SHB 1849

As Passed House:

February 15, 2002

Title: An act relating to a record check of the parks and recreation commission's job applicants, volunteers, and independent contractors.

Brief Description: Requiring the parks and recreation commission to have a record check performed on certain job applicants.

Sponsors: By House Committee on Appropriations (originally sponsored by Representatives Pearson (co-prime sponsor), Jackley (co-prime sponsor), Doumit, Eickmeyer, Rockefeller, Cox, Barlean, Armstrong, Bush and O'Brien; by request of Parks and Recreation Commission).

Brief History:

Committee Activity:

Natural Resources: 1/25/02 [DP];

Appropriations: 2/5/02, 2/7/02 [DP2S(w/o sub NR)].

Floor Activity:

Passed House: 2/15/02, 97-0.

Brief Summary of Second Substitute Bill

- The Parks and Recreation Commission must adopt rules requiring background checks of job applicants, volunteers, and contractors who will be working with children or vulnerable adults, or involved with handling cash or credit card transactions.
- The background check of these individuals must include fingerprinting. The commission must require the destruction of any fingerprints, copies of fingerprints, or their facsimiles after the screening of the prospective job applicant, volunteer, or independent contractor is completed.
- Permanent employees of the commission already on staff when the legislation becomes effective are exempted from the background check requirement.

HOUSE COMMITTEE ON NATURAL RESOURCES

Majority Report: Do pass. Signed by 11 members: Representatives Doumit, Chair;

Rockefeller, Vice Chair; Sump, Ranking Minority Member; Buck, Eickmeyer, Ericksen, Jackley, McDermott, Orcutt, Pearson and Upthegrove.

Staff: Bill Lynch (786-7092).

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Natural Resources. Signed by 24 members: Representatives Sommers, Chair; Doumit, 1st Vice Chair; Fromhold, 2nd Vice Chair; Sehlin, Ranking Minority Member; Alexander, Buck, Clements, Cody, Cox, Dunshee, Grant, Kagi, Kenney, Kessler, Linville, Lisk, Mastin, McIntire, Pearson, Pflug, Ruderman, Schual-Berke, Talcott and Tokuda.

Staff: Jeff Olsen (786-7157).

Background:

Government agencies and other employers are concerned that children and vulnerable adults could potentially be victimized by someone who is an employee, volunteer, or contractor of the agency or employer. In addition, there is always a potential of theft from a person who is responsible for collecting or disbursing cash or processing credit card transactions for the organization. Background checks of these prospective employees, volunteers, and contractors could help identify people who have had a record of improper conduct in the past.

The Parks and Recreation Commission does not have the express authority to require a record check or fingerprinting of prospective employees, volunteers, or contractors under these circumstances.

Summary of Second Substitute Bill:

The commission is required to adopt rules that require a record check and fingerprinting of job applicants, volunteers, and independent contractors who will work with children or vulnerable adults, or who will be responsible for collecting or disbursing money or processing credit card transactions. The record check and fingerprinting will be conducted through the Washington State Patrol criminal identification system and through the Federal Bureau of Investigation.

The commission must require the destruction of any fingerprints, copies of fingerprints, or their facsimiles after the screening of the prospective job applicant, volunteer, or independent contractor is completed. The commission may charge the prospective job applicants, volunteers, and independent contractors for the costs of conducting the record check and fingerprinting.

Permanent employees of the commission who are employed upon the effective date of this legislation are exempt from the record check and fingerprinting requirement.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: (Natural Resources) This legislation is important because it puts some necessary protections in place for kids and vulnerable adults, and is supported by a lot of people. There was a recent incident of a convicted child molester who tried to volunteer in a state park in western Washington, and when he was discovered, moved to eastern Washington and tried to volunteer over there at a park. Requiring background checks is not necessary for all existing employees because they are already performed for all of the agency's law enforcement personnel. There have been a couple of employees that have been let go because of some problems, but the real concern is with checking out the prospective hires.

Testimony For: (Appropriations) This is a public safety bill that protects vulnerable adults and ensures we have the best people working for our State Parks. Background checks protect State Parks against tort claims.

Testimony Against: (Natural Resources) None.

Testimony Against: (Appropriations) None.

Testified: (Natural Resources) Representative Pearson, co-prime sponsor; and Rita Cooper, State Parks and Recreation Commission.

Testified: (Appropriations) Rita Cooper, Washington Parks and Recreation Department.