

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 1284

S.P. 446

In Senate, April 2, 2013

An Act Regarding Delayed Birth Registration

Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.
Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator CRAVEN of Androscoggin.
Cosponsored by Representative SIROCKI of Scarborough.

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

2 **Sec. 1. 22 MRSA §2764, sub-§3**, as amended by PL 2011, c. 511, §8, is further
3 amended to read:

4 **3. Description of evidence completed and filed.** The state registrar shall complete
5 the description of evidence required on the delayed registration of birth and accept and
6 file the certificate, ~~provided as long as~~ the following documentary evidence is submitted
7 in support of the facts of birth:

8 A. If the birth occurred more than one year but less than 15 years prior to the date of
9 filing, the ~~facts of birth stated by the applicant~~ place and date of birth must be
10 supported by at least 2 documents, ~~only one of which may be an affidavit of personal~~
11 ~~knowledge and the names of the parents must be supported by at least one document,~~
12 which may be one of the documents submitted in evidence of the place and date of
13 birth; or

14 B. If the birth occurred ~~more than~~ 15 or more years prior to the date of filing, the
15 date and place of birth must be supported by at least 3 documents, ~~only one of which~~
16 ~~may be an affidavit of personal knowledge,~~ and the names of the parents must be
17 supported by at least one document, which may be any one of the 3 submitted in
18 evidence of the place and date of birth.

19 C. ~~Any document accepted as evidence, other than the affidavit of personal~~
20 ~~knowledge, shall be at least 5 years old, or shall be a copy or abstract of a record~~
21 ~~made at least 5 years prior to the date of filing and certified as a true and correct copy~~
22 ~~by the custodian of the record.~~

23 The department shall adopt rules that specify the documents that may be accepted as
24 evidence to support the delayed registration of birth. Rules adopted pursuant to this
25 subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

26 **Sec. 2. 22 MRSA §2764, sub-§4** is amended to read:

27 **4. Deficiencies.** When the applicant does not submit documentation as specified in
28 subsections 2 and 3 in support of ~~his~~ the applicant's statements, or when the state registrar
29 finds reason to question the adequacy of the documentation, the ~~said~~ state registrar ~~shall~~
30 may not sign or accept the delayed registration of birth, but shall advise the applicant of
31 its deficiencies and request that further documentation be submitted.

32 **SUMMARY**

33 This bill removes an affidavit of personal knowledge as an accepted document as
34 evidence of birth required for a delayed registration of birth. The bill also changes from
35 more than 15 years to 15 years or more the number of years after which supporting
36 documentation is required as evidence.