

OFFICE OF POLICY AND LEGAL ANALYSIS

Date: February 18, 2021
To: Joint Standing Committee on Health & Human Services
From: Erin Dooling, Esq., Legislative Analyst

LD 24 An Act Regarding Certificates of Birth, Marriage and Death

SUMMARY: This bill amends the laws regulating certificates of birth, marriage and death as follows:

Sec. 1: Technical amendment that corrects a conflict created by P.L. 2019, c. 82, §1 and P.L. 2019, c. 340, §5. Both enacted laws amended the same section of statute (19-A MRSA §651, sub-§2) and this section incorporates the changes made by both laws. There are no substantive proposals to the law in this section.

Sec. 2: Requires that the parties intending marriage must sign the marriage license when it is issued or when they are married.

Sec. 3: Requires deaths and marriages occurring in an unincorporated place to be reported to a municipal clerk or registered in the electronic registration system. Current law requires that process for births occurring in an unincorporated place.

Department's proposed amendment (highlighted): When a birth, marriage or death occurs in an unincorporated place, it must be reported to a municipal clerk as specified by the state registrar and must be recorded, or registered in the electronic birth registration system, by the municipal clerk to whom the report is made. All such reports and records must be forwarded to the state registrar.

Sec. 4 & Sec. 5: Authorizes the Department to amend a birth certificate of a person 18 years or older born in Maine by replacing the name of a biological parent when there is DNA testing to prove evidence of genetic parentage.

FISCAL IMPACT: Preliminary fiscal impact shows no fiscal impact. FN not required as drafted.