

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND AND FIFTEEN

—
S.P. 442 - L.D. 1237

An Act Regarding the Filing of Death and Marriage Records

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

Sec. 1. 19-A MRSA §660 is enacted to read:

§660. Late-filed application for certificate of marriage

1. Application. The parties, or the legal representatives of the parties, to a marriage that occurred more than one year previously may apply for a certificate of marriage under this section by submitting to the State Registrar of Vital Statistics the following:

A. The license and certification statement completed in accordance with section 656;

B. The required filing fee; and

C. An application for a certificate of marriage, which must include, if available, a copy of the marriage intentions obtained from the clerk of the municipality where the intentions were filed and other documents specified in rules adopted by the State Registrar of Vital Statistics.

2. Indication of date of filing. The certificate of marriage issued under this section must be marked "delayed" and must indicate the date that the certificate of marriage was filed.

3. Rules. The State Registrar of Vital Statistics shall adopt rules to carry out the purposes of this section. Rules adopted pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

Sec. 2. 22 MRSA §2848 is enacted to read:

§2848. Registering a presumed death

When a death is presumed to have occurred in the State but the body has not been located, the State Registrar of Vital Statistics shall register a death in accordance with this section upon receipt of a certified copy of an order of a court issued in accordance with Title 18-A, section 1-107, subsection (3).

1. Required information. In order to register a death on the basis of a court order, the court order must include:

A. The decedent's full legal name;

B. The date of death, as determined from the evidence presented;

C. The municipality, county and place of death, as determined from the evidence presented;

D. The decedent's address, including street address, municipality, county, state and zip code at the time of death;

E. The decedent's marital status at the time of death;

F. The given name of the decedent's surviving spouse, if any; and

G. If known, information necessary to complete the medical certification including the cause and manner of death. If the death occurred from an injury, the court order must include information on how and when the injury occurred. If such information is not known, the order must indicate the lack of available information.

2. Death certificate; identification of court order. A death certificate issued pursuant to this section must identify the court that issued the order on which the death certificate is based and include the date of the court order.

3. Record marked "presumptive." The record of a death registered pursuant to this section must be marked "presumptive."