

# HOUSE BILL REPORT

## SHB 1313

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### As Amended by the Senate

**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 Natural Resources, Ecology & Parks (originally sponsored by Representatives O'Brien, Pearson and Darneille; by request of Parks and Recreation Commission).

#### **Brief History:**

##### **Committee Activity:**

Natural Resources, Ecology & Parks: 2/4/05, 2/15/05 [DPS].

##### **Floor Activity:**

Passed House: 3/8/05, 98-0.

Senate Amended.

Passed Senate: 4/11/05, 49-0.

#### **Brief Summary of Substitute Bill**

- Directs the Parks and Recreation Commission (Commission) to adopt rules that require background checks of job applicants, volunteers, and contractors who have unsupervised access to children or vulnerable adults, or who will be involved with handling cash or credit card transactions.
- Exempts permanent employees of the Commission already on staff when the legislation becomes effective from the background check requirement.

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### HOUSE COMMITTEE ON NATURAL RESOURCES, ECOLOGY & PARKS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives B. Sullivan, Chair; Upthegrove, Vice Chair; Buck, Ranking Minority Member; Kretz, Assistant Ranking Minority Member; Blake, DeBolt, Dickerson, Eickmeyer, Hunt, Orcutt and Williams.

**Staff:** Jeff Olsen (786-7157).

#### **Background:**

The Parks and Recreation Commission (Commission) is responsible for the care and supervision of the State Parks system. The Washington State Patrol conducts background checks and fingerprinting for certain entities that hire persons for positions involving unsupervised access to children and vulnerable adults. The Commission does not have the express authority to require a record check or fingerprinting of prospective employees, volunteers, or contractors under these circumstances.

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**Summary of Substitute Bill:**

The Commission is required to adopt rules that may require a criminal history record information search 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 background check will be conducted through the Washington State Patrol criminal identification system and may include a national check from the Federal Bureau of Investigation. Permanent employees of the commission who are employed upon the effective date of this legislation are exempt from the requirement.

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**EFFECT OF SENATE AMENDMENT(S):**

The Senate amendment authorizes local law enforcement agencies to purchase or lease automatic fingerprint identification systems from any vendor, provided that the system complies with national industry standards for interoperability with the state system operated by the Washington State Patrol.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Testimony For:** State Parks needs to do background checks due to the number of contractors, volunteers, and employees that work around children in the parks and environmental learning centers. Similar legislation has passed the House of Representatives in 2001 and 2003. State Parks employees handle money from the fees it charges, and this is a preventative measure and good public policy.

**Testimony Against:** None.

**Persons Testifying:** Representative O'Brien, prime sponsor; and Fred Romero and Rita Cooper, State Parks and Recreation Commission.

**Persons Signed In To Testify But Not Testifying:** None.