

have access to this national data bank.

SENATOR ASHFORD: All right, let me ask this question. If a school district in its application process asks for a consent, voluntarily, asks for a consent to obtain this information of an applicant for employment and that teacher, prospective teacher says no, no consent, can the district refuse to hire on that basis now?

SENATOR DIERKS: Well, I think the district can refuse to hire on any basis if they want to.

SENATOR ASHFORD: Well, I guess what I'm getting at is I think clearly I agree that we want the best possible people teaching our children that we can get, but I wonder if the process that we have now doesn't probably handle most of the cases where there would be a problem and I get it that base...and the key question for me is can a district, one of the key questions, there are others raised by the bill, but can a district refuse employment if an applicant does not consent to have his or her records checked?

SENATOR DIERKS: Oh, I don't know about that, but this would make it mandatory.

SENATOR ASHFORD: Right.

SENATOR DIERKS: No, I think that a school district...I don't think you can refuse. There are a number of questions you can't even ask a potential candidate if there isn't anything that says that candidate has to be hired.

SENATOR ASHFORD: I don't know of any rule or law that says that a school district cannot...I just don't know the answer to that. That's just a question I have and we'll have to think about it and talk about that question. The other thing, as I said before, and there are other questions and Senator Beutler raised several of them. I'm going to oppose the amendment because I think we really would be creating a bureaucracy at that point. We would be creating an appeals process for various types of applicants, for various types of jobs that would be...and if you multiply the number of professions that would be covered by this bill by the fiscal note, you would be talking about two or three million dollars in fiscal notes to...of fiscal outlay to pay for this. So, I don't...I question whether the harm that we're