

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 73

H. P. 52

House of Representatives, January 12, 1977

Referred to the Committee on Legal Affairs. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Cote of Lewiston.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT Pertaining to Birth Records.

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

22 MRSA § 2761, sub-§ 4 is repealed and the following enacted in its place:

4. Illegitimate child. If the mother was not married either at the time of conception or birth, the child shall bear the mother's last name and the name of the putative father shall not be entered on the certificate of birth without the written consent of the mother and the person to be named as the putative father, unless a determination of paternity has been made by a court of competent jurisdiction, in which case the name of the father as determined by the court shall be entered on the birth certificate.

STATEMENT OF FACT

The purpose of this bill is to require the consent of both parents in order to add the name of the putative father on a birth record. The law is unclear at present as to whether the name of the putative father can be added by his signature only or the consent of both parents.