

CHAPTER 118

AN ACT

Creating a Bureau of Vital Statistics and establishing a statewide system of vital statistics for Alaska; providing for penalties; repealing Sec. 21-1-16, ACLA 1949, and Ch. 119, SLA 1949 as amended by Chs. 76 and 86, SLA 1951 and Ch. 38, SLA 1953, except Sec. 11 of said Ch. 119; and providing for an effective date.

(C.S.H.B. 217)

Be it enacted by the Legislature of the State of Alaska:

Section 1. Definitions. As used in this Act:

(1) "vital statistics" means records of birth, death, fetal death, marriage, divorce, adoption, and data related thereto;

(2) "system of vital statistics" includes the registration, collection, preservation, amendment, and certification of vital statistics records, and activities related thereto including the tabulation, analysis, and publication of statistical data derived from such records;

(3) "department" means the state Department of Health and Welfare;

(4) "bureau" means the Bureau of Vital Statistics as established by this Act;

(5) "state registrar" means the state registrar of vital statistics;

(6) "filing" means the presentation of a certificate, report, or other record provided for in this Act, of a birth, death, fetal death, adoption, marriage, or divorce for registration by the bureau;

(7) "registration" means the acceptance by the bureau and the incorporation in its official records of certificates, reports, or other records provided for in this Act, of births, deaths, fetal deaths, adoptions, marriages or divorces;

(8) "live birth" means the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy, which, after such expulsion or extraction, breathes or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached;

(9) "institution" means any establishment, public or private, which provides in-patient medical, surgical, or diagnostic care or treatment, or nursing, custodial or domiciliary care to two or more unrelated individuals, or to which persons are committed by law;

(10) "physician" means a person authorized or licensed to practice medicine pursuant to the laws of Alaska;

(11) "dead body" means a lifeless human body or parts of such body or bones thereof from the state of which it reasonably may be concluded that death recently occurred;

(12) "final disposition" means the burial, interment, cremation, or other disposition of a dead body or fetus;

(13) "fetal death" means death prior to the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy; the death is indicated by the fact that after such expulsion or extraction the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles.

Sec. 2. Bureau of Vital Statistics and Statewide System. There is hereby established within the department a section to be called the Bureau of Vital Statistics which shall install, maintain, and operate the state system of vital statistics.

Sec. 3. Power to Promulgate Regulations. The department is authorized, in compliance with the Administrative Procedure Act, to adopt, amend, and repeal regulations for the purpose of carrying out the provisions of this Act.

Sec. 4. Appointment of State Registrar of Vital Statistics. The commissioner of health and welfare shall select in accordance with state personnel laws and regu-

lations the state registrar of vital statistics who shall carry out the provisions of this Act.

Sec. 5. Duties of State Registrar. a. The state registrar shall:

(1) Administer and enforce this Act and the regulations issued hereunder, and issue instructions for the efficient administration of the statewide system of vital statistics.

(2) Direct and supervise the statewide system of vital statistics and the bureau, and be custodian of its records.

(3) Direct, supervise, and control the activities of local registrars related to the operation of the vital statistics system.

(4) Prescribe and furnish such forms as are required by this Act and the regulations issued hereunder.

(5) Prepare and publish reports of vital statistics and such other statistical reports as are required.

b. The state registrar may delegate such functions and duties vested in him to employees of the bureau and to local registrars as he deems necessary or expedient.

c. The state registrar shall have a seal as such, which shall bear within the perimeter of the seal the words "Seal of the State Registrar of Vital Statistics of Alaska," and within the circle, at the top of the seal, a star representing the north star, beneath it the dipper of seven stars, and beneath this a quill. Such seal shall be used in the certification of copies of records under his custody; and to authenticate such other copies, documents, records, and reports as he deems necessary.

Sec. 6. Registration Districts. The state registrar shall establish registration districts throughout the state. He may consolidate or subdivide such districts to facilitate registration. Such registration districts shall take into account the boundary lines of local governmental units, election districts, judicial districts, and other local boundary lines in general use, wherever feasible.

Sec. 7. Appointment of Local Registrars. a. Wherever feasible, the state registrar

shall utilize the services of any local recording official located within a registration district, as local registrar of vital statistics.

b. Where this is not feasible, and for all other registration districts, the state registrar shall appoint a local registrar and may appoint one or more deputy local registrars of vital statistics for each such registration district, to be compensated on a fee basis as specified in section 9.

c. The state registrar may remove a local registrar or a deputy local registrar appointed under subsection b. herein.

Sec. 8. Duties of Local Registrars. a. The local registrar, within his registration district shall:

(1) Administer and enforce the provisions of this Act, and instructions and regulations issued hereunder.

(2) Require that certificates be completed and filed in accordance with provisions of this Act, and instructions and regulations issued hereunder.

(3) Transmit monthly, or more frequently when directed to do so by the state registrar, the certificates, reports, or other returns filed with him, to the local recording official or to the bureau in accordance with the regulations and instructions issued under this Act.

(4) Maintain such records, make such reports, and perform such other duties as may be required by the state registrar.

b. The state registrar may, where feasible, require the keeping of permanent local records in the form of copies of the original vital statistics records. He shall designate in each case how this is to be done by the local recording official, in connection with any other local registrars of vital statistics within his recording area; and he shall issue instructions concerning the keeping of these records, their disclosure, corrections, issuance of copies, and fees to be charged, within the provisions of this Act. In all matters pertaining to the system of vital statistics, local recording officials as well as local registrars shall be directly supervised in this work by the state registrar.

c. In accordance with regulations issued hereunder, the deputy local registrar

shall perform the duties of the local registrar in the absence or incapacity of such local registrar; and shall perform such other duties as may be required by the state registrar.

Sec. 9. Compensation of Local Registrars. When a local recording official, receiving a salary or other regular compensation for general recording duties, is serving as local registrar of vital statistics, he shall be paid no fees under this section. Otherwise, local registrars of vital statistics shall be paid, from funds appropriated for this purpose, as follows:

(1) For each certificate of birth, death, fetal death, or marriage occurring in his registration district, properly completed and transmitted by him in accordance with the regulations and instructions issued hereunder, two dollars.

(2) For each monthly report indicating the number of the various vital events which occurred in his registration district, properly made in accordance with the regulations and instructions issued hereunder, one dollar.

Sec. 10. Sub-Registrars. a. In registration districts containing scattered villages, the local registrar may, with the approval of the state registrar, designate one person in each such village as sub-registrar for his area.

b. Such sub-registrar shall be responsible for preparing, signing, and filing with the local registrar a certificate for each birth, death, and fetal death occurring in the area designated and not attended by a physician or nurse, in accordance with instructions issued by the bureau.

c. For each such certificate, filed in accordance with instructions of the bureau, the sub-registrar shall be paid a fee of one dollar.

Sec. 11. Payment of Fees to Local Registrars and Others. The state registrar shall certify monthly, or at least quarterly, the number and type of records filed by, and the amount due to each local registrar and deputy registrar, and the amount due to each sub-registrar. Upon such certification, the amounts due shall be paid from the proper state appropriations by the Department of Administration.

Sec. 12. Form of Certificates. The forms of certificates, reports, and other returns required by this Act, or by regulations adopted hereunder, shall include as a minimum the items recommended by the federal agency responsible for national vital statistics subject to approval of and modification by the state registrar. All forms shall be prescribed and furnished by the bureau.

Sec. 13. Birth Registration. a. A certificate of birth for each live birth which occurs in this state shall be filed with the local registrar of the registration district in which the birth occurred as provided in this section, within seven days after such birth. When a birth occurs on a moving conveyance a birth certificate shall be filed in the district in which the child was first removed from the conveyance.

b. When a birth occurs in an institution, the person in charge of the institution or his designated representative shall obtain the personal data, prepare the certificate, secure signatures required on the certificate and shall file it with the local registrar. The physician in attendance shall certify to the facts of birth and provide the medical information required by the certificate within five days after the birth.

c. When a birth occurs outside an institution, the certificate shall be prepared and filed by one of the following in the indicated order of priority:

(1) The physician in attendance at or immediately after the birth, or in the absence of such a person,

(2) Any other person in attendance at or immediately after the birth, or in the absence of such a person,

(3) The father, the mother, or, in the absence of the father and the inability of the mother, the person in charge of the premises where the birth occurred.

d. If the mother was married at the time of conception or birth, the name of the husband shall be entered on the certificate as the father of the child unless paternity has been determined otherwise by a court of competent jurisdiction, in which case the name of the father, if determined by the court, shall be entered.

e. If the mother was not married at the time of conception or birth, the name of the father shall not be entered on the certificate of birth unless a determination of paternity has been made by a court of competent jurisdiction, or otherwise as specified in the statutes.

f. In the case of a child born out of wedlock, the certificate of birth shall be filed in accordance with subsections a, b, and c of this section, unless the state registrar directs another procedure.

Sec. 14. Foundling Registration. a. Whoever assumes the custody of a living infant of unknown parentage shall report on a form and in the manner prescribed by the state registrar within seven days to the local registrar of the registration district in which the child was found, the information prescribed by the state registrar.

b. The place where the child was found shall be entered as the place of birth and the date of birth shall be determined by approximation.

c. A report registered under this section shall constitute the certificate of birth for the infant.

d. If the child is identified and a certificate of birth is found or obtained, any report registered under this section shall be sealed and filed in accordance with instructions of the state registrar, and may be opened only by order of a superior court or as provided by regulation.

Sec. 15. Delayed Registration. a. When the birth of a person born in this state has not been registered a certificate may be filed in accordance with regulations issued hereunder. Such certificate shall be registered subject to such evidentiary requirements as the department shall by regulation prescribe to substantiate the alleged facts of birth.

b. When the birth occurred more than seven days but less than one year prior to the application for registration, the birth may be filed with the proper local registrar in accordance with regulations issued hereunder.

c. When the birth occurred one year or more prior to the application for registration, the birth shall be filed on a form prescribed by the bureau, and shall

be submitted to the bureau for registration. The state registrar may accept the certificate for registration when such evidence is submitted to substantiate the facts of birth as is required by regulation. Each certificate registered under this subsection shall be marked "delayed."

d. When the birth occurred 12 years or more prior to the application for registration, the certificate of birth shall be prepared on a form entitled "Delayed Certificate of Birth." The information provided on such form shall be subscribed and sworn to by the person whose birth is to be registered before an official authorized to administer oaths. When such person is not competent to swear to this information it shall be subscribed and sworn to by a parent, legal guardian, or the representative of this person.

(1) The form shall provide for the name and sex of the person whose birth is to be registered; the place and date of birth; and such other information as may be required by the bureau.

(2) When the certificate is submitted, the state registrar shall add a description and an abstract of each document submitted in support of the delayed registration.

(3) The original delayed certificate of birth shall be filed with the bureau.

e. The state registrar shall accept the registration if the applicant was born in this state and if the applicant's sworn statements are established to the satisfaction of the state registrar by the necessary evidence established by regulation. The items necessary to be substantiated, the type of documents acceptable as evidence, the number of necessary documents, and the form and content of the description and abstract of each document to be added to the certificate shall be prescribed by regulation. In general they shall follow the national standards recommended by the agencies responsible for national vital statistics and for the use of records in the interest of national security. The state registrar may make exceptions when necessary by reducing the number of documents required for delayed filings by Indians, Eskimos and Aleuts, natives of Alaska, providing he is otherwise satisfied with the validity of the application.

f. When the applicant does not submit documentation as required in support of his statements, or when the state registrar finds reason to question the validity or adequacy of the certificate or the supporting evidence, the state registrar shall not accept the delayed certificate of birth and shall advise the applicant of the reasons for this action, and of his right of appeal to a superior court. The bureau may provide for the dismissal of an application which is not actively prosecuted.

g. When a death or marriage occurring in this state has not been registered a certificate may be filed in accordance with regulations issued hereunder. Such certificate shall be registered subject to such evidentiary requirements as the department shall by regulation prescribe to substantiate the alleged facts of death or marriage. Certificates of death and marriage registered one year or more after the date of occurrence shall be marked "Delayed."

Sec. 16. Judicial Procedure to Establish Facts of Birth.

a. If a delayed certificate of birth is not accepted under the provisions of the preceding section, a petition may be filed with the superior court for an order establishing a record of such person's date and place of birth.

b. Such petition shall be made on a form prescribed and furnished by the bureau, and shall contain the following statements, sworn to by the petitioner:

(1) That the person for whom a delayed certificate of birth is sought was born in this state.

(2) That no record of birth of such person can be found in the bureau nor in the files of the local custodian of birth records.

(3) That diligent efforts by the petitioner have failed to obtain the necessary evidence to file a delayed certificate with the bureau.

(4) That the state registrar has refused to register a delayed certificate of birth.

(5) Such other statements and information as may be required.

c. The petition shall be accompanied by a statement of the state registrar made

in accordance with section 15 f. and all documentary evidence which was submitted to the bureau in support of such registration.

d. The court shall fix a time and place for hearing the petition, and the state registrar shall be given fifteen days notice of said hearing. The state registrar, or his authorized representative, may appear and testify in the proceeding.

e. If the court from the evidence presented finds that the person for whom a delayed certificate of birth is sought was born in this state, it shall make findings as to the place and date of birth, and such other findings as the petition may require and shall issue an order on a form prescribed and furnished by the bureau to establish a record of birth. This order shall include the birth data to be registered, a description of the evidence presented in the manner prescribed pursuant to the preceding section, the date of the court's action, and shall be marked as a court order.

f. The clerks of the superior courts shall forward each such order to the bureau not later than the 10th day of the calendar month following the month in which it was entered. Such order shall be registered by the bureau and shall constitute the record of birth, from which copies may be issued in accordance with the provisions of this Act.

Sec. 17. Court Reports of Adoption.

a. For each adoption decreed by any court in this state, the court shall require the preparation of a report of adoption on a form prescribed and furnished by the bureau. The report shall include such facts as are necessary to locate and identify the original certificate of birth of the person adopted; provide information necessary to establish a new certificate of birth of the person adopted; and shall identify the order of adoption, and be certified by the court or the clerk thereof.

b. Information in the possession of the petitioner necessary to prepare the adoption report shall be furnished with the petition for adoption by each petitioner for adoption or his attorney. The social, welfare agency or other person concerned shall supply the court with such additional information in their possession as

may be necessary to complete the report. The provision of such information shall be a prerequisite to the issuance of a final decree in the matter by the court.

c. Whenever an adoption decree is amended or vacated, the court shall prepare a report on a form prescribed and furnished by the bureau. The report shall include such facts as are necessary to identify the original adoption report and the facts amended in the adoption decree as shall be necessary to properly amend the original report, or the new certificate of birth if already established.

d. Not later than the 10th day of each calendar month, the court shall forward to the bureau reports of decrees of adoption, including those vacated or amended, which were entered in the preceding month, together with such related reports as the bureau shall require.

e. When the bureau shall receive a report of an adoption, or vacation or amendment thereof from a court for a person born outside this state, a copy shall be made for the bureau's files and the original of such report shall be forwarded to the appropriate registration authority in the state of birth.

Sec. 18. New Certificate of Birth. a. The state registrar shall establish a new certificate of birth for a person born in this state, upon proper request that such certificate be made, and upon receipt of one of the following:

(1) An adoption report as provided in the preceding section, or a certified copy of the decree of adoption from a court of competent jurisdiction in another state, together with the information necessary to identify the original certificate of birth and to establish the new certificate of birth; except that a new certificate of birth shall not be established if so requested by the court decreeing the adoption, the adoptive parents, or the adopted person if he is of legal age.

(2) Such evidence as required by law and regulation proving that such person has been legitimated.

b. When a new certificate of birth is established, the actual place and date of birth shall be shown. The new certificate

shall be substituted for the original certificate of birth; and

(1) Thereafter, the original certificate and the evidence of adoption or legitimation shall not be subject to inspection except upon order of a superior court or as provided by regulation; provided any such regulation shall allow inspection by an agent of the state or federal government acting in the performance of official duties.

(2) Upon receipt of a report that an adoption has been vacated, the original certificate of birth shall be restored to its place in the files and the new certificate and evidence shall not be subject to inspection except upon order of a superior court.

c. If no certificate of birth is on file for the person for whom a new certificate is to be established under this section, a delayed certificate of birth shall be filed with the bureau as provided in this Act, before a new certificate of birth may be established.

d. When a new certificate of birth is established by the state registrar, he shall direct the disposition of and any substitution for all copies of the original certificate of birth in the custody of a local registrar of vital statistics or other local custodian of such records. When an adoption has been vacated, he shall likewise instruct the local officials as to any necessary action.

Sec. 19. Death Registration. a. A death certificate for each death which occurs in this state shall be filed with the local registrar of the registration district in which the death occurred within three days after such death and prior to final disposition of the body or removal of the body from the state, except as provided by regulation in special problem cases.

(1) For the purpose of this section, if the place of death is unknown, a death certificate shall be filed in the registration district in which the dead body is found.

(2) When a death occurs on a moving conveyance a death certificate shall be filed in the registration district in which the dead body is first removed from such conveyance.

b. The funeral director or person acting as such who first assumes custody of a dead body shall file the death certificate. He shall obtain the personal data from the next of kin or the best qualified person or source available. He shall obtain the medical certification of cause of death from the person responsible for this information.

c. The medical certification shall be completed and signed within twenty-four hours after death by the physician in charge of the patient's care for the illness or condition which resulted in death except when an official inquiry or inquest is required and except as provided by regulation in special problem cases.

d. When a death occurs without medical attendance, or when official inquiry is required, the department shall provide by regulation, in accordance with all existing laws, the responsibility for completing and signing the medical certification. Such provision is intended to include, among others, cases involving a medical examiner or a coroner, and cases involving presumption of death.

Sec. 20. Fetal Death Registration. a. A fetal death certificate for each fetal death which occurs in this state shall be filed with the local registrar of the registration district in which the delivery occurred within three days after such delivery and prior to final disposition of the fetus or removal of the fetus from the state, except as provided by regulation in special problem cases; and further provided that the filing of such certificates for products of gestation with a duration of pregnancy of less than twenty weeks may be determined by regulation.

(1) For the purposes of this section, if the place of fetal death is unknown, a fetal death certificate shall be filed in the registration district in which such death fetus is found.

(2) When a fetal death occurs on a moving conveyance a fetal death certificate shall be filed in the registration district in which the fetus is first removed from such conveyance.

b. The funeral director or person acting as such who first assumes custody of a fetus shall file the fetal death certificate. In the absence of such a person, the physician or other person in attend-

ance at or after the delivery shall file the certificate of fetal death. He shall obtain the personal data from the next of kin or the best qualified person or source available. He shall obtain the medical certification of cause of death from the person responsible for this information.

c. The medical certification shall be completed and signed within twenty-four hours after delivery by the physician in attendance at or after delivery except when an official inquiry or inquest is required and except as provided by regulation in special problem cases.

d. When a fetal death occurs without medical attendance upon the mother at or after the delivery, or when official inquiry is required, the department shall provide by regulation, in accordance with all existing laws, the responsibility for completing and signing the medical certification.

Sec. 21. Permits. a. The funeral director or person acting as such who first assumes custody of a dead body or fetus shall obtain a burial-transit permit prior to final disposition or removal from the state of the body or fetus and within 72 hours after death, except as otherwise authorized by regulation for special problem cases.

b. Such burial-transit permit shall be issued by the local registrar of the registration district where the death occurred when a certificate of death or fetal death has been filed in accordance with this Act, except as otherwise authorized by regulation in special problem cases.

c. A burial-transit permit which accompanies a dead body or fetus brought into this state shall be authority for final disposition of the body or fetus in this state.

d. A permit for disinterment and reinterment shall be required prior to disinterment of a dead body or fetus except as authorized by regulation or otherwise provided by law. Such permit shall be issued by the local registrar of vital statistics in accordance with instructions of the state registrar, upon proper application.

Sec. 22. Extension of Time. a. The department may, by regulation and upon such conditions as it may prescribe to

assure compliance with the purposes of this Act, provide for the extension of the periods prescribed in sections 13, 19, 20, and 21 of this Act for the filing of birth certificates, death certificates, fetal death certificates, medical certifications of cause of death, and for the obtaining of permits, in cases in which compliance with the applicable prescribed period would result in undue hardship.

b. Regulations may provide for the issuance of a burial-transit permit under section 21 of this Act prior to the filing of a certificate of death or fetal death upon conditions designed to assure compliance with the purposes of this Act in cases in which compliance with the requirement that the certificate be filed prior to the issuance of the permit would result in undue hardship.

Sec. 23. Marriage Registration. a. A certificate of marriage for each marriage performed in this state shall be filed with the local registrar of vital statistics of the registration district in which the marriage was performed within seven days of such marriage.

b. The official who issues the marriage license shall prepare the certificate of marriage on the forms prescribed and furnished by the bureau, as specified elsewhere in the statutes, and in regulations issued hereunder.

c. Every person who performs a marriage shall complete the forms as specified elsewhere in the statutes, or in regulations issued hereunder, and shall file the original certificate of marriage with the local registrar.

d. Each official issuing marriage licenses shall report to the state registrar on or before the 10th of each calendar month, on forms prescribed and furnished by the bureau, the information required concerning each marriage license issued during the preceding month.

Sec. 24. Court Reports of Divorce and Annulment. a. For each divorce and annulment of marriage granted by any court in this state a certificate of divorce or annulment shall be prepared and filed by the clerk of the court with the bureau, on forms prescribed and furnished by the bureau. The information necessary to complete the certificate shall be furnish-

ed the court by the plaintiff, and the furnishing of this information shall be prerequisite to the issuance of a decree.

b. On or before the 10th day of each month each clerk of court shall forward to the bureau the certificate of each divorce and annulment granted during the preceding calendar month and such related reports as may be required by regulation issued under this Act.

Sec. 25. Corrections and Amendments.

a. A certificate or record registered by the bureau may be amended only in accordance with this Act and such regulations as the department may adopt to protect the integrity and accuracy of vital statistics records.

b. A certificate that is amended under this section shall be marked "amended," with the date of amendment; and a summary description of the evidence submitted in support of the amendment shall be endorsed on or made a part of the record. The department shall prescribe by regulation the conditions under which additions or minor corrections may be made to vital records without such certificate being considered amended.

c. Upon receipt of a certified copy of a court order changing the name of a person born in this state and upon request of such person or his parent, guardian, or legal representative, the state registrar shall amend the certificate of birth to reflect the new name.

d. When a certificate is corrected or amended under this section, the state registrar shall instruct the local custodian of the copy of the same certificate to make the same changes in said copy.

Sec. 26. Reproduction of Records. To preserve original documents the state registrar is authorized to prepare type-written, photographic, or other reproductions of original records and files in his office. Such reproduction when certified by him shall be accepted as the original record.

Sec. 27. Disclosure of Records. a. To protect the integrity of vital statistics records, to insure their proper use, and to insure the efficient and proper administration of the vital statistics system, it shall be unlawful for any person to per-

mit inspection of, or to disclose information contained in vital statistics records, or to copy or issue a copy of all or part of any such record, except as authorized by regulations issued under this Act.

b. The bureau may permit the use of data contained in vital statistics records for research purposes.

c. Information in vital statistics records indicating that a birth occurred out of wedlock shall not be disclosed except upon order of a superior court or as provided by regulations.

d. Appeals from decisions of the custodians of local records refusing disclosure under subsections a and b of this section shall be made to the state registrar, whose decisions shall be binding upon the custodians of local records.

Sec. 28. Copies of Data from Vital Records. Except as otherwise provided and in accordance with the regulations adopted pursuant to the preceding section:

(1) The bureau and the custodian of permanent local records shall upon request issue a certified copy of any certificate or record in their custody, or of a part thereof. Each copy issued shall show the date of registration or recording; and copies issued from records marked "delayed," "amended," or "court order" shall be similarly marked and show the effective date.

(2) A certified copy of a certificate or any part thereof, issued in accordance with subsection (1), shall be considered for all purposes the same as the original, and shall be prima facie evidence of the facts therein stated, provided that the evidentiary value of a certificate or record filed more than one year after the event, or a record which has been amended, or a presumptive death certificate, shall be determined by the judicial or administrative body or official before whom the certificate is offered as evidence.

(3) The National Office of Vital Statistics may be furnished such copies or data as it may require for national statistics; provided that the bureau shall be reimbursed for the cost of furnishing such data; and provided further that such data shall not be used for other

than statistical purposes by the National Office of Vital Statistics unless so authorized by the state registrar.

(4) Federal, state, local, and other public or private agencies may, upon request, be furnished copies or data for statistical purposes upon such terms or conditions as may be prescribed by the bureau.

(5) No person or agency shall prepare or issue any certificate or any part thereof which purports to be an original, certified copy, or copy of a certificate of birth, death, fetal death, or marriage, except as authorized in this Act or regulations adopted hereunder.

Sec. 29. Fees for Services. a. The state registrar shall prescribe the fees to be paid for certified copies of certificates, or for searches of the files or records, and for the filing of delayed or substitute certificates, for making amendments, and for supplying documentary evidence for such purposes, and for any special services rendered by the bureau.

b. All fees received by the bureau pursuant to this section shall be accounted for by the state registrar and paid to the department of revenue, which shall cover the same into the general fund.

Sec. 30. Persons Required to Keep Records. a. Every person in charge of an institution as defined in this Act shall keep a record of personal particulars and data concerning each person admitted or confined to such institution. This record shall include such information as required by the certificates of birth, death, and fetal death issued under the provisions of this Act, and other information as may be required by the bureau. The record shall be made at the time of admission from information provided by such person, but when it cannot be so obtained, the same shall be obtained from relatives or other sources acquainted with the facts. The name and address of the person providing the information shall be a part of the record.

b. When a dead human body or fetus is released or disposed of by an institution, the person in charge of the institution shall keep a record showing the name of the deceased, date of death, name and address of the person to whom

the body is released, date of removal from the institution, or if finally disposed of by the institution, the date, place, and manner of disposition shall be recorded.

c. A funeral director, embalmer, or other person who removes from the place of death or transports or finally disposes of a dead body or fetus, in addition to filing any certificate or other form required by this Act, shall keep a record which shall identify the body, and such information pertaining to his receipt, removal, and delivery of such body as may be required by the bureau.

d. Records maintained under this section shall be retained for a period of not less than five years and shall be made available for inspection by the state registrar or his representative upon demand.

Sec. 31. Duty to Furnish Information. Any person having knowledge of the facts, shall furnish such information as he may possess regarding any birth, death, fetal death, marriage, or divorce, upon demand of the state registrar.

Sec. 32. Penalties. a. Any person who:

(1) without lawful authority and with the intent to deceive, makes, alters, amends, or mutilates any certificate of birth or certified copy thereof with the intent that the same may be used; or

(2) wilfully and knowingly uses or attempts to use, or furnishes to another for use, for any purpose of deception, any certificate of birth or certified copy of a record of birth so made, altered, amended, or mutilated; or

(3) with the intention to deceive wilfully uses or attempts to use any certificate of birth or certified copy of a record of birth knowing that such certificate or certified copy was issued upon a record which is false in whole or in part or which relates to the birth of another person; or

(4) wilfully and knowingly furnishes a certificate of birth or certified copy of a record of birth with the intention that it be used by a person other than the person to whom the record of birth relates; shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more

than \$1000 or imprisoned not more than one year, or both.

b. Any person who:

(1) wilfully and knowingly makes any false statement in a report or certificate of birth required to be filed under this Act or regulations issued hereunder, or in an application for amendment thereof, or in an affidavit or paper submitted in support of such a certificate or application, with intent to induce or secure the registration of a birth, or the acceptance of a certificate of birth as evidence of the date and place of birth, identity, or citizenship, or the amendment of a birth certificate for any purpose of deception whatsoever; or

(2) wilfully and knowingly falsifies, makes or alters any certificate or certified copy of a vital statistics record except as provided for in this Act or regulations issued hereunder; shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$300 or imprisoned not more than three months, or both, except where a more severe penalty is provided for in this Act.

c. Any person who:

(1) knowingly transports or accepts for such transportation, interment, or other final disposition a dead body without the required permit issued in accordance with this Act, or regulations issued hereunder; or

(2) refuses to provide information, or who knowingly furnishes false information, required by this Act, or regulations issued hereunder; or

(3) violates any of the provisions of this Act, or neglects or refuses to perform any of the duties imposed upon him by this Act, or regulations issued hereunder; shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than \$100, except where a different penalty is provided for in this Act.

Sec. 33. Short Title. This Act may be cited as the "Vital Statistics Act."

Sec. 34. Repeal. Sec. 21-1-16, ACLA 1949, and Ch. 119, SLA 1949, as amended by Chs. 76 and 86, SLA 1951 and Ch. 38, SLA 1953, with the exception of Sec.

11 thereof, the duties and powers of which were transferred to the Department of Revenue by Ch. 64, SLA 1959, are hereby repealed. All other laws or parts of laws

which are inconsistent with the provisions of this Act are hereby repealed.

Sec. 35. Effective Date. This Act shall take effect July 1, 1960.

Approved April 13, 1960

CHAPTER 119

AN ACT

Relating to members of the school boards of independent school districts; amending Secs. 37-3-42 and 37-3-49, ACLA 1949; and providing for an effective date.

(S.C.S.H.B. 223)

Be it enacted by the Legislature of the State of Alaska:

Section 1. Sec. 37-3-42, ACLA 1949 is amended to read as follows:

Sec. 37-3-42. School Board: Management of School Matters: Organization and Election of Officers: Assessor. Except as hereafter provided, each independent school district organized under the provisions of this Act shall have a school board of five (5) members to be elected as hereinafter provided, who shall have the exclusive management and control of school matters in the district, subject to the State School Laws and regulations promulgated by the Commissioner of Education and the State Board of Education. Each independent school district with an average daily membership in excess of 5,000 pupils shall have a school board of seven (7) members, elected as hereinafter provided, and such boards shall have the same powers and duties as are set out for the five man boards.

Within seven (7) days after each annual school board election, which election shall be on the same day and at the same time as the city election in such districts, the board shall organize and annually elect one of its members as president, one as treasurer, and one as clerk of the board. Said board shall also have the power, and it shall be its duty, to appoint from its number or from among the residents of the Independent School District, an assessor who shall place an assessed valuation on all real and personal property outside the city included in the district and included within the limits of the

district in accordance with the valuations of similar property within the city; and it shall further be his duty to act as tax collector in the district located outside the city, and who, before assuming the duties of his office shall take an oath in writing to honestly and faithfully discharge the duties of his office.

Sec. 2. Sec. 37-3-49, ACLA 1949 is amended to read as follows:

Sec. 37-3-49. Term of Office of School Board Members. The term of office of the school board members of five member boards of an Independent School District shall be five (5) years, one member retiring each year and one new member being elected to take his place, except that the terms of the first five members shall be as follows: Immediately after qualifying as board members, the board shall assemble and shall by lot draw the numbers 1, 2, 3, 4, and 5. The member drawing Number 1 shall hold office until the next regular school election at which time his successor shall be elected; the member drawing Number 2 shall hold office until the second school election following at which time his successor shall be elected; the member drawing Number 3 shall hold office until the third school election following at which time his successor shall be elected; the member drawing Number 4 shall hold office until the fourth school election following at which time his successor shall be elected; the member drawing Number 5 shall hold office until the fifth school election following at which time his successor shall be elected. The term of office of the school board