



127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 1237

S.P. 442

In Senate, April 7, 2015

An Act Regarding the Filing of Death and Marriage Records

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 cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator BRAKEY of Androscoggin.
Cosponsored by Representative SANDERSON of Chelsea and
Representative: GATTINE of Westbrook.

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

2 **Sec. 1. 19-A MRSA §660** is enacted to read:

3 **§660. Delayed certificate of marriage**

4 **1. Application.** The parties, or the legal representatives of the parties, to a marriage
5 that occurred more than one year previously may apply for a delayed certificate of
6 marriage by submitting to the State Registrar of Vital Statistics the following:

7 A. The license and certification statement completed in accordance with section 656;

8 B. The required filing fee; and

9 C. An application for a delayed certificate of marriage, which must include, if
10 available, a copy of the marriage intentions obtained from the clerk of the
11 municipality where the intentions were filed and other documents specified in rules
12 adopted by the State Registrar of Vital Statistics.

13 **2. Indication of date of filing.** The delayed certificate of marriage must be marked
14 "delayed" and must indicate the date that the delayed certificate of marriage was filed.

15 **3. Rules.** The State Registrar of Vital Statistics shall adopt rules to carry out the
16 purposes of this section. Rules adopted pursuant to this subsection are routine technical
17 rules pursuant to Title 5, chapter 375, subchapter 2-A.

18 **Sec. 2. 22 MRSA §2848** is enacted to read:

19 **§2848. Registering a presumed death**

20 When a death is presumed to have occurred in the State but the body has not been
21 located, the State Registrar of Vital Statistics shall register a death in accordance with this
22 section upon receipt of a certified copy of an order of a court issued in accordance with
23 Title 18-A, section 1-107, subsection (3).

24 **1. Required information.** In order to register a death on the basis of a court order,
25 the court order must include:

26 A. The decedent's full legal name;

27 B. The date of death, as determined from the evidence presented;

28 C. The municipality, county and place of death, as determined from the evidence
29 presented;

30 D. The decedent's address, including street address, municipality, county, state and
31 zip code at the time of death;

32 E. The decedent's marital status at the time of death;

33 F. The given name of the decedent's surviving spouse, if any; and

34 G. If known, information necessary to complete the medical certification including
35 the cause and manner of death. If the death occurred from an injury, the court order

