

SENATOR VICKERS: There is not specific referral to drivers education, per se, in other statutes, Senator Eret. No, I didn't say that.

SENATOR ERET: If these two would be removed?

SENATOR VICKERS: There is broad authority for schools to offer programs and to teach those things that they choose to do so within their district over and above those things that we require them to teach. They could follow that broad authority to teach drivers education if they chose to do so.

SENATOR ERET: And that broad authority then would imply certification then?

SENATOR VICKERS: Under the same authority to the Department of Education any instructor in a public school has to be certified. So the only reason, quite frankly, that this language is in this particular statute and in this section of the statutes is because of the fact that we did apportion money to drivers ed.

SENATOR ERET: Now if we remove these statutes, I feel we have a scenario here where we have had an approved program by the state. Now we are withdrawing that. I feel we are going to leave the schools guessing as to whether...what their liability situation will be now if we remove all reference to this. We'll just leave them out on a limb as to knowing where to go now with continuation of this training, if they would even desire to.

SENATOR VICKERS: Was that a question?

SENATOR ERET: Well, I have that as a question if there is any comment you would want to make to it. But I think I'm going to reserve my vote on this amendment on that basis.

SENATOR VICKERS: Well, in response to that I would only say that under the broad authority the schools would not be any more liable for this program than any other program that they offer or any less liable. The only reason this was in this part of the statutes, as I repeated earlier or as I said earlier, was because of the specific apportionment of funds from the license fees that we discussed earlier. It wound up being from the General Fund. It wasn't directly