

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 1265

6
7 S.P. 462

In Senate, April 9, 1985

8 Reference to the Committee on Human Resources suggested and ordered
9 printed.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Gill of Cumberland.

Cosponsored by Representative Telow of Lewiston, Representative
11 Michaud of Medway and Representative Mayo of Thomaston.

12 STATE OF MAINE
13

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

17 AN ACT Concerning Access to Birth Records of
18 Adopted Persons.
19

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

22 Sec. 1. 22 MRSA §2765, sub-§2 is amended to
23 read:

24 2. Original certificate not subject to inspec-
25 tion. When a new certificate of birth is established
26 the actual place and date of birth shall be shown. It
27 shall be substituted for the original certificate of
28 birth. Thereafter, the original certificate of birth
29 and the evidence of adoption or legitimation shall
30 not be subject to inspection by the general public
31 except upon order of a Probate Court or the Superior
32 Court. The prohibition on inspection does not apply
33 to inspection by the adoptive parent of a minor
34 child; the adopted person, when that person is at
35 least 20 years of age; the birth parent of that
36 adopted person, when that adopted person is at least

1 20 years of age; and the biological siblings of that
2 adopted person, when that adopted person is at least
3 20 years of age; provided that no such inspection may
4 be allowed in relation to adoptions finalized or sur-
5 renders obtained prior to September 1, 1985, except
6 upon order of a Probate Court or Superior Court.

7 Sec. 2. 22 MRSA §2765, sub-§5, as amended by PL
8 1979, c. 168, §2, is further amended to read:

9 5. Copies of original certificate. When the new
10 certificate of birth is established, the state regis-
11 trar shall provide each municipal clerk who is re-
12 quired by law to have a copy of the certificate of
13 birth on file with a copy of the new certificate of
14 birth. In the case of a Maine certificate of birth
15 established for a person born in a foreign country, a
16 copy of the certificate shall be provided to and
17 shall be maintained on file by the clerk of the mu-
18 nicipality where the adoptive parents resided on the
19 date of the adoption. All copies of the original
20 certificate in the custody of any municipal clerk
21 shall be sealed from inspection, except as provided
22 in subsection 2, or surrendered to the state regis-
23 trar as he shall direct. In addition, the original
24 certificate of birth shall be available for inspec-
25 tion or copies issued to the persons set out in sub-
26 section 2, upon proof of their relationship with the
27 adopted person.

28 STATEMENT OF FACT

29 The purpose of this bill is to permit limited ac-
30 cess by adoptees, adoptive parents, birth parents and
31 biological siblings to birth records and other docu-
32 ments of adopted persons.

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