

**SB**

**62**

02/15/95 09:16:58 LEGISLATIVE TELECONFERENCE NETWORK SYSTEM  
MESSAGE FROM: LIOCJEN IN ANCHORAGE

LTN1120  
JNU

RE TCN: 50214 SCHEDULED FOR: 02/15/95 09:00 TO 10:00  
SPONSOR: SENATE HEALTH, EDUCATION & SOCIAL SERV PURPOSE: PUBLIC HEARING

MESSAGE TEXT: LARRY & MAXINE DEVILBISS IN CONF

- SB62

*20 years*

*when was he adopted?  
a.k.  
Korea 1963-1964*

SENATE BILL NO. 62

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY SENATOR GREEN

Introduced: 2/3/95

Referred: HES

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to birth certificates for certain foreign born persons who are  
2 adopted."

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 \* Section 1. AS 18.50.211(a) is amended to read:

5 (a) The [SUBJECT TO THE LIMITATION IN (b) OF THIS SECTION, THE]  
6 state registrar shall issue a certificate of birth for a person born outside the United  
7 States whose adoptive parents are residents of the state at the time of the adoption,  
8 upon request by the adopted person, or by the adopted person's adoptive parent or  
9 guardian that the certificate be made, and upon receipt of an adoption report as  
10 provided in AS 18.50.210 together with

11 (1) the information necessary to identify the original certificate of birth;

12 or

13 (2) if there is no original certificate of birth, the findings of the court  
14 under AS 25.23.175, unless the adoption proceeding is commenced before August 31.

1 1982, in which case an affidavit of an adoptive parent setting out the true or probable  
2 date and place of birth and parentage of the adopted person must accompany the  
3 adoption report.

4 \* Sec. 2. AS 18.50.211(b) is repealed.

# ALASKA STATE LEGISLATURE

Interim  
105 East Parks Highway, Suite 106  
Wasilla, Alaska 99654-7035  
(907) 376-3370



Session  
State Capitol  
Juneau, Alaska 99801-1182  
(907) 465-6600  
Fax 465-5805

**SENATOR LYDA GREEN**  
SENATE DISTRICT N

## Sponsor Statement

### Senate Bill 62

*"An Act relating to birth certificates for certain foreign born persons who are adopted."*

The purpose of this bill is to allow foreign-born adoptees who are now over the age of 18 to obtain a birth certificate.

Current law allows foreign-born adoptees to have a birth certificate if they are under the age of 18 when they apply. However, when this law was passed in 1982, there was no retroactive provision included to allow those persons who were already over the age of 18 at that time to obtain a birth certificate. This small group of Alaskans is thereby excluded from obtaining a birth certificate, while all other adopted children, foreign or domestic born, can have one by applying before age 18. These individuals are confronted with difficulties and delays when traveling or applying for various programs. They should not be deprived of a birth certificate simply because they are now too old to apply.

This bill would remove from statute 18.50.211(b) which states that a birth certificate may not be issued if the adopted person for whom the certificate is intended is 18 or more years of age when the request for the certificate is made.

Approximately half of the other states issue birth certificates to foreign born adoptees, Alaska being one of the first to begin the practice. However, Alaska may be the only state to have an age restriction. Because federal law prohibits a person over the age of 16 from being adopted, the removal of this section does not allow adults to be adopted and then obtain a birth certificate. It simply allows those who were adopted as children, but are now over age 18, to be able to obtain a birth certificate.

# Legislative Research Agency

Alaska State Legislature



130 Seward Street, Suite 218  
Juneau, Alaska 99801-2196

Phone: (907) 465-3991  
Fax: (907) 463-3351

February 8, 1995

## MEMORANDUM

TO: Senator Lyda Green

FROM: Maureen Weeks <sup>AW</sup>  
Legislative Analyst

RE: Birth Certificates to Foreign Born Adoptees  
Research Request 95.105

You ask whether any state besides Alaska issues birth certificates to adopted persons born in other countries. The answer is that at least half the states, including Alaska, issue such birth certificates. Alaska is perhaps the only state which will not issue these certificates to foreign-born people older than 18.

George Gay, the chief of Registration Methods Branch of the Division of Vital Statistics in the National Center for Health Statistics (Phone. 301/436-8815), reports that at least half the states issue birth certificates to foreign-born people adopted by parents who reside in the state. Alaska may have been the first state to do so. Although Alaska is not alone in issuing such birth certificates, our state is certainly "unusual" in restricting certificates to foreign-born persons who are younger than 18, Mr. Gay says. He speculates the language may be an imitation of federal language which does not allow officials to issue *copies* of some documents after a foreign-born person is 18.

Birth certificates to foreign-born adoptees are "aesthetic" but have little practical value, according to Mr. Gay. They can be used to establish a child's age when it is time to enter school, but they cannot be used to obtain passports or for other official business, Mr. Gay says. Certificates issued years after birth violate the basic principle of vital statistics registration, which is to register births and deaths when they occur and where they occur, he says.

I hope this information is useful to you. If you have any further questions please don't hesitate to call me.

FEB 09 1995

**CERTIFICATION OF VITAL RECORD**

**STATE OF ALASKA**

**150-FB: 95-999999**  
**STATE FILE NUMBER**

**DATE FILED: 01/01/95**

**STATE OF ALASKA**  
Department of Health & Social Services  
Bureau of Vital Statistics  
BOX 110675  
JUNEAU, AK 99811-0675

**CERTIFICATE OF BIRTH FOR A FOREIGN-BORN CHILD**

**NAME OF CHILD: JANE MARIE DOE**

**DATE OF BIRTH: 01/01/1995**

**PLACE OF BIRTH: COUNTRY INDIA**

**MOTHER'S MAIDEN NAME: JANE DOE**

**DATE OF BIRTH: 01/01/1975**

**PLACE OF BIRTH: ALASKA**

**FATHER'S NAME: JOHN DOE**

**DATE OF BIRTH: 01/01/1975**

**PLACE OF BIRTH: ALASKA**

**PARENT'S RESIDENCE ADDRESS:**

|               |                        |
|---------------|------------------------|
| <b>STREET</b> | <b>350 MAIN STREET</b> |
| <b>CITY</b>   | <b>JUNEAU</b>          |
| <b>STATE</b>  | <b>ALASKA</b>          |
| <b>ZIP</b>    | <b>99811-0675</b>      |

**I HEREBY VERIFY THAT THE DATA SHOWN ABOVE IS BASED ON EVIDENCE PRESENTED TO THIS OFFICE.**

**BY** \_\_\_\_\_  
**STATE REGISTRAR**

**DATE:** \_\_\_\_\_

**THIS DOCUMENT IS NOT TO BE CONSIDERED EVIDENCE OF UNITED STATES CITIZENSHIP**

11423

**I CERTIFY THAT THIS IS A TRUE, FULL AND CORRECT COPY OF THE ORIGINAL CERTIFICATE ON FILE IN THE BUREAU OF VITAL STATISTICS, DEPARTMENT OF HEALTH AND SOCIAL SERVICES, JUNEAU, ALASKA**

**DATE ISSUED** \_\_\_\_\_

Tc1cB

Palmer, Alaska  
January 1, 1995

**AN OPEN LETTER TO OUR LEGISLATORS:**

I respectfully request your help in getting a Birth Certificate for my son Brian, age 34.

My husband Ralph and I adopted Brian from Korea when he was 3 1/2 years of age. When his Adoption and Naturalization papers were finalized, I assumed the next step was a Birth certificate.

I was shocked to find that over-seas adopted children were not allowed Birth certificates in Alaska! I fought hard for years to make it possible for such adoptees to receive Birth certificates.

I was so thankful the legislation was enacted, (I still am!), then dismayed to find it was not retroactive. Brian was over 18 by that time, and and was not eligible.

Brian is a very responsible Alaskan citizen, a self-employed mechanic and trucker. He has been told when stopped at the Border, that it would be helpful to have a Birth certificate with him.

I have been told the only way for him to secure a Birth certificate is by the legislature passing a special bill giving him one, the bill being sponsored by his local legislators.

In the past I have not been able to persuade our legislators to do this. I am asking you to please consider this request. It would be a wonderful gift for his 35th birthday!

Thank you for listening, and I do wish you each a very successful legislative year.

Sincerely,

*Maxine DeVilliss*

Maxine DeVilliss  
HC04-9302  
Palmer, Alaska 99645

745-3483

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

BILL NO. SB 62

Revision Date: \_\_\_\_\_  
 Title: An act relating to birth certificates for  
certain foreign born persons who are adopted  
 Sponsor: Green  
 Requestor: Senate HES

Dept. Affected: Health and Social Services  
 BRU: State Health Services  
 Component: Bureau of Vital Statistics  
 COMPONENT SERIAL NO. 961  
 See also (SN#): \_\_\_\_\_

Expenditures/Revenues:

(Thousands of Dollars)

| OPERATING         | FY96 | FY97 | FY98 | FY99 | FY00 | FY01 |
|-------------------|------|------|------|------|------|------|
| 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 |  |  |  |  |  |  |
|----------------------|--|--|--|--|--|--|

|                     |  |  |  |  |  |  |
|---------------------|--|--|--|--|--|--|
| CHANGES IN REVENUES |  |  |  |  |  |  |
|---------------------|--|--|--|--|--|--|

FUND SOURCE

(Thousands of Dollars)

|                          |     |     |     |     |     |     |
|--------------------------|-----|-----|-----|-----|-----|-----|
| 1002 Federal Receipts    |     |     |     |     |     |     |
| 1003 GF Match            |     |     |     |     |     |     |
| 1004 GF                  |     |     |     |     |     |     |
| 1005 GF/Program Receipts |     |     |     |     |     |     |
| 1006 GF/MHTIA            |     |     |     |     |     |     |
| Other (please specify)   |     |     |     |     |     |     |
| TOTAL                    | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

POSITIONS:

|           |  |  |  |  |  |  |
|-----------|--|--|--|--|--|--|
| FULL-TIME |  |  |  |  |  |  |
| PART-TIME |  |  |  |  |  |  |
| TEMPORARY |  |  |  |  |  |  |

Estimate of any current year (FY95) cost: 30.0

ANALYSIS: (Attach a separate page if necessary)

The number of requests for this services is so small that it should have no impact on the program.

Prepared by: Peter M. Nakamura, MD, MPH *PM*  
 Division: Public Health  
 Approved by Commissioner: Karen Perdue, Commissioner *KP*  
 Agency: Department of Health & Social Services

Phone: (907) 465-3090  
 Date: 02/13/95  
 Date: 2/14/95

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