

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



127th MAINE LEGISLATURE

SECOND REGULAR SESSION-2016

Legislative Document

No. 1470

S.P. 568

In Senate, December 18, 2015

An Act To Amend Maine's Death Certificate Disclosure Law

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 18, 2015. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator LIBBY of Androscoggin.
Cosponsored by Representative MAREAN of Hollis and
Senator: President THIBODEAU of Waldo, Representative: McCREIGHT of Harpswell.

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 2011, c. 58, §1, is further
3 amended to read:

4 **5. Records disclosed.** Certified or noncertified copies of vital records of a person
5 must be made available at any reasonable time upon that person's request or the request of
6 that person's spouse, registered domestic partner, descendant, parent or guardian,
7 grandparent, sibling, stepparent, stepchild, aunt, uncle, niece, nephew, mother-in-law,
8 father-in-law, personal representative or that person's duly designated attorney or agent or
9 attorney for an agent designated by that person or by a court having jurisdiction over that
10 person whether the request be made in person, by mail, by telephone or otherwise, if the
11 state registrar is satisfied as to the identity of the requester and, if an attorney or agent, if
12 the state registrar is satisfied as to the attorney's or agent's authority to act as that person's
13 agent or attorney. If the agent or attorney has been appointed by a court of competent
14 jurisdiction, or the attorney's or agent's appearance for the person is entered therein, the
15 state registrar shall upon request so ascertain by telephone call to the register, clerk or
16 recorder of the court, and this must be deemed sufficient justification to compel
17 compliance with the request for the record. A certified or noncertified copy of a death
18 certificate of a minor's parent must be made available at any reasonable time upon the
19 request of that minor's sole living parent if the state registrar is satisfied as to the identity
20 of the requester. The state registrar shall, as soon as possible, designate persons in the
21 Office of Data, Research and Vital Statistics who may act in the state registrar's absence
22 or, in case of the state registrar's disqualification, to carry out the intent of this subsection.
23 A record of birth, death, fetal death, marriage, divorce or domestic partner registration
24 may be disclosed as necessary for the department to carry out its responsibilities.

25 **SUMMARY**

26 This bill allows the sole living parent of a minor to obtain a certified or noncertified
27 copy of the death certificate of the minor's deceased parent.