

NEW SECTION. Sec. 6. Section 604, chapter 271, Laws of 1989 and RCW 44.28.170 are each repealed.

Passed the House February 12, 1990.

Passed the Senate March 2, 1990.

Approved by the Governor March 29, 1990, with the exception of certain items which were vetoed.

Filed in Office of Secretary of State March 29, 1990.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to section 1, Second Substitute House Bill No. 2986 entitled:

"AN ACT Relating to minor adjustments to chapter 271, Laws of 1989."

Section 1 of this bill imposes an unnecessary and redundant administrative burden upon the executive in its handling of unanticipated receipts of federal funds. RCW 43.79.260 through 43.79.282 currently provides for the receipt, review, approval, and legislative notification of all unanticipated federal funds.

I recognize the intent of the Legislature to replace, where possible, state funds if unrestricted federal funds are received. It has been executive policy to replace state funds where appropriate. Current law offers adequate control and allows for individual review of all unanticipated receipts.

For this reason, I have vetoed section 1 of Second Substitute House Bill No. 2986.

With the exception of section 1, Second Substitute House Bill No. 2986 is approved."

CHAPTER 276

[Second Substitute Senate Bill No. 6610]

AT-RISK YOUTH

AN ACT Relating to at-risk youth; amending RCW 13.32A.020, 13.32A.030, 13.32A.040, 13.32A.050, 13.32A.090, 13.32A.120, 13.32A.130, 13.32A.140, 13.32A.150, and 13.32A.160; reenacting and amending RCW 13.32A.250; adding new sections to chapter 13.32A RCW; and creating new sections.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. It is the intent of the legislature to:

(1) Preserve, strengthen, and reconcile families experiencing problems with at-risk youth;

(2) Provide a legal process by which parents who are experiencing problems with at-risk youth can request and receive assistance from juvenile courts in providing appropriate care, treatment, and supervision to such youth; and

(3) Assess the effectiveness of the family reconciliation services program.

The legislature does not intend by this enactment to grant any parent the right to file an at-risk youth petition or receive juvenile court assistance in dealing with an at-risk youth. The purpose of this enactment is to create a process by which a parent of an at-risk youth may request and receive

assistance subject to the availability of juvenile court services and resources. Recognizing that these services and resources are limited, the legislature intends that counties have the authority to impose reasonable limits on the utilization of juvenile court services and resources in matters related to at-risk youth. Any responsibilities imposed upon the department under this act shall be contingent upon the availability of funds specifically appropriated by the legislature for such purpose.

Sec. 2. Section 16, chapter 155, Laws of 1979 and RCW 13.32A.020 are each amended to read as follows:

This chapter shall be known and may be cited as the ~~((Procedures for Families in Conflict))~~ Family Reconciliation Act.

Sec. 3. Section 17, chapter 155, Laws of 1979 as amended by section 6, chapter 257, Laws of 1985 and RCW 13.32A.030 are each amended to read as follows:

As used in this chapter the following terms have the meanings indicated unless the context clearly requires otherwise:

- (1) "Department" means the department of social and health services;
- (2) "Child," "juvenile," and "youth" mean any individual who is under the chronological age of eighteen years;
- (3) "Parent" means the legal custodian(s) or guardian(s) of a child;
- (4) "Semi-secure facility" means any facility, including but not limited to crisis residential centers or specialized foster family homes, operated in a manner to reasonably assure that youth placed there will not run away: **PROVIDED**, That such facility shall not be a secure institution or facility as defined by the federal juvenile justice and delinquency prevention act of 1974 (P.L. 93-415; 42 U.S.C. Sec. 5634 et seq.) and regulations and clarifying instructions promulgated thereunder. Pursuant to rules established by the department, the facility administrator shall establish reasonable hours for residents to come and go from the facility such that no residents are free to come and go at all hours of the day and night. To prevent residents from taking unreasonable actions, the facility administrator, where appropriate, may condition a resident's leaving the facility upon the resident being accompanied by the administrator or the administrator's designee and the resident may be required to notify the administrator or the administrator's designee of any intent to leave, his or her intended destination, and the probable time of his or her return to the center. The facility administrator shall notify a parent and the appropriate law enforcement agency within four hours of all unauthorized leaves;
- (5) "At-risk youth" means an individual under the chronological age of eighteen years who:
 - (a) Is absent from home for more than seventy-two consecutive hours without consent of his or her parent;

(b) Is beyond the control of his or her parent such that the child's behavior substantially endangers the health, safety, or welfare of the child or any other person; or

(c) Has a serious substance abuse problem for which there are no pending criminal charges related to the substance abuse.

Sec. 4. Section 18, chapter 155, Laws of 1979 as amended by section 1, chapter 298, Laws of 1981 and RCW 13.32A.040 are each amended to read as follows:

Families who are in conflict or who are experiencing problems with at-risk youth may request family reconciliation services from the department. Such services shall be provided to alleviate personal or family situations which present a serious and imminent threat to the health or stability of the child or family and to maintain families intact wherever possible. Family reconciliation services shall be designed to develop skills and supports within families to resolve problems related to at-risk youth or family conflicts and may include but are not limited to referral to services for suicide prevention, psychiatric or other medical care, or psychological, welfare, legal, educational, or other social services, as appropriate to the needs of the child and the family.

Sec. 5. Section 19, chapter 155, Laws of 1979 as last amended by section 1, chapter 288, Laws of 1986 and RCW 13.32A.050 are each amended to read as follows:

A law enforcement officer shall take a child into custody:

(1) If a law enforcement agency has been contacted by the parent of the child that the child is absent from parental custody without consent; or

(2) If a law enforcement officer reasonably believes, considering the child's age, the location, and the time of day, that a child is in circumstances which constitute a danger to the child's safety; or

(3) If an agency legally charged with the supervision of a child has notified a law enforcement agency that the child has run away from placement; or

(4) If a law enforcement agency has been notified by the juvenile court that the court finds probable cause exists to believe that the child has violated a court placement order issued pursuant to chapter 13.32A RCW or that the court has issued an order for law enforcement pick-up of the child under this chapter.

Law enforcement custody shall not extend beyond the amount of time reasonably necessary to transport the child to a destination authorized by law and to place the child at that destination.

An officer who takes a child into custody under this section and places the child in a designated crisis residential center shall inform the department of such placement within twenty-four hours.

(5) Nothing in this section affects the authority of any political subdivision to make regulations concerning the conduct of minors in public places by ordinance or other local law.

Sec. 6. Section 23, chapter 155, Laws of 1979 as amended by section 7, chapter 298, Laws of 1981 and RCW 13.32A.090 are each amended to read as follows:

(1) The person in charge of a designated crisis residential center or the department pursuant to RCW 13.32A.070 shall perform the duties under subsection (2) of this section:

(a) Upon admitting a child who has been brought to the center by a law enforcement officer under RCW 13.32A.060;

(b) Upon admitting a child who has run away from home or has requested admittance to the center;

(c) Upon learning from a person under RCW 13.32A.080(~~((2))~~) (3) that the person is providing shelter to a child absent from home; or

(d) Upon learning that a child has been placed with a responsible adult pursuant to RCW 13.32A.070.

(2) When any of the circumstances under subsection (1) of this section are present, the person in charge of a center shall perform the following duties:

(a) Immediately notify the child's parent of the child's whereabouts, physical and emotional condition, and the circumstances surrounding his or her placement;

(b) Initially notify the parent that it is the paramount concern of the family reconciliation service personnel to achieve a reconciliation between the parent and child to reunify the family and inform the parent as to the procedures to be followed under this chapter;

(c) Inform the parent whether a referral to children's protective services has been made and, if so, inform the parent of the standard pursuant to RCW 26.44.020(12) governing child abuse and neglect in this state;

(d) Arrange transportation for the child to the residence of the parent, as soon as practicable, at the latter's expense to the extent of his or her ability to pay, with any unmet transportation expenses to be assumed by the department, when the child and his or her parent agrees to the child's return home or when the parent produces a copy of a court order entered under this chapter requiring the child to reside in the parent's home;

(e) Arrange transportation for the child to an alternative residential placement which may include a licensed group care facility or foster family when agreed to by the child and parent at the latter's expense to the extent of his or her ability to pay, with any unmet transportation expenses assumed by the department.

Sec. 7. Section 26, chapter 155, Laws of 1979 and RCW 13.32A.120 are each amended to read as follows:

(1) Where either a child or the child's parent or the person or facility currently providing shelter to the child notifies the center that such individual or individuals cannot agree to the continuation of an alternative residential placement arrived at pursuant to RCW 13.32A.090(2)(e), the center shall immediately contact the remaining party or parties to the agreement and shall attempt to bring about the child's return home or to an alternative living arrangement agreeable to the child and the parent as soon as practicable.

(2) If a child and his or her parent cannot agree to an alternative residential placement under RCW 13.32A.090(2)(e), either the child or parent may file with the juvenile court a petition to approve an alternative residential placement or the parent may file with the juvenile court a petition in the interest of a child alleged to be an at-risk youth under this chapter.

(3) If a child and his or her parent cannot agree to the continuation of an alternative residential placement arrived at under RCW 13.32A.090(2)(e), either the child or parent may file with the juvenile court a petition to approve an alternative residential placement or the parent may file with the juvenile court a petition in the interest of a child alleged to be an at-risk youth under this chapter.

Sec. 8. Section 27, chapter 155, Laws of 1979 as last amended by section 9, chapter 257, Laws of 1985 and RCW 13.32A.130 are each amended to read as follows:

A child admitted to a crisis residential center under this chapter who is not returned to the home of his or her parent or who is not placed in an alternative residential placement under an agreement between the parent and child, shall, except as provided for by RCW 13.32A.140 and 13.32A.160(2), reside in such placement under the rules and regulations established for the center for a period not to exceed seventy-two hours, excluding Saturdays, Sundays, and holidays, from the time of intake, except as otherwise provided by this chapter. Crisis residential center staff shall make a concerted effort to achieve a reconciliation of the family. If a reconciliation and voluntary return of the child has not been achieved within forty-eight hours, excluding Saturdays, Sundays and holidays, from the time of intake, and if the person in charge of the center does not consider it likely that reconciliation will be achieved within the seventy-two hour period, then the person in charge shall inform the parent and child of (1) the availability of counseling services; (2) the right to file a petition for an alternative residential placement ((and)), the right of a parent to file an at-risk youth petition, and the right of the parent and child to obtain assistance in filing the petition; and (3) the right to request a review of ((such a)) any alternative residential placement: PROVIDED, That at no time shall information regarding a parent's or child's rights be withheld if requested: PROVIDED FURTHER, That the department shall develop and distribute

to all law enforcement agencies and to each crisis residential center administrator a written statement delineating such services and rights. Every officer taking a child into custody shall provide the child and his or her parent(s) or responsible adult with whom the child is placed with a copy of such statement. In addition, the administrator of the facility or his or her designee shall provide every resident and parent with a copy of such statement.

Sec. 9. Section 28, chapter 155, Laws of 1979 as amended by section 10, chapter 298, Laws of 1981 and RCW 13.32A.140 are each amended to read as follows:

The department shall file a petition to approve an alternative residential placement on behalf of a child under any of the following sets of circumstances:

(1) The child has been admitted to a crisis residential center or has been placed with a responsible person other than his or her parent, and:

(a) The parent has been notified that the child was so admitted or placed;

(b) Seventy-two hours, including Saturdays, Sundays, and holidays, have passed since such notification;

(c) No agreement between the parent and the child as to where the child shall live has been reached;

(d) No petition requesting approval of an alternative residential placement has been filed by either the child or parent or legal custodian; (~~and~~)

(e) The parent has not filed an at-risk youth petition; and

(f) The child has no suitable place to live other than the home of his or her parent.

(2) The child has been admitted to a crisis residential center and:

(a) Seventy-two hours, including Saturdays, Sundays, and holidays, have passed since such placement;

(b) The staff, after searching with due diligence, have been unable to contact the parent of such child; and

(c) The child has no suitable place to live other than the home of his or her parent.

(3) An agreement between parent and child made pursuant to RCW 13.32A.090(2)(e) or pursuant to RCW 13.32A.120(1) is no longer acceptable to parent or child, and:

(a) The party to whom the arrangement is no longer acceptable has so notified the department;

(b) Seventy-two hours, including Saturdays, Sundays, and holidays, have passed since such notification;

(c) No new agreement between parent and child as to where the child shall live has been reached;

(d) No petition requesting approval of an alternative residential placement has been filed by either the child or the parent; (~~and~~)

(e) The parent has not filed an at-risk youth petition; and

(f) The child has no suitable place to live other than the home of his or her parent.

Under the circumstances of subsections (1), (2), or (3) of this section, the child shall remain in a licensed child care facility, including but not limited to a crisis residential center, or in any other suitable residence to be determined by the department until an alternative residential placement petition filed by the department on behalf of the child is reviewed by the juvenile court and is resolved by such court. The department may authorize emergency medical or dental care for a child placed under this section. The state, when the department files a petition for alternative residential placement under this section, shall be represented as provided for in RCW 13.04.093.

Sec. 10. Section 29, chapter 155, Laws of 1979 as last amended by section 1, chapter 269, Laws of 1989 and RCW 13.32A.150 are each amended to read as follows:

(1) Except as otherwise provided in this section the juvenile court shall not accept the filing of an alternative residential placement petition by the child or the parents or the filing of an at-risk youth petition by the parent, unless verification is provided that a family assessment has been completed by the department. The family assessment shall be aimed at family reconciliation and avoidance of the out-of-home placement of the child. If the department is unable to complete an assessment within two working days following a request for assessment the child or the parents may proceed under subsection (2) of this section or the parent may proceed under subsection (3) of this section.

(2) A child or a child's parent may file with the juvenile court a petition to approve an alternative residential placement for the child outside the parent's home. The department shall, when requested, assist either a parent or child in the filing of the petition. The petition shall only ask that the placement of a child outside the home of his or her parent be approved. The filing of a petition to approve such placement is not dependent upon the court's having obtained any prior jurisdiction over the child or his or her parent, and confers upon the court a special jurisdiction to approve or disapprove an alternative residential placement.

(3) A child's parent may file with the juvenile court a petition in the interest of a child alleged to be an at-risk youth. The department shall, when requested, assist the parent in filing the petition. The petition shall be filed in the county where the petitioning parent resides. The petition shall set forth the name, age, and residence of the child and the names and residence of the child's parents and shall allege that:

(a) The child is an at-risk youth as defined in this chapter;

(b) The petitioning parent has the right to legal custody of the child;

(c) Court intervention and supervision are necessary to assist the parent to maintain the care, custody, and control of the child; and

(d) Alternatives to court intervention have been attempted or there is good cause why such alternatives have not been attempted.

The petition shall set forth facts that support the allegations in this subsection and shall generally request relief available under this chapter. The petition need not specify any proposed disposition following adjudication of the petition. The filing of an at-risk youth petition is not dependent upon the court's having obtained any prior jurisdiction over the child or his or her parent and confers upon the court the special jurisdiction to assist the parent in maintaining parental authority and responsibility for the child. An at-risk youth petition may not be filed if the court has approved an alternative residential placement petition regarding the child or if the child is the subject of a proceeding under chapter 13.34 RCW. A petition may be accepted for filing only if alternatives to court intervention have been attempted or if there is good cause why they were not attempted. Juvenile court personnel may screen all at-risk youth petitions and may refuse to allow the filing of any petition that lacks merit, fails to comply with the requirements of this section, or fails to allege sufficient facts in support of allegations in the petition.

Sec. 11. Section 30, chapter 155, Laws of 1979 as amended by section 2, chapter 269, Laws of 1989 and RCW 13.32A.160 are each amended to read as follows:

(1) When a proper petition to approve an alternative residential placement is filed under RCW 13.32A.120, 13.32A.140, or 13.32A.150 the juvenile court shall: (a) Schedule a date for a fact-finding hearing; notify the parent, child, and the department of such date; (b) notify the parent of the right to be represented by counsel and, if indigent, to have counsel appointed for him or her by the court; (c) appoint legal counsel for the child; (d) inform the child and his or her parent of the legal consequences of the court approving or disapproving an alternative residential placement petition; and (e) notify all parties, including the department, of their right to present evidence at the fact-finding hearing.

(2) Upon filing of an alternative residential placement petition, the child may be placed, if not already placed, by the department in a crisis residential center, foster family home, group home facility licensed under chapter 74.15 RCW, or any other suitable residence to be determined by the department.

(3) If the child has been placed in a foster family home or group care facility under chapter 74.15 RCW, the child shall remain there, or in any other suitable residence as determined by the department, pending resolution of the alternative residential placement petition by the court. Any placement may be reviewed by the court within three court days upon the request of the juvenile or the juvenile's parent.

NEW SECTION. Sec. 12. (1) When a proper at-risk youth petition is filed by a child's parent under RCW 13.32A.120 or 13.32A.150, the juvenile court shall:

(a) Schedule a fact-finding hearing and notify the parent and the child of such date;

(b) Notify the parent of the right to be represented by counsel at the parent's own expense;

(c) Appoint legal counsel for the child;

(d) Inform the child and his or her parent of the legal consequences of the court finding the child to be an at-risk youth; and

(e) Notify the parent and the child of their rights to present evidence at the fact-finding hearing.

(2) Unless out-of-home placement of the child is otherwise authorized or required by law, the child shall reside in the home of his or her parent or in an alternative residential placement approved by the parent. Upon request by the parent, the court may enter a court order requiring the child to reside in the home of his or her parent or an alternative residential placement approved by the parent.

(3) If upon sworn written or oral declaration of the petitioning parent, the court has reason to believe that a child has willfully and knowingly violated a court order issued pursuant to subsection (2) of this section, the court may issue an order directing law enforcement to take the child into custody and place the child in a juvenile detention facility or in a crisis residential center licensed by the department and established pursuant to chapter 74.13 RCW. If the child is placed in detention, a review shall be held as provided in RCW 13.32A.065.

(4) If both an alternative residential placement petition and an at-risk youth petition have been filed with regard to the same child, the proceedings shall be consolidated for purposes of fact-finding. Pending a fact-finding hearing regarding the petition, the child may be placed, if not already placed, in an alternative residential placement as provided in RCW 13.32A.160 unless the court has previously entered an order requiring the child to reside in the home of his or her parent. The child or the parent may request a review of the child's placement including a review of any court order requiring the child to reside in the parent's home. At the review the court, in its discretion, may order the child placed in the parent's home or in an alternative residential placement pending the hearing.

NEW SECTION. Sec. 13. (1) The court shall hold a fact-finding hearing to consider a proper at-risk youth petition. The court may grant the petition and enter an order finding the child to be an at-risk youth if the allegations in the petition are established by a preponderance of the evidence. The court shall not enter such an order if the court has approved an alternative residential placement petition regarding the child or if the child is the subject of a proceeding under chapter 13.34 RCW. If the petition is

granted, the court shall enter an order requiring the child to reside in the home of his or her parent or in an alternative residential placement approved by the parent.

(2) The court may order the department to submit a dispositional plan if such a plan would assist the court in ordering a suitable disposition in the case. If the court orders the department to prepare a plan, the department shall provide copies of the plan to the parent, the child, and the court. If the parties or the court desire the department to be involved in any future proceedings or case plan development, the department shall be provided timely notification of all court hearings.

(3) A dispositional hearing shall be held no later than fourteen days after the court has granted an at-risk youth petition. Each party shall be notified of the time and date of the hearing.

(4) If the court grants or denies an at-risk youth petition, a statement of the written reasons shall be entered into the records. If the court denies an at-risk youth petition, the court shall verbally advise the parties that the child is required to remain within the care, custody, and control of his or her parent.

NEW SECTION. Sec. 14. (1) At the dispositional hearing regarding an adjudicated at-risk youth, the court shall consider the recommendations of the parties and the recommendations of any dispositional plan submitted by the department. The court may enter a dispositional order that will assist the parent in maintaining the care, custody, and control of the child and assist the family to resolve family conflicts or problems.

(2) The court may set conditions of supervision for the child that include:

- (a) Regular school attendance;
- (b) Counseling;
- (c) Participation in a substance abuse treatment program;
- (d) Reporting on a regular basis to the department or any other designated person or agency; and
- (e) Any other condition the court deems an appropriate condition of supervision.

(3) The court may order the parent to participate in counseling services or any other services for the child requiring parental participation. The parent shall cooperate with the court-ordered case plan and shall take necessary steps to help implement the case plan. The parent shall be financially responsible for costs related to the court-ordered plan; however, this requirement shall not affect the eligibility of the parent or child for public assistance or other benefits to which the parent or child may otherwise be entitled. The parent may request dismissal of an at-risk youth proceeding at any time and upon such a request, the court shall dismiss the matter and cease court supervision of the child unless a contempt action is pending in the case. The court may retain jurisdiction over the matter for the purpose

of concluding any pending contempt proceedings, including the full satisfaction of any penalties imposed as a result of a contempt finding.

(4) The court may order the department to monitor compliance with the dispositional order, assist in coordinating the provision of court-ordered services, and submit reports at subsequent review hearings regarding the status of the case.

NEW SECTION. Sec. 15. (1) Upon making a disposition regarding an adjudicated at-risk youth, the court shall schedule the matter on the calendar for review within three months, advise the parties of the date thereof, appoint legal counsel for the child, advise the parent of the right to be represented by legal counsel at the review hearing at the parent's own expense, and notify the parties of their rights to present evidence at the hearing.

(2) At the review hearing, the court shall approve or disapprove the continuation of court supervision in accordance with the goal of assisting the parent to maintain the care, custody, and control of the child. The court shall determine whether the parent and child are complying with the dispositional plan. If court supervision is continued, the court may modify the dispositional plan.

(3) Court supervision of the child may not be continued past one hundred eighty days from the day the review hearing commenced unless the court finds, and the parent agrees, that there are compelling reasons for an extension of supervision. Any extension granted pursuant to this subsection shall not exceed ninety days.

(4) The court may dismiss an at-risk youth proceeding at any time if the court finds good cause to believe that continuation of court supervision would serve no useful purpose or that the parent is not cooperating with the court-ordered case plan. The court shall dismiss an at-risk youth proceeding if the child is the subject of a proceeding under chapter 13.34 RCW.

Sec. 16. Section 14, chapter 298, Laws of 1981 as amended by section 4, chapter 269, Laws of 1989 and by section 16, chapter 373, Laws of 1989 and RCW 13.32A.250 are each reenacted and amended to read as follows:

(1) In all alternative residential placement proceedings and at-risk youth proceedings, the court shall verbally notify the parents and the child of the possibility of a finding of contempt for failure to comply with the terms of ~~((an alternative residential placement order))~~ a court order entered pursuant to this chapter. The court shall treat the parents and the child equally for the purposes of applying contempt of court processes and penalties under this section.

(2) Failure by a party to comply with an order entered under this chapter is a contempt of court as provided in chapter 7.21 RCW, subject to the limitations of subsection (2) of this section.

(3) The court may impose a fine of up to one hundred dollars and imprisonment for up to seven days, or both for contempt of court under this section.

(4) A child imprisoned for contempt under this section shall be imprisoned only in a secure juvenile detention facility operated by or pursuant to a contract with a county.

(5) A motion for contempt may be made by a parent, a child, juvenile court personnel, or by any public agency, organization, or person having custody of the child under a court order adopted pursuant to this chapter.

NEW SECTION. Sec. 17. The department shall conduct a research study of the family reconciliation services program. The research study shall include the following information:

(1) A description of services offered in phase I and phase II and the effectiveness of these services;

(2) The number of youth and families served in family reconciliation services phase I and phase II and outcome of services provided to each youth and family;

(3) Nonclient parent and youth awareness of the family reconciliation services program and their perception of its effectiveness;

(4) The number of referrals to family reconciliation services from law enforcement, juvenile courts, schools, and community agencies and their perception of its effectiveness;

(5) Follow-up contact with a random sample of youth and families receiving family reconciliation services assistance and their perception of the effectiveness of family reconciliation services;

(6) The number of youth referred again after services were terminated and outcome of services provided;

(7) The number of youth and families offered services who refused them and the reason, if known;

(8) The number of youth and families who requested services but were denied based on: (a) Ineligibility or (b) services not available, including a list of those services requested but not available; and

(9) Recommendations for improving services to at-risk youth and families.

The department shall submit a preliminary report by January 1, 1991, and the full research study report by January 1, 1992, to the senate children and family services committee, and the house of representatives human services committee.

NEW SECTION. Sec. 18. Sections 12 through 15 of this act are each added to chapter 13.32A RCW.

NEW SECTION. Sec. 19. If any part of this act is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this act is inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and this finding does not affect the operation of the remainder of this act in its application to the agencies concerned. The rules

under this act shall meet federal requirements that are a necessary condition to the receipt of federal funds by the state.

NEW SECTION. Sec. 20. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 21. If specific funding for the purposes of this act, referencing this act by bill number, is not provided by June 30, 1990, in the omnibus appropriations act, this act shall be null and void.

Passed the Senate March 8, 1990.

Passed the House March 8, 1990.

Approved by the Governor March 29, 1990.

Filed in Office of Secretary of State March 29, 1990.

CHAPTER 277

[Senate Bill No. 6839]

KETTLE RIVER PROTECTION

AN ACT Relating to the protection of the Kettle River; creating new sections; and making an appropriation.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. LEGISLATIVE FINDING—PURPOSE.

It is the intent of the legislature to encourage the communities of this state to join on a regional basis in order to implement the declared policy of this state that rivers of the state which, with their immediate environs, possess outstanding natural, scenic, historic, ecological, and recreational values of present and future benefit to the public shall be preserved in as natural condition as practical.

NEW SECTION. Sec. 2. KETTLE RIVER MANAGEMENT PROGRAM. In accordance with the purpose of this act and pursuant to the applicable provisions of chapter 39.34 RCW, the commissioners of the counties of Ferry and Stevens of the state of Washington, in consideration for the appropriation granted under section 3 of this act, shall agree to adopt and implement a management program for lands on that section of the Kettle River flowing through or adjacent to the counties of Ferry and Stevens of the state of Washington, which river section possesses the characteristics under section 1 of this act. To the extent requested by the counties, the state parks and recreation commission shall provide technical assistance in the development of the management program. The counties shall submit an agreed upon program to the commission no later than January 1, 1991, for review and comment. The state parks and recreation commission shall review and provide comments on the program no later than March 31, 1991. After receiving comments from the commission, the