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Testimony of the Maine Center for Disease Control
Maine Department of Health and Human Services

Before the Joint Standing Committee on Judiciary

In support of LD 83, *An Act Concerning the Filing of Marriage Licenses and the Recording of Intentions as Part of the Electronic Vital Records System*

Sponsor: Representative Kuhn
Hearing Date: February 5, 2025

Senator Carney, Representative Kuhn, and members of the Joint Standing Committee on Judiciary, my name is Kim Haggan, and I serve as the State Registrar and director of the Office of Data, Research, and Vital Statistics within the Maine Center for Disease Control (Maine CDC) in the Maine Department of Health and Human Services. I am here today to testify in support of LD 83, *An Act Concerning the Filing of Marriage Licenses and the Recording of Intentions as Part of the Electronic Vital Records System*.

LD 83 adds language to allow the parties who solemnized the marriage, in addition to the marriage officiant, to file the completed marriage license with issuing officials (Maine CDC - Data, Research, and Vital Statistics and municipal clerks). Currently, individuals that are parties in the marriage cannot return the completed license to the town where it was issued and must rely on the officiant. This can create challenges, especially in cases where the officiant is a temporary officiant from out of state and may not be available when the municipal office is open. The additional language will allow issuing officials to accept a marriage license when the parties file the marriage intentions on their own behalf, ensuring the current seven-day time requirement for the return of the marriage license is met. The bill includes language to state when a marriage becomes legal, regardless of when the marriage license is returned to the issuing official. It clarifies registration for the *delayed filing* of a marriage for which there is no record, including documentation requirements. (19-A MRS § 656).

The bill amends provisions within Maine's marriage law to align with more modern and current practices by requiring the intentions to be scanned, attached, and retained as part of the electronic record within the State's vital records system. The additional language will assist with any clerical errors that may have been present at the time of issuance and assist with the record retention and storage.

The bill strengthens assurances that the marriage is lawful by providing additional time for individuals stating a marriage and provides issuing officials the authority to withhold a marriage

license or notify the parties that they may not marry until the judge of probate from the county involved approves the marriage.

Lastly, LD 83 repeals the requirement that issuing officials must provide marriage license applicants the Department's brochure about the effects of alcohol and drugs on a fetus. Many of the marriages in Maine are to same sex couples, people beyond child-bearing age or not entering their first marriage. The important information about this public health concern is still promoted widely including through the Department's public broadcasts, websites publications and delivered through healthcare resources.

As a department bill, Maine CDC strongly supports this bill and respectfully requests the committee vote in favor of LD 83 for the efficiencies and clarification it provides for issuing officials and marrying parties in Maine.

Thank you for your time and attention. I would be happy to answer any questions you may have and to make myself available for questions at the work session.