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SENATE FINANCE COMMITTEE REPORT

DATE: 3/14/90

FURTHER:

DATE TURNED INTO OFFICE: 3/16/90

The Finance Committee considered

SB 332

"An Act relating to records of missing children; and to records of certain children enrolled or transferred as students."

and recommended:

replace with _____ CS _____
 or adopt _____ ~~CS SB 332 (S.A.)~~ _____
 attached amendment(s)
 _____ letter of intent adopted

same title
 new title
 technical title change (HB only)

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

ATTACHES NEW FISCAL NOTE(S):
Dept/Date:

fiscal note(s) _____

zero fiscal note(s) _____

appropriation-no fiscal note

APPROVES PREVIOUS:

Dept/Date:

fiscal note(s) _____

zero fiscal note(s) DHSS 2/27/90
DPS 3/11/90

SIGNING DO PASS:

Adrian
Paul Frank

OTHER RECOMMENDATIONS:

J. Duncan - No Rec

Paul Kelly (DO PASS)

1.

2.

Co-Chairs: Signatures and Recommendations

W/O SFC 3-16-90

STATE OF ALASKA
1990 LEGISLATIVE SESSION

BILL VERSION: CSSB 332 (SA) (b)
PUBLISH DATE: 3/14/90

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: Flagging Records of Missing Children
Sponsor: Senator Uehling, etc.
Requestor: Senate HESS

Agency Affected: Public Safety
BRU: Alaska State Troopers
Component: Detachment & C.I.B.

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER/PROG RCPT						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

No significant fiscal impact upon the Department of Public Safety is anticipated.

*JAR
3/1/90*

Prepared by: Francis C. Allan
Division: Alaska State Troopers

Phone: 269-5691
Date: 03/01/90

Approved by Commissioner: SA H. English
Agency: Department of Public Safety

Date: 3-1-90
Page 1 of 1

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Health & Social Services
 Title: Relating to records of missing children BRU: _____
 Sponsor: Senator Uehling Components: _____
 Requestor: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY92	FY93	FY94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

FY90 Fiscal Impact is "0".

Prepared by: Katherine Kelley, Director *[Signature]*
 Division: Public Health

Phone: 465-3090

Date: 2/27/90

Approved by Commissioner: Myra M. Munson *[Signature]*
 Agency: Department of Health and Social Services

Date: _____

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

Original sponsor(s): SEN. UEHLING, Kelly, Halford, Duncan, Jones, Coghill,
Faiks, Sturgulewski, Rodey

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE
2 CS FOR SENATE BILL NO. 332 (State Affairs)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to records of missing children; and
7 to records of certain children transferred as stu-
8 dents."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 14.30 is amended by adding new sections to read:

11 ARTICLE 9. RECORDS OF CERTAIN MISSING OR TRANSFERRED CHILDREN.

12 Sec. 14.30.700. RECORDS OF MISSING CHILDREN. Upon notification
13 by the Department of Public Safety of a child's disappearance, a
14 school or school district in which the child is currently or was
15 previously enrolled shall flag the school record of that child in a
16 manner that, when a copy or information regarding the record is re-
17 quested, the school or school district shall be alerted to the fact
18 that the record is that of a missing child. The school or school
19 district shall immediately report to the Department of Public Safety a
20 request regarding flagged records, including any knowledge as to the
21 whereabouts of the child. Upon notification by the Department of
22 Public Safety that the person who was listed as a missing child has
23 been found, the school or school district shall remove the flag from
24 the person's record.

25 Sec. 14.30.710. REQUIRED RECORDS UPON TRANSFER. Within 14 days
26 after enrolling a child as a transfer student from this or another
27 state in an elementary or secondary school, the school or school
28 district shall request directly from the child's previous school a
29 certified copy of the child's record. An elementary or secondary

1 school or a school district in this state requested to forward a copy
2 of a transferring child's record to another school shall comply with
3 the request within 10 days after receiving the request unless the
4 record has been flagged under AS 14.30.700. Upon receipt of a request
5 for a record that has been flagged, the school or school district
6 shall immediately notify the Department of Public Safety. Unless
7 directed to do so by the Department of Public Safety, a school or a
8 school district may not forward a copy of a flagged record.

9 Sec. 14.30.720. DEFINITIONS. In AS 14.30.700 - 14.30.720,

10 (1) "child" means a person under 18 years of age;

11 (2) "school district" means a municipal school district or
12 a regional educational attendance area.

13 * Sec. 2. AS 18.50 is amended by adding a new section to read:

14 Sec. 18.50.315. RECORDS OF MISSING CHILDREN. (a) Upon receiv-
15 ing notification by the Department of Public Safety or another law
16 enforcement agency that a child born in this state is missing, the
17 Bureau of Vital Statistics shall flag the birth certificate record of
18 the missing child in a manner that alerts the bureau to the fact that
19 the record is that of a missing child when a copy of that birth certi-
20 ficate or information regarding that birth certificate is requested.
21 Upon notification by the department that the person who was listed as
22 a missing child has been found, the bureau shall remove the flag from
23 the person's birth certificate record.

24 (b) The bureau may not provide a copy of a birth certificate or
25 information concerning the birth record of a person whose record is
26 flagged under (a) of this section, except as provided in this section.

27 (c) When a copy of a flagged birth certificate is requested, the
28 bureau shall immediately notify the Department of Public Safety. If a
29 flagged record is requested in person, the bureau shall record the

1 name, address, and telephone number of the person making the request.
2 The bureau may only provide a copy of the requested birth certificate
3 by mail.

4 (d) In this section,

5 (1) "child" means a person under 18 years of age;

6 (2) "law enforcement agency" has the meaning given in
7 AS 12.36.090.

8 * Sec. 3. AS 47.10.141 is amended by adding new subsections to read:

9 (d) If, after investigation of a report of a missing minor, a
10 law enforcement agency has reason to believe that the minor is invol-
11 untarily absent from the custody of a custodial parent or guardian,
12 the department shall notify the Bureau of Vital Statistics of the
13 disappearance and shall provide the bureau with a description of the
14 minor. The description of the minor must include, if known, the
15 minor's full name, date and place of birth, parent's names, and
16 mother's maiden name. If the Department of Public Safety has reason
17 to believe that the minor, whether born in this state or not, has been
18 enrolled in a specific school or school district in the state, the
19 department shall also notify the last known school or school district
20 attended in the state by the missing minor of the disappearance. When
21 a person who was listed as a missing minor is found, the Department of
22 Public Safety shall notify the Bureau of Vital Statistics and any
23 school or school district previously informed of the person's disap-
24 pearance.

25 (e) In this section, "law enforcement agency" has the meaning
26 given in AS 12.36.090.

SB 332 Testimony for Senate Finance

SB 332 IS A SIMPLE PIECE OF LEGISLATION DESIGNED TO AID LAW ENFORCEMENT AGENCIES ATTEMPTING TO LOCATE MISSING CHILDREN.

IT IS HARD TO IMAGINE ANYTHING THAT IS MORE DEVASTATING TO A FAMILY THAN TO KNOW THAT THEIR CHILD IS MISSING. I AM COMMITTED TO ANY REASONABLE ACTION THAT WILL ASSIST THOSE FAMILIES FIND THEIR CHILDREN AND END THE PAIN THEY ENDURE.

SB 332 REQUIRES THE DEPARTMENT OF PUBLIC SAFETY TO HAVE RECORDS OF MISSING CHILDREN FLAGGED AT ALASKA SCHOOLS AND THE BUREAU OF VITAL STATISTICS SO THAT SUBSEQUENT ATTEMPTS TO CLAIM RECORDS OF THAT CHILD WILL ALERT THE AUTHORITIES. THIS LEGISLATION WILL NOT GUARANTEE THE RECOVERY OF MISSING CHILDREN, BUT IT WILL MAKE IT MUCH HARDER FOR CHILD ABDUCTORS TO PUT MISSING CHILDREN INTO ALASKA SCHOOLS.

I WORKED WITH THE STATE AFFAIRS COMMITTEE TO DRAFT A COMMITTEE SUBSTITUTE THAT RESPONDS TO THE LEGITIMATE SUGGESTIONS MADE BY THE DEPARTMENTS OF PUBLIC SAFETY AND HEALTH AND SOCIAL SERVICES. I SUPPORT THE BILL BEFORE THE COMMITTEE TODAY, AS DO THE DEPARTMENTS. THE BILL HAS TWO ZERO FISCAL NOTES.

Senator Rick Uehling

Downtown, Elmendorf, Northeast Anchorage



Memorandum

February 28, 1990

Co-Chairman, Senate Finance Committee
International Trade & Tourism Committee
State Affairs Committee

To: Senator Pat Pourchot
Chairman, Senate State Affairs Committee

From: Senator Rick Uehling *RUE*
Co-Chairman, Senate Finance Committee

re: Explanation of Changes in Proposed CS for SB 332

In response to recommendations from the Departments of Public Safety and Health and Social Services I drafted a proposed Committee Substitute for SB 332, an act relating to records of missing children and to records of certain children transferred as students.

I believe the changes made in the proposed CS are positive and add to the effectiveness of this legislation. The changes are :

Section 1. 14.30.710. I have asked that subsection (a) be deleted. I think this tightens up the bill and will prevent unproductive paper shuffling between the Dept of Public Safety, the Bureau of Vital Statistics and Alaska schools. It also eliminates the provision that would lead to DPS investigations of parents who, for whatever reason, do not submit the appropriate records for their child when the child enters a new school.

The last of sentence of the original bill was deleted in lieu of the sentences added in the proposed CS. This addition will make it possible for schools to send flagged records if this will assist a law enforcement agency's investigation.

Section 2. 18.50.315. I have added language to the second line of this section making it possible for law enforcement agencies other than the DPS to request that records at the Bureau of Vital Statistics be flagged.

In subsection (c) of this section I have modified the list of information to be requested of people attempting to gain copies of birth certificates of children with flagged records. The modified list includes the information normally requested by the Bureau of Vital Statistics.

Section 3. 47.10.141. In the first sentence of this section I have added language that allows the Department to determine that record flagging at schools and the Bureau of Vital Statistics will be in the best interests of the investigation of a missing child. If the Department determines that the procedures set out in Sections 1 and 2 would not be of use to their investigation then the Department would not be obliged to carry them out.

Further in 47.10.141 the description of the child required to be sent to the Bureau of Vital Statistics has been modified to include the specific information necessary for the Bureau to accurately flag the correct records.

Thank you for your consideration of these changes to SB 332. Please contact Mike Abbott of my staff if you have any questions regarding this proposal.

RU/ma

Backup materials for SB 332, Missing Kids

- 1) Sectional Analysis of SB 332
- 2) December 1, 1989 letter from Child Find of America, Inc
endorsing SB 332
- 3) January 23, 1990 letter from National Center for Missing and
Exploited Children endorsing SB 332

Senator Rick Uehling

Downtown, Elmendorf, Northeast Anchorage



Co-Chairman, Senate Finance Committee
International Trade & Tourism Committee
State Affairs Committee

AN ACT RELATING TO RECORDS OF MISSING CHILDREN; AND TO RECORDS OF CERTAIN CHILDREN ENROLLED OR TRANSFERRED AS STUDENTS

Sectional Analysis

Section 14.30.700. RECORDS OF MISSING CHILDREN.

When a child is declared missing, the Department of Public Safety will notify the school in which the child is currently or was previously enrolled to alert them of the child's disappearance. The school will then flag the child's record. If anyone requests a copy or information concerning the flagged record, the school will immediately report it to the Department of Public Safety. When a missing child has been found, the Department of Public Safety will notify the school(s) and the flag will be removed from the child's record.

Section 14.30.710. REQUIRED RECORDS UPON ENROLLMENT OR TRANSFER.

(a) When a child is enrolled for the first time in an elementary or secondary school in the state, the school will require a certified copy of the child's birth certificate as proof of identity which must be submitted to the school within 30 days after the child is enrolled. If the person enrolling a child fails to submit this documentation within the 30-day period, the school will notify the Department of Public Safety.

(b) When a child transfers to an elementary or secondary school the school will request directly from the child's previous school a certified copy of the child's record. The school shall request this documentation within 14 days after enrolling the child as a transfer student. An elementary or secondary school in this state requested to forward a copy of a transferring child's record to another school shall comply with the request within 10 days unless the child's record has been flagged under AS 14.30.700. A school may not forward a copy of a flagged record and shall notify the Dept. of Public Safety of the request.

Section 14.30.720. DEFINITION.

A child is defined as a person under 18 years of age.

Section 18.50.315. RECORDS OF MISSING CHILDREN.

(a) When a child born in the state is declared missing, the Department of Public Safety will notify the Bureau of Vital Statistics. Vital Statistics will then flag the birth certificate record of the missing child. When a missing child has been found, the Department of Public Safety will notify Vital Statistics and the flag will be removed from the birth certificate record.

(b) Vital Statistics may not provide a copy of a flagged birth certificate or information regarding a flagged birth certificate, except as provided in this section.

(c) When a copy of a flagged birth certificate is requested, the Bureau of Vital Statistics shall immediately notify Public Safety. If the request for information is made in person, the bureau will record the person's names, address, telephone number, and social security number, and will photocopy that person's driver's license.

(d) For purposes of this section, a child is defined as a person under 18 years of age.

Sec. 3. Adds a new subsection (d) to AS 47.10.141.

(d) Requires the Department of Public Safety to notify the Bureau of Vital Statistics of the disappearance and provide a description of a missing child born in Alaska. If the Department of Public Safety has reason to believe that a missing child (whether born in Alaska or not) has been enrolled in a specific Alaskan school, the department will also notify the last known school attended by the missing child of the disappearance. When a missing child is found the Department of Public Safety will notify Vital Statistics and any school which was previously informed of the child's disappearance.



NATIONAL
CENTER FOR
MISSING
& EXPLOITED
CHILDREN

2101 Wilson Boulevard • Suite 550 • Arlington, VA 22201
703/235-3900

The Honorable Rick Uehling
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

January 23, 1990

Dear Senator Uehling:

The National Center has recently received a copy of S.B. 332, entitled "An Act relating to records of missing children; and to records of certain children enrolled or transferred as students." This office was pleased to assist you in the development of this legislation. The National Center for Missing and Exploited Children strongly supports this type of legislation.

If we can be of any further assistance, please do not hesitate to call on us.

Sincerely,

Paulette L. Stevens

Paulette L. Stevens
Legislative Specialist

President and Chief Executive Officer
ERNEST E. ALLEN

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**CHILD FIND
OF AMERICA INC.®**

7 INNIS AVENUE / PO BOX 277 / NEWPALTZ, NY 12561-9277
914-255-1848 FAX 914-255-5706

DEC 13 1989

December 1, 1989

Senator Rick Uehling
PO Box V
Juneau, AK 99811

Dear Senator Uehling:

I am pleased to offer my support for your senate bill to provide for the flagging of school records of missing children.

Because most abducted children eventually are put in school, tracking the movement of school records is a proven tool in the search for missing children. Your bill requiring notification of the Department of Public Safety when the transfer of school records is requested would be an expeditious way to make even better use of this tool.

Thanks for your efforts on behalf of this important issue. If we can be of further assistance in support of your bill please do not hesitate to call on us.

Sincerely,

Carolyn Zogg
Executive Director

CZ/jrm

cc: State Senator Charles D. Cook, R-40
Assemblyman Maurice D. Hinchey, Jr., D-101