MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document	No. 1202
S.P. 416	In Senate, March 10, 2005

Resolve, To Study the Accessibility of Birth Certificates and Other Vital Records

Reference to the Committee on Health and Human Services suggested and ordered printed.

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BRENNAN of Cumberland.
Cosponsored by Representative FARRINGTON of Gorham and
Senators: BARTLETT of Cumberland, HOBBINS of York, MAYO of Sagadahoc,
MITCHELL of Kennebec, Representative: BARSTOW of Gorham.

Sec. 1. Access to vital records study. Resolved: That the
Department of Health and Human Services, Office of Vital Records
shall study the provisions of the freedom of access laws in the
Maine Revised Statutes, Title 1, chapter 13 as those laws relate
to access to vital records, such as birth, death and marriage
certificates, especially in relation to Title 22, section 2706,
which allows a state registrar or municipal clerk to restrict
access to those vital records. The office shall determine what
criteria are used by state registrars and municipal clerks in
providing access to vital records. The office shall determine
whether a more uniform process is needed to balance the
requirements of the freedom of access laws against the prevention
of identity theft and the privacy rights of adoptees. If a
better process is needed, the office shall determine what the
better process is and report by January 4, 2006 to the Second
Regular Session of the 122nd Legislature with the office's
findings, recommendations and any necessary implementing
legislation.

SUMMARY

This resolve requires the Department of Health and Human
Services, Office of Vital Records to study the effects of the
freedom of access laws on the ability of registrars to restrict
access to vital records, such as certificates of birth, death and
marriage. The purpose of the study is to reduce identity theft
and preserve the rights of adoptees while balancing the right of
the public to access certain records.