

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
108TH LEGISLATURE  
FIRST REGULAR SESSION

(Filing No. H-219)

COMMITTEE AMENDMENT " B " to H.P. 52, L.D. 73, Bill,  
"AN ACT Pertaining to Birth Records."

Amend the Bill by striking out all of the last underlined paragraph before the Statement of Fact and inserting in its place the following:

'4. Illegitimate child. In the case of a child conceived and born out of wedlock, the name of the putative father shall not be entered on the certificate without his written consent. The signature of the putative father on the written consent shall be acknowledged before an official authorized to take oaths. However, if a determination of paternity has been made by a court of competent jurisdiction, then the name of the father as determined by the court shall be entered on the birth certificate without the father's consent.'

Statement of Fact

This amendment revises and clarifies the current law regarding the name of the putative father on a birth record. The putative father's written consent is required before his name can be entered on the birth record. Adjudication of paternity will <sup>amendment</sup> negate the requirement for the father's consent. This / also removes the unconstitutional part of the current law which prohibits the father from giving his surname to a child born out of wedlock.

Reported by the Committee on Legal Affairs.

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4/29/77

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