



# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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Legislative Document

No. 388

H.P. 314

House of Representatives, February 8, 2011

**An Act To Allow a Personal Representative To Obtain a Copy of a  
Death Certificate and To Direct the Department of Health and  
Human Services To Amend Its Rules Governing Vital Records Fees**

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Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Clerk

Presented by Representative KNAPP of Gorham.  
Cosponsored by Senator SULLIVAN of York and  
Representatives: FOSSEL of Alna, KNIGHT of Livermore Falls, WINTLE of Garland.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §2706, sub-§5**, as amended by PL 2009, c. 601, §12, is further  
3 amended to read:

4 **5. Records disclosed.** Vital records of a person must be made available at any  
5 reasonable time upon that person's request or the request of that person's spouse,  
6 registered domestic partner, descendants, parents or guardians or a personal  
7 representative designated in that person's will or that person's duly designated attorney or  
8 agent or attorney for an agent designated by that person or by a court having jurisdiction  
9 over that person whether the request be made in person, by mail, by telephone or  
10 otherwise, if the state registrar is satisfied as to the identity of the requester and, if an  
11 attorney or agent, if the state registrar is satisfied as to the attorney or agent's authority to  
12 act as that person's agent or attorney. If the agent or attorney has been appointed by a  
13 court of competent jurisdiction, or the attorney or agent's appearance for the person is  
14 entered therein, the state registrar shall upon request so ascertain by telephone call to the  
15 register, clerk or recorder of the court, and this must be deemed sufficient justification to  
16 compel compliance with the request for the record. The state registrar shall, as soon as  
17 possible, designate persons in the Office of Data, Research and Vital Statistics who may  
18 act in the state registrar's absence or, in case of the state registrar's disqualification, to  
19 carry out the intent of this subsection. A record of birth, death, fetal death, marriage,  
20 divorce or domestic partner registration may be disclosed as necessary for the department  
21 to carry out its responsibilities.

22 **Sec. 2. Rules.** The Department of Health and Human Services, Maine Center for  
23 Disease Control and Prevention, Office of Data, Research and Vital Statistics shall amend  
24 its rules governing vital records fees to provide that a researcher identification card is  
25 valid for 2 years from the date of issuance and to reduce the fee for registration of a  
26 researcher identification card to \$25 for a person who is a dues-paying member of a  
27 genealogical society or organization.

28 **SUMMARY**

29 This bill allows a personal representative to obtain a copy of the death certificate of  
30 the person who made the will designating that personal representative. It also directs the  
31 Department of Health and Human Services, Maine Center for Disease Control and  
32 Prevention, Office of Data, Research and Vital Statistics to amend its rules governing  
33 vital records fees to provide that a researcher identification card is valid for 2 years from  
34 the date of issuance and to reduce the fee for registration of a researcher identification  
35 card to \$25 for a person who is a dues-paying member of a genealogical society or  
36 organization.