

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND AND ELEVEN

H.P. 120 - L.D. 138

An Act To Allow a Nonresident To Perform a Single Marriage Ceremony

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

Sec. 1. 19-A MRSA §654, as amended by PL 2001, c. 574, §5, is further amended to read:

§654. Record of marriages

1. Copy. Every person authorized to unite persons in marriage shall make and keep a record of every marriage solemnized by that person in conformity with the forms and instructions prescribed by the State Registrar of Vital Statistics pursuant to Title 22, section 2701.

2. Return of marriage license. The person who solemnized the marriage shall return ~~each original certificate~~ the marriage license to the clerk who issued the ~~certificate~~ license within 7 working days following the date on which the marriage is solemnized by that person. The clerk and the State Registrar of Vital Statistics each shall retain a copy of the ~~certificate~~ license.

3. Statement including officiant and witnesses. ~~Each certificate and copy~~ The marriage license returned must contain a statement giving the names of the parties united in marriage, place and date of the marriage, the signature of the person by whom the marriage was solemnized and the names of the 2 witnesses. The person who solemnized the marriage shall add the title of the office by virtue of which the marriage was solemnized, the residence of the person who solemnized the marriage and:

A. The date ordained or authorized by a religious faith to perform marriages;

B. The date the notary public's commission expires; ~~or~~

C. The date the lawyer was admitted to the Maine Bar; or

D. The date the person's temporary registration certificate was issued under section 655, subsection 1-A.

4. Recorded by clerk. The clerk shall record all ~~certificates or copies~~ marriage licenses returned under this section.

Sec. 2. 19-A MRSA §655, sub-§1, ¶A, as amended by PL 2001, c. 574, §6, is further amended to read:

- A. If a resident of this State:
- (1) A justice or judge;
 - (2) A lawyer admitted to the Maine Bar; or
 - (4) A notary public under Title 4, chapter 19; ~~and~~

Sec. 3. 19-A MRSA §655, sub-§1, ¶B, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

- B. Whether a resident or nonresident of this State and whether or not a citizen of the United States:
- (1) An ordained minister of the gospel;
 - (2) A cleric engaged in the service of the religious body to which the cleric belongs; or
 - (3) A person licensed to preach by an association of ministers, religious seminary or ecclesiastical body; and

Sec. 4. 19-A MRSA §655, sub-§1, ¶C is enacted to read:

C. A nonresident of the State who has a temporary registration certificate issued by the Office of Data, Research and Vital Statistics pursuant to subsection 1-A.

Sec. 5. 19-A MRSA §655, sub-§1-A is enacted to read:

1-A. Temporary registration certificate. The Office of Data, Research and Vital Statistics may issue a temporary registration certificate to solemnize a marriage ceremony to an individual who is a resident of another state and who is authorized under the laws of that state to solemnize marriages.

A. An individual seeking a temporary registration certificate under this subsection must submit to the Office of Data, Research and Vital Statistics:

- (1) A copy of a valid commission or other indicia of authority to perform marriage ceremonies in the individual's state of residence as proof of existence of the authority;
- (2) A copy of the other state's statute that grants the individual authority to solemnize marriages in that state;
- (3) The names and residences of the 2 parties whose marriage the individual proposes to solemnize and the expected date of the marriage ceremony; and
- (4) A \$100 registration fee.

B. Upon finding that the individual has satisfied the requirements of paragraph A, the Office of Data, Research and Vital Statistics shall issue to the individual a temporary registration certificate authorizing the individual to solemnize the marriage of the parties whose names were provided pursuant to paragraph A, subparagraph (3).

The Office of Data, Research and Vital Statistics may decline to issue a temporary registration certificate if complaints filed against the individual for actions in this State have been substantiated or for other good cause, even if the state in which the individual is authorized to solemnize marriages has not taken disciplinary action.

C. A temporary registration certificate does not authorize the individual to solemnize any marriage other than the marriage of the parties provided pursuant to paragraph A, subparagraph (3).

D. A temporary registration certificate under this subsection expires upon the individual's signing the marriage license or 90 days after issuance, whichever occurs first.

E. The Office of Data, Research and Vital Statistics shall keep a permanent record of all temporary registration certificates issued under this subsection. The records must contain the name and residence of each individual to whom a temporary registration certificate is issued.

In House of Representatives, 2011

Read twice and passed to be enacted.

..... Speaker

In Senate, 2011

Read twice and passed to be enacted.

..... President

Approved 2011

..... Governor