



**House
Legislative
Analysis
Section**

House Office Building, 9 South
Lansing, Michigan 48909
Phone: 517/373-6466

**HEIRLOOM BIRTH & MARRIAGE
CERTIFICATES TO FUND
GENEALOGY PROJECTS**

**House Bill 6162 (Substitute H-1)
First Analysis (9-18-02)**

**Sponsor: Rep. Thomas M. George
Committee: Commerce**

THE APPARENT PROBLEM:

According to testimony before the House Commerce Committee, five states currently sponsor programs that allow the public to obtain so-called heirloom certificates of marriage or birth, with the proceeds from the extra fees going to support special programs. The special certificates differ from the basic records in that they are of "keepsake" quality and suitable for display, with artistic backgrounds. Sample birth and marriage certificates from Alaska, said to be the state with the most successful heirloom program, feature a variety of works by local visual artists. They also bear the signatures of both the state registrar and the governor. The committee also saw samples from Ohio, Indiana, and the State of Washington. The creation of a similar program in Michigan is seen by genealogy supporters as a means of providing additional state funding -- without affecting the state budget -- to assist practitioners of this popular activity, for example by providing funds that could be used to purchase or preserve archival material.

THE CONTENT OF THE BILL:

The bill would amend the Public Health Code to provide for the issuance of heirloom marriage certificates and heirloom birth certificates. Such certificates would be issued upon request and upon payment of a fee to be established by the Department of Community Health. Revenue from the fees (beyond administrative costs) would go to a newly created Genealogy Projects Fund, and money in the fund would be earmarked for use by the Department of History, Arts, and Libraries on department programs related to genealogy. The heirloom certificates would be available in addition to the original marriage license certificate or original birth record copies and certificates.

Each kind of heirloom certificate would have to be 1) in a form consistent with the need to protect the

integrity of vital records; and 2) suitable for display. The certificates could bear the seal of the state and could be signed by the governor. The heirloom certificates would have the same status in evidence as original certificates.

The Department of Community Health would have to promulgate rules to establish the amount of the fee for each separate design of an heirloom certificate of marriage or an heirloom certificate of birth. Each fee would have to be in an amount more than the estimated actual cost to the department of a similar design, not to exceed the estimated fair market value of a comparable artistic rendition. The state registrar would have to transmit the portion of a fee that exceeded the actual cost of preparing and administering the certificate to the state treasurer for deposit in the Genealogy Projects Fund. The state treasurer would direct the investment of the fund and credit interest and earnings from the investments to the fund. The fund, which the bill would create, could also receive gifts and other money. The unencumbered balance in the fund at the end of a fiscal year would remain in the fund and not revert to the general fund.

MCL 333.2862 and 2882a

BACKGROUND INFORMATION:

Commemorative certificates from other states can be seen on the following state web sites.

- Alaska at www.hss.state.ak.us/dph/bvs
- Washington at www.doh.wa.gov/images/heirloom.jpg
- Indiana's at www.in.gov/isdh/bdcertifs/images/heirloom.jpg
- Ohio at www.odh.state.oh.us/Birth/bcert.pdf

House Bill 6162 (9-18-02)

FISCAL IMPLICATIONS:

The House Fiscal Agency has estimated that the bill could produce about \$20,300 annually for genealogy projects using the following information and assumptions: 136,000 live births and 66,800 marriages annually in the state; one percent of those requesting heirloom certificates; and each certificate generating \$10 (over and above the actual cost of the certificate) for genealogy projects. The HFA notes that currently the Department of History, Arts, and Libraries has a \$100,000 grant from the Abrams Foundation for the purchase of genealogy-specific materials and support services. The agency says there are many State Library and Historical Center resources used by genealogists but not considered genealogy-specific costs. These include Michigan newspapers on microfilm, census microfilm, published family and local histories, on-line genealogy information, microfilmed city directories, naturalization records, Michigan maps, and land purchase records. (HFA fiscal note dated 9-16-02) See the Arguments section for other revenue estimates.

ARGUMENTS:**For:**

Proponents of the bill say it will have multiple benefits. It will make available specially designed commemorative certificates of birth and marriage for families that want them, and at the same time produce much-needed revenue for state genealogical projects without having an impact on the state budget. According to information presented to the House Commerce Committee, the program in Alaska, which features certificates designed by local artists, has produced many requests for heirloom certificates, with an 11 percent request rate for birth certificates and an 8 percent request rate for marriage certificates. If Michigan's program generated that much interest, the state would sell over 20,000 commemorative certificates and raise several hundred thousand dollars for genealogical projects. (The actual cost of the certificates would be determined by the Department of Community Health, based on the value of the designs.) Genealogy is a popular hobby that allows families to learn about and transmit family history and traditions, and its popularity helps promote an interest in the collecting and safeguarding of original historical documents and materials. The additional dollars could be used in the acquisition and preservation of archival material by the state's Department of History, Arts, and Libraries. (See

Fiscal Implications for some of the kinds of information that could be acquired.)

POSITIONS:

A representative of the Michigan Historical Society testified in support of the bill. (9-17-02)

The Kalamazoo Valley Genealogical Society has issued a resolution in support of the bill. (9-16-02)

The Department of History, Arts, and Libraries has no position on the bill at present. (9-17-02)

Analyst: C. Couch

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.