

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 272

7 H.P. 224

House of Representatives, January 25, 1983

8 Received by the Clerk of the House on January 25, 1983. Referred to the
9 Committee on Judiciary, and ordered printed pursuant to Joint Rule 14.

10 EDWIN H. PERT, Clerk

Presented by Representative Kelleher of Bangor.

11
12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT Affirming the Confidential
18 Nature of Vital Statistics.
19

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

22 Sec. 1. 22 MRSA §2706, first ¶ is amended to
23 read:

24 All records of vital statistics are not public
25 records under Title 1, chapter 13, unless otherwise
26 specified by this section. Custodians of certifi-
27 cates and records of birth, marriage and death may
28 permit inspection of records, or issue certified
29 copies of certificates or records, or any parts
30 thereof, when satisfied that the applicant therefor
31 has a direct and legitimate interest in the matter
32 recorded, the decision of the state registrar or the
33 clerk of a municipality being subject to review by
34 the Superior Court or Probate Court, under the
35 limitations of this section.

1 Sec. 2. 22 MRSA §2706, sub-§4, as amended by PL
2 1973, c. 681, §5, is further amended to read:

3 4. Municipal reports. It shall be unlawful for
4 any employee of the State or of any municipality in
5 the State to disclose data contained in such records,
6 except as authorized in this section and except that
7 a A clerk of a municipality may cause to be printed
8 in the annual town report the deaths reported within
9 the year covered by the said report, by date of
10 death, name, age and location by city or town where
11 death occurred. All other details of death shall not
12 be available to the general public.

13 Sec. 3. 22 MRSA §2706, sub-§6 is enacted to
14 read:

15 6. Old records. When 100 years have elapsed
16 after the date of birth, or 50 years have elapsed
17 after the date of death, marriage, divorce or annul-
18 ment, the records of these events in the custody of
19 the state registrar shall become public records and
20 information shall be made available in accordance
21 with regulations which shall provide for the contin-
22 ued safekeeping of the records and for reimbursement
23 to the State for costs incurred in furnishing copies
24 or data.

25 STATEMENT OF FACT

26 The purpose of this bill is to clarify the status
27 of vital records with respect to the Freedom of Ac-
28 cess Law by affirming their confidential nature and
29 specifying the circumstances under which they may be
30 disclosed and to whom, and to open certain older
31 records for free public use. Vital records are not
32 public records, but rather are records of private
33 acts by private individuals which are held in trust
34 by government for the benefit of the persons who are
35 directly concerned.

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