

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

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Legislative Document

No. 779

H.P. 595

House of Representatives, February 15, 2007

An Act To Remove Clergy as Signatories on Marriage Licenses

Reference to the Committee on Judiciary suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative MARLEY of Portland.

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

2 **Sec. 1. 19-A MRSA §655, sub-§1**, as amended by PL 2001, c. 574, §6, is further
3 amended to read:

4 **1. Persons authorized to solemnize marriages.** The following may solemnize
5 marriages in this State:

6 A. If a resident of this State:

7 (1) A justice or judge;

8 (2) A lawyer admitted to the Maine Bar; ~~or~~ and

9 (4) A notary public under Title 4, chapter 19; ~~and~~.

10 ~~B. Whether a resident or nonresident of this State and whether or not a citizen of~~
11 ~~the United States:~~

12 ~~(1) An ordained minister of the gospel;~~

13 ~~(2) A cleric engaged in the service of the religious body to which the cleric~~
14 ~~belongs; or~~

15 ~~(3) A person licensed to preach by an association of ministers, religious~~
16 ~~seminary or ecclesiastical body.~~

17 **Sec. 2. 19-A MRSA §657**, as amended by PL 2001, c. 574, §7, is further amended
18 to read:

19 **§657. Lack of jurisdiction or authority**

20 A marriage, solemnized before any known inhabitant of the State professing to be a
21 justice, judge, or notary public ~~or an ordained or licensed minister of the gospel~~, is not
22 void, nor is its validity affected by any want of jurisdiction or authority in the justice,
23 judge, or notary ~~or minister~~ or by any omission or informality in entering the intention of
24 marriage, if the marriage is in other respects lawful and consummated with a full belief,
25 on the part of either of the persons married, that they are lawfully married.

26 **SUMMARY**

27 This bill removes the authorization of clergy members to solemnize marriages.