

SB

27

HFIN

FILE

(11)

HOUSE COMMITTEE REPORT

Date Referred to Committee: April 28, 1999

FURTHER REFERRALS:

Date of Committee Action: 4/29/99

The FINANCE Committee considered:

CSSB 27(FIN)

CS FOR SENATE BILL NO. 27(FIN)

ACCESS TO DRIVING/SCHOOL RECORDS OF CHILD

"An Act relating to school records and driver license records of certain children."

recommends it be replaced with the following committee substitute _____ the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

fiscal note(s) _____

^{Senate} fiscal note(s) DOE 2/25/99
(Indeterminate)

zero fiscal note(s) _____

^{Senate} zero fiscal note(s) DOA 2/25/99

SIGNING WITH RECOMMENDATIONS		DP	DNP	NR	AM
<i>Gene Therriault</i>	Therriault	X			
<i>Tom Bunde</i>	Bunde			✓	
<i>Wm Kohring</i>	Kohring	X			
<i>Alvin Austerman</i>	Austerman			X	
<i>Al Davies</i>	Davies			X	
<i>Ben Grussendorf</i>	Grussendorf			X	
<i>Joseph Moses</i>	Moses			X	
<i>John Davis</i>	Davis	X			
<i>Wm Williams</i>	Williams	X			
<i>John Foster</i>	Foster	X			

CHAIR'S SIGNATURE

Gene Therriault
Therriault

FISCAL NOTE

**STATE OF ALASKA
1999 LEGISLATIVE SESSION**

BILL NO. SB27

Revision Date/Time (Note if correction)	Dept. Affected	Education
Title <u>School Records and Driver</u>	BRU	<u>Teaching and Learning Support</u>
<u>License Records of Certain Children</u>	Component	
Sponsor <u>Senator Leman</u>		
Requester	Component Serial No.	

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
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 EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY99) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Section 1 of this bill directs districts to provide a copy of a child's record, upon the request of a parent or guardian of a child under 18 years of age currently, or previously, enrolled in a school district.

* It is impossible to determine what the cost to the school districts will be.

Prepared by	Barbara Thompson	Phone	465-8727
Division	Teaching and Learning Support	Date/Time	2/12/99 1:43 PM
Approved by Commissioner:	Shirley J. Holloway, Ph.D.	Date	2/19/99
Agency	Department of Education		

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FISCAL NOTE

STATE OF ALASKA
1999 LEGISLATIVE SESSION

BILL NO. CSSB 27 (HES)

Revision Date: 2/26/99
 Title: An Act relating to school records and driver license records of certain children
 Sponsor: Senator Leman
 Requestor: (S) FIN

Department Affected: Administration
 BRU: Motor Vehicles
 Component: _____
 COMPONENT SERIAL NO. 2348

Expenditures/Revenues: (Thousands of Dollars)
 Note: Amounts do not include inflation unless otherwise noted below

OPERATING EXPENDITURES	FY 2000	FY 2001	FY2002	FY 2003	FY 2004	FY 2005
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 EXPENDITURES						
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CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 99) cost: \$ _____

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

This bill allows parents who are financially responsible for the actions of a minor driver to obtain the driving record of that minor. This bill has no fiscal impact on DMV.

Prepared by: Charles R. Hosack
 Division: Motor Vehicles

Phone: 269-5559
 Date: _____

Approved by Commissioner: Robert Poe Jr.
 Agency: Department of Administration

Date: 3/1/99

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Sponsor Statement - CS for SB 27 (FIN)

"An Act relating to school records and driver license records of certain children."

Senate Bill 27 ensures parents will have access to important records about their minor children, and also requires school districts to share information with other districts about potentially dangerous transfer students.

The Division of Motor Vehicles will not allow a parent or legal guardian to review a minor's driving record. AS 28.15.151(f) declares that "information and records under this section are... confidential and private." An exception in the law allows DMV to provide a certified abstract of an individual's driving record to a municipal, state, or federal administrative or judicial agency. However, no exception exists to allow parental access.

Denying parents this information is unfair and nonsensical given that state law requires a parent or legal guardian to sign a minor's application for a driver's license. Furthermore, state law holds the parent or guardian who signed the application liable for any damage caused by negligence or wilful misconduct of the minor while operating a motor vehicle [AS 28.15.071(b)].

A driving record includes information that could help parents determine whether their child is driving safely: accident reports; convictions of vehicle, driver, and traffic offenses; and any actions taken upon the driver's license, such as suspension.

SB 27 also requires school districts to make copies of a minor child's school record available to parents. Although most districts in Alaska voluntarily make school records available, parents have no explicit right under state law to review this information. However, it is the federal government's policy to deny funding to any educational agency or institution that denies parental access to school records. SB 27 adds clarity to Alaska law by clearly stating that parents have this right.

Finally, SB 27 requires school districts to transfer certain information about a child who moves from one school district to another. If a student has committed an offense that is punishable as a felony, or if the student has committed any offense involving the use of a deadly weapon, this information must be included in the student record information that follows the child from one district to another. This provision will help school districts protect their students from potentially dangerous young offenders.

Public officials are often heard imploring parents to become more involved in the lives of their children. However, rather than helping parents do their job, government sometimes creates obstacles. By removing a few of these legal impediments, SB 27 takes a small step toward helping parents meet their responsibilities.

Prepared by Mike Pauley, Staff Aide to Senator Loren Lemman (465-3841)
Last updated: March 25, 1999