

**SB**

**27**

SFIN

FILE

# SENATE FINANCE COMMITTEE REPORT

DATE: 2/25/99

FURTHER: REPORTED OUT OF  
SFC 3/17/99

DATE TURNED  
IN TO OFFICE: 3/17/99

Finance Committee considered

SENATE BILL NO. 27

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

and recommends:

- be replaced with \_\_\_\_\_ CS SB 27 ( FIN )
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ ( \_\_\_\_\_ )
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to the \_\_\_\_\_ Committee

- Senate Bill:**
- same title
  - new title
- House Bill:**
- same title
  - technical title
  - new: SCR# \_\_\_\_\_

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Paul E. Kieja</i>	✓	<i>Ed Adams</i>	X		
<i>Linda Green</i>	✓				
<i>Thomas D. Leman</i>	✓				
<i>Gary Wilkie</i>	✓				
Co-Chair: <i>John Ferguson</i>	✓	Co-Chair:			
Co-Chair: <i>Sean P. Parnell</i>	✓	Co-Chair:			

**NEW FISCAL NOTE(S):**

Department                      Date              Zero              Fiscal


**PREVIOUS FISCAL NOTE(S):\***

Department                      Date              Zero              Fiscal

Education	2/19/99	P	
Admin	2/19/99	O	

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

# FISCAL NOTE No. 2

3/17/99

STATE OF ALASKA  
1999 LEGISLATIVE SESSION

Bill Version: SB 27

(S) Publish Date: 2-25-99

Revision Date/Time (Note if correction) \_\_\_\_\_ Dept. Affected Education  
 Title School Records and Driver BRU Teaching and Learning Support  
 License Records of Certain Children \_\_\_\_\_ Component \_\_\_\_\_  
 Sponsor Senator Leman \_\_\_\_\_  
 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	*	*	*	*	*	*
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

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 (Specify Type)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

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**

No. 1 3/17/99  
 Bill Version: SB 27  
 (S) Publish Date: 2-25-99

Revision Date: \_\_\_\_\_  
 Title: An Act relating to school records and driver license  
records of certain children  
 Sponsor: Senator Leman  
 Requestor: (S) HES

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						
<b>TOTAL OPERATING</b>	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

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						
<b>TOTAL</b>	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: 2/19/99

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SENATE FINANCE  
COMMITTEE

Amendment Number: 2  
Bill Number: CS SB 27(HES)  
Sponsor: Torgerson Date: 3/17/99  
Logger In By: Mindy

AMENDMENT

OFFERED IN THE SENATE  
TO: CSSB 27(HES)

BY SENATOR TORGERSON  
*moved by Wilken  
w/o obj. ADOPTED*

1 Page 1, following line 12:

2 Insert a new bill section to read:

3 **“\*Sec. 2. AS 14.30.710 is amended to read:**

4 **Sec. 14.30.710. Required records upon transfer.** Within 14 days after  
5 enrolling a child as a transfer student from this or another state in an elementary or  
6 secondary school, the school or school district shall request directly from the child's  
7 previous school a certified copy of the child's record. An elementary or secondary  
8 school or a school district in this state requested to forward a copy of a transferring  
9 child's record to another school shall comply with the request within 10 days after  
10 receiving the request unless the record has been flagged under AS 14.30.700. Upon  
11 receipt of a request for a record that has been flagged, the school or school district shall  
12 immediately notify the Department of Public Safety. Unless directed to do so by the  
13 Department of Public Safety, a school or a school district may not forward a copy of a  
14 flagged record. **In this section, "record" includes information about the child's**  
15 **commission of an offense that is punishable as a felony or that involved the use of**  
16 **a deadly weapon, as that term is defined in AS 11.81.900(b).”**

17 Renumber the following <sup>bill</sup> ~~bill~~ section accordingly.

*Sen. Leman - latitude for tech. title change*

SENATE FINANCE COMMITTEE  
**1999 COMMITTEE ACTION**

<b>Bill Number</b>	SB 27
<b>Amendment</b>	# 2
<b>Motion</b>	adopt
<b><u>Motion by</u></b>	Wilken
<b><u>Objection</u></b>	none
<b><u>Objection by</u></b>	
<b><u>Removed</u></b>	
<b><u>Second Objection by</u></b>	
<b><u>Committee Member</u></b>	<b><u>Vote</u></b>
Senator Randy Phillips	
Senator Dave Donley	
Senator Loren Leman	
Senator Al Adams	
Senator Gary Wilken	
Senator Pete Kelly	
Senator Lyda Green	
Co-Chair Sean Parnell	
Co-Chair John Torgerson	
<b><u>Tally</u></b>	
Yea	0
Nay	0
Absent	0
<b><u>MOTION</u></b>	adopt

# A FAX

## Alaska State Legislature

Date: 3/17/99

To: Peggy, Legal Services

Fax #: 2029 Phone #: 2450

From: Terry, SFC Secretary

Phone #: 2618

Re: your work number 1-L0102\G please incorporate  
attached amend. #2 for final FIN ES SB 27.  
Committee agreed to tech. title change if necessary.

Thanks &  
Happy St. Paddy's!

Following this page, please find 1 page(s). If this does not reach you in full, please inform us ASAP.



# THANK YOU

OFFERED IN THE SENATE  
TO: CSSB 27(HES)

BY SENATOR TORGERSON  
*withdrawn by Wilton*

1 Page 1, line 1, following "children":

2 Insert "; and relating to the disclosure of information about delinquent minors"

3 Page 2, following line 10:

4 Insert a new bill section to read:

5 "\* Sec. 3. AS 47.12.310(b) is amended to read:

6 (b) A state or municipal agency or employee shall disclose

7 (1) [SHALL DISCLOSE] information regarding a case to a federal,  
8 state, or municipal law enforcement agency for a specific investigation being  
9 conducted by that agency; and

10 (2) [SHALL DISCLOSE] appropriate information regarding a case to

11 (A) a guardian ad litem appointed by the court;

12 (B) a person or an agency requested by the department or the  
13 minor's legal custodian to provide consultation or services for a minor who is  
14 subject to the jurisdiction of the court under this chapter as necessary to enable  
15 the provision of the consultation or services;

16 (C) school officials at the school where the minor is enrolled  
17 and at the school to which the minor transfers as may be necessary to  
18 protect the safety of the minor who is the subject of the case and the safety  
19 of school students and staff or to enable the school to provide appropriate  
20 counseling and supportive services to meet the needs of a minor about whom  
21 information is disclosed; information about the minor's alleged commission  
22 of an offense that is punishable as a felony or that involved the use of a  
23 deadly weapon, as that term is defined in AS 11.81.900(b), must be  
24 disclosed under this subparagraph:

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(D) a governmental agency as may be necessary to obtain that agency's assistance for the department in its investigation or to obtain physical custody of a minor;

(E) a law enforcement agency of this state or another jurisdiction as may be necessary for the protection, rehabilitation, or supervision of any minor or for actions by that agency to protect the public safety;

(F) a victim or to the victim's insurance company as may be necessary to inform the victim or the insurance company about the arrest of the minor, including the minor's name and the names of the minor's parents, copies of reports, or the disposition or resolution of a case involving a minor;

(G) the state medical examiner under AS 12.65 as may be necessary to perform the duties of the state medical examiner; and

(H) foster parents or relatives with whom the child is placed by the department as may be necessary to enable the foster parents or relatives to provide appropriate care for the child who is the subject of the case, to protect the safety of the child who is the subject of the case, and to protect the safety and property of family members and visitors of the foster parents or relatives."

SENATE FINANCE COMMITTEE  
**1999 COMMITTEE ACTION**

Bill Number	SB 27
Amendment	#1
Motion	<del>Adopt</del> - fadopt
<u>Motion by</u>	Wilken
<u>Objection</u>	
<u>Objection by</u>	
<u>Removed</u>	
<u>Second Objection by</u>	
<u>Committee Member</u>	<u>Vote</u>
Senator Randy Phillips	
Senator Dave Donley	
Senator Loren Leman	
Senator Al Adams	
Senator Gary Wilken	
Senator Pete Kelly	
Senator Lyda Green	
Co-Chair Sean Parnell	
Co-Chair John Torgerson	
<u>Tally</u>	
Yea	0
Nay	0
Absent	0
<u>MOTION</u>	Withdrawn

3/16 moved for adoption  
Sen. Torgerson explained  
meeting adjourned for conference committee

3/17 W/drawn



# SENATOR LOREN LEMAN

Northwest Anchorage

716 W 4th Ave, Suite 520, Anchorage, AK 99501 (907) 258-8189  
Web Site: <http://www.akrepublicans.org/Leman.htm>

Session: State Capitol, Juneau, AK 99801 (907) 465-2095  
Email: [Senator\\_Loren\\_Leman@legis.state.ak.us](mailto:Senator_Loren_Leman@legis.state.ak.us)

## Sponsor Statement - CS for SB 27 (HES)

### **"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, specifically driving records and school records.

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 the 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.

Policymakers are constantly urging parents to become more involved in the lives of their children. By removing a legal impediment, SB 27 takes a small step toward helping parents meet their responsibilities.

SENATE FINANCE COMMITTEE

SIGN-IN

**SB 27-ACCESS TO DRIVING/SCHOOL RECORDS OF CHILD**

NAME: John Gyo Subject/Bill No: SB 27  
Co./Dept./Title: NEA-AR Phone: 586-3090  
Address: Juneau Zip: \_\_\_\_\_

Do you wish to testify?  Yes  No  Respond To Questions

NAME: George Buhite Subject/Bill No: SB 27  
Co./Dept./Title: Youth Corrections DFYS Phone: 465 2201  
Address: A Juneau Zip: \_\_\_\_\_

Do you wish to testify?  Yes  No  Respond To Questions

NAME: \_\_\_\_\_ Subject/Bill No: \_\_\_\_\_  
Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Do you wish to testify?  Yes  No  Respond To Questions

NAME: \_\_\_\_\_ Subject/Bill No: \_\_\_\_\_  
Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Do you wish to testify?  Yes  No  Respond To Questions

SENATE FINANCE COMMITTEE

SIGN-IN

SB 27-ACCESS TO DRIVING/SCHOOL RECORDS OF CHILD

NAME: Parroll Hargraves Subject/Bill No: SB-27  
Co./Dept./Title: Executive Director Phone: 586-9702  
Address: Junction Zip: \_\_\_\_\_

Do you wish to testify?  Yes  No  Respond To Questions

NAME: \_\_\_\_\_ Subject/Bill No: \_\_\_\_\_  
Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Do you wish to testify?  Yes  No  Respond To Questions

NAME: \_\_\_\_\_ Subject/Bill No: \_\_\_\_\_  
Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Do you wish to testify?  Yes  No  Respond To Questions

NAME: \_\_\_\_\_ Subject/Bill No: \_\_\_\_\_  
Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Do you wish to testify?  Yes  No  Respond To Questions

SENATE FINANCE COMMITTEE

SIGN-IN

SJR 27-CONST. AM: REVISIONS OF CONSTITUTION

NAME: MARK REYNOLDS Subject/Bill No: SJR 27

Co./Dept./Title: ATTORNEY Phone: 364-2374

Address: BOX 535 DOUGLAS MC Zip: 44824

Do you wish to testify?  Yes  No  Respond To Questions

NAME: \_\_\_\_\_ Subject/Bill No: \_\_\_\_\_

Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Do you wish to testify?  Yes  No  Respond To Questions

NAME: \_\_\_\_\_ Subject/Bill No: \_\_\_\_\_

Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Do you wish to testify?  Yes  No  Respond To Questions

NAME: \_\_\_\_\_ Subject/Bill No: \_\_\_\_\_

Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Do you wish to testify?  Yes  No  Respond To Questions