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Testimony of the Department of Health and Human Services  
Before the Joint Standing Committee on Health and Human Services

In support of LD 24  
*An Act Regarding Certificates of Birth, Marriage and Death*  
Sponsored by: Senator Anne Carney  
Hearing Date: Wednesday, February 10, 2021

Senator Claxton, Representative Meyer, and Members of the Joint Standing Health and Human Services Committee, my name is Kim Haggan and I am the Director of the Division of Data, Research, and Vital Statistics, and the State Registrar with the Maine CDC. I am here today to introduce to you and express our support for LD 24, *An Act to Regarding Certificates of Birth, Marriage and Death*.

Maine CDC - Data, Research, and Vital Statistics (DRVS) is responsible for maintaining the centralized statewide system of vital records and are custodians of Maine's vital records starting in 1892. The office works closely with each municipality to oversee the filing, registration and amendments of marriages and in issuing all vital records.

This bill amends and clarifies language across several sections of statute pertinent to vital records. It also corrects a conflict created by Public Law 2019, chapters 82 and 340 by incorporating changes made by both laws. 22 MRS § 2703 details how a birth occurring in an unincorporated area is received, recorded and registered as a vital record. When events occur in unincorporated areas, those records must be assigned to a municipality and towns are assigned roles within the system to view and issue their records. When changes were made to the statute in 2011, only births were registered electronically. The registration system has since expanded and, currently, deaths and marriages are also registered and maintained electronically. Amending this language to include death and marriage registrations provides consistency and aligns with the functionality of the electronic registration system in permitting municipalities to issue the records.

Another section of this bill allows DRVS to replace a name on a birth certificate of a person 18 years or older when there is DNA testing to prove evidence of genetic parentage. The current law allows a genetic person to be identified; however, DRVS staff find that, at times, there is another party already recorded on the certificate and the statute does not provide DRVS the authority to remove the existing name. The amended record does contain a note that the record has been changed to show a genetic parent and does not affect the rights of inheritance or descent on the subject of the birth certificate. LD 24 language provides the allowance to replace a name when another party is already listed on the record.

Over the past year, several municipalities closed to the public due to the COVID-19 pandemic. Parties intending to marry could not easily get their marriage license issued in person and therefore unable to sign at issuance. An amendment to the current language would allow the license to be signed when

the marriage is solemnized. The person solemnizing the marriage is responsible for ensuring all parties including the witnesses sign the license.

Public Law 2019, chapters 82 and 340 affected Title 19-A § 651. The language in these laws created a conflict. One of these laws allowed intentions to be filed with either the municipality or State Registrar with proper identification of the parties. The other law addressed if either party intended to change their name after marriage. Language from both laws were incorporated as subsection 2. LD 24 corrects the conflict by combining the language into one subsection.

The Department introduced and supports this bill to provide consistency, clarity and alignment with current vital record registration and issuance processes.

Thank you for the opportunity to provide this testimony and information regarding LD 24. Maine CDC is available to provide additional details for the Committee's consideration and to participate in the work session.