

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 1181

S.P. 356

In Senate, March 22, 2011

An Act To Increase Access to Vital Records

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

Joseph G. Carleton Jr.

JOSEPH G. CARLETON, JR.
Secretary of the Senate

Presented by Senator HOBBS of York.

Cosponsored by Senator: HASTINGS of Oxford, Representative: DRISCOLL of Westbrook.

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

2 **Sec. 1. 22 MRSA §2706, sub-§5**, as amended by PL 2009, c. 601, §12, is further
3 amended to read:

4 **5. Records disclosed.** Vital records of a person must be made available at any
5 reasonable time upon that person's request or the request of that person's spouse,
6 registered domestic partner, descendants, parents or guardians or other interested party
7 who has a legitimate purpose to obtain the record or that person's duly designated
8 attorney or agent or attorney for an agent designated by that person or by a court having
9 jurisdiction over that person whether the request be made in person, by mail, by telephone
10 or otherwise, if the state registrar is satisfied as to the identity of the requester and, if an
11 attorney or agent, if the state registrar is satisfied as to the attorney or agent's authority to
12 act as that person's agent or attorney. If the agent or attorney has been appointed by a
13 court of competent jurisdiction, or the attorney or agent's appearance for the person is
14 entered therein, the state registrar shall upon request so ascertain by telephone call to the
15 register, clerk or recorder of the court, and this must be deemed sufficient justification to
16 compel compliance with the request for the record. The state registrar shall, as soon as
17 possible, designate persons in the Office of Data, Research and Vital Statistics who may
18 act in the state registrar's absence or, in case of the state registrar's disqualification, to
19 carry out the intent of this subsection. A record of birth, death, fetal death, marriage,
20 divorce or domestic partner registration may be disclosed as necessary for the department
21 to carry out its responsibilities. For purposes of this subsection, "interested party"
22 includes, but is not limited to, a beneficiary of a decedent, a beneficiary of an asset or a
23 beneficiary of a life insurance policy.

24 **SUMMARY**

25 This bill allows a person who is an interested party and has a legitimate purpose to
26 obtain a copy of vital records without a court order. The bill also defines "interested
27 party" as a beneficiary of a decedent, a beneficiary of an asset or a beneficiary of a life
28 insurance policy.