## MAINE STATE LEGISLATURE

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	L.D. 1640
2	DATE: 3-4-04 (Filing No. H-739)
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6	HEALTH AND HUMAN SERVICES
8	
10	Reproduced and distributed under the direction of the Clerk of the House.
12	STATE OF MAINE
14	HOUSE OF REPRESENTATIVES 121ST LEGISLATURE
16	SECOND SPECIAL SESSION
18	COMMITTEE AMENDMENT " $\mathcal{A}$ " to H.P. 1217, L.D. 1640, Bill, "An
20	Act To Provide Accurate Vital Records for Adults in Maine"
22	Amend the bill by striking out everything after the enacting
24	clause and before the summary and inserting in its place the following:
26	'Sec. 1. 22 MRSA §2705, sub-§6 is enacted to read:
28	6. Amendment of certificate of birth of adult. Amendment of
30	a certificate of birth of a person 18 years of age or older born in this State for the purpose of identifying a biological parent
32	who was not known or listed at the time of birth is governed by section 2767.
34	Sec. 2. 22 MRSA §2767 is enacted to read:
36	§2767. Amendment of certificate of birth of adult
38	The State Registrar of Vital Statistics shall amend the
40	certificate of birth of a person 18 years of age or older born in this State for the purpose of identifying a biological parent who
42	was not known or listed at the time of birth when the state registrar has received the following:
44	1. Request. A written request from the subject of the birth
46	certificate that the certificate be amended;
10	2. Written consent. Written consent of:
48	

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A. The subject of the birth certificate; and

2	B. The biological parent to be named on the amended birth
4	certificate.
6	Written consent must be notarized or acknowledged before an official authorized to take oaths; and
8	3. Evidence of parentage; test requirements. Evidence of
10	<pre>parentage based on testing of deoxyribonucleic acid, DNA, that includes:</pre>
12	A. A notarized report of the results of the DNA testing; and
14	B. Notarized documentation of the chain of custody of the blood and tissue samples examined in the testing.
16	
18	The testing must be of a type generally acknowledged as reliable by accreditation bodies designated by the federal Secretary of Health and Human Services, and it must be performed by a
20	laboratory approved by an accreditation body designated by the federal Secretary of Health and Human Services.'
22	
24	SUMMARY
26	This amendment replaces the bill. The amendment retains the provision of the bill that authorizes the State Registrar of
28	Vital Statistics to amend a certificate of birth to include identification of a biological parent whose parentage is based or
30	the results of DNA testing. The amendment clarifies that this authorization applies only to the birth certificates of persons
32	18 years of age or older. The amendment retains the provision of the bill that requires written consent of the biological parent
34	to be named on the amended birth certificate and adds the requirements that the consent be notarized or acknowledged before
36	an official authorized to take oaths and that written consent, in the same form, of the subject of the birth certificate be
38	required. The amendment also adds the following requirements for obtaining an amended birth certificate: notarized or written
40	consent; a notarized report of the results of DNA testing notarized documentation of the chain of custody of the samples
42	used in testing; DNA testing of a type generally acknowledged as reliable and conducted by a laboratory approved by a
44	accreditation body designated by the federal Secretary of Health and Human Services.
46	
48	FISCAL NOTE REQUIRED (See attached)

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# COMMITTEE AMENDMENT



## 121st Maine Legislature Office of Fiscal and Program Review

### LD 1640

An Act To Provide Accurate Vital Records for Adults in Maine

LR 2653(02)

Fiscal Note for Bill as Amended by Committee Amendment " "
Committee: Health and Human Services
Fiscal Note Required: Yes

#### **Fiscal Note**

Minor cost increase - General Fund