

TITLE 41. VITAL STATISTICS

CHAPTER 1. BURIALS

41 M.P.T.L. ch. 1 § 1

§ 1. Governing Law

Upon enactment of this law or any amendment thereto, the provisions herein shall govern matters relating to burials on the Mashantucket Pequot Reservation.

41 M.P.T.L. ch. 1 § 2

§ 2. Removal, Transit, and Burial Permits

a. Only an embalmer licensed by the state where the decedent died may assume charge of the burial of a deceased person who had a communicable disease, as defined in the Connecticut Public Health Code, at the time of death and such licensed embalmer must file, with the Tribal Clerk's Office, an affidavit signed and sworn to by such licensed embalmer stating that the body has been disinfected.

b. After the filing of the death certificate with the Mashantucket Pequot Tribal Clerk's Office, the Tribal Clerk shall issue a removal, transit, and burial permit for burials taking place on the Reservation. The certificate shall be issued in duplicate and one copy shall be affixed to the coffin during transportation of the body.

c. The Tribal Clerk shall forward a copy of the removal, transit and burial permit to the registrar of vital statistics in the town in which the death occurred, if other than Mashantucket, not later than seven (7) business days after receipt of the death certificate and issuance of the removal, transit, and burial permit.

d. The Tribal Clerk shall charge a fee of Three (\$3.00) Dollars for each removal, transit and burial permit.

e. After the burial, the cemetery sexton shall complete the removal, transit and burial permit by filling in the location of burial (section of burial place, lot or grave) within the cemetery, executing the permit, and returning it to the Tribal Clerk's office with a copy to the registrar of vital statistics in the town where the death occurred, if other than Mashantucket, within five (5) business days of each burial.

41 M.P.T.L. ch. 1 § 3

§ 3. Connecticut Department of Public Health

As a matter of comity and respect for the government to government relationship the Tribe has with the State of Connecticut, the Tribal Clerk shall forward a copy of all completed and executed Removal, Transit, and Burial Permits for burials occurring on the Reservation within ten (10) business days of each burial.

41 M.P.T.L. ch. 1 § 4

§ 4. Cemetery Sexton

a. The Executive Director of Public Works, Community Planning & Property Management and the Office of the Chief of Staff will be responsible for the oversight, care, operation, and maintenance of the Tribe's burial sites located within Mashantucket.

b. The Tribe's cemetery sexton shall be the Executive Director of Public Works, Community Planning & Property Management and shall be in charge of maintaining the burial sites located within Mashantucket, including grave site plotting, repairs, renovations, and the proper registration of all removal, transit, and burial permits for burials taking place in such sites.

c. The cemetery sexton shall report all interments, disinterments, and removals made by such sexton to the Tribal Clerk's Office pursuant to § 2(e).

CHAPTER 2. BIRTH, MARRIAGE, AND DEATH CERTIFICATES

41 M.P.T.L. ch. 2 § 1

§ 1. Purpose

This Title provides for the recording of births, marriages, and deaths that occur within Mashantucket, the issuance of certified copies, and the sharing of information with the State.

41 M.P.T.L. ch. 2 § 2

§ 2. Birth Certificates

a. A birth certificate for each live birth that occurs in Mashantucket shall be completed on a form provided by the Mashantucket Pequot's Tribal Clerk's Office and filed with the Tribal Clerk's Office no later than ten (10) business days after the birth.

b. The Tribal Clerk's Office shall maintain a registry of birth certificates filed in alphabetical order and shall issue certified copies of such certificates pursuant to § 2(c).

c. The Tribal Clerk's Office shall restrict access to and issuance of certified copies of birth certificates to the following eligible parties:

(1) the person whose birth is recorded, if such person is over the age of eighteen (18);

(2) the person whose birth is recorded, if such person is an emancipated minor pursuant to 6 M.P.T.L. ch. 7 or the laws of the state in which the person resides;

(3) such person's children, grandchildren, spouse, parent, guardian or grandparent;

(4) an attorney representing such person or such person's parent, guardian, child, or surviving spouse. The attorney must provide documentation that he/she represents one of the individual's listed above;

(5) a court-appointed conservator for such person. A copy of the court order appointing the conservator must be provided with the request for a copy of the birth certificate; and,

(6) agents of a state or federal agency.

d. Access to confidential files on paternity, adoption, gender change or gestational agreements, or information contained within such files, shall not be released to any party including the eligible parties listed in this subsection, except upon an order from Tribal Court.

41 M.P.T.L. ch. 2 § 3

§ 3. Death Certificates

a. A death certificate for each death that occurs in Mashantucket shall be completed and filed with the Mashantucket Pequot Tribal Clerk's Office no later than five (5) business days after the death.

b. The Tribal Clerk's Office shall maintain a registry of death certificates filed in alphabetical order and shall issue certified copies of such certificates pursuant to Section 3(c) below.

c. (i) Certified copies of death certificates in the custody of the Tribal Clerk's Office may only be obtained by the decedent's immediate family. For purposes of this section the term "immediate family" shall mean spouse, child, adoptive child, brother, sister, mother, or father.

(ii) Only the surviving spouse, next of kin, or tribal, state and federal agencies authorized by federal law may receive a certified copy of a death certificate with the decedent's Social Security number. "Next of kin" includes, in the order of priority, the decedent's spouse, adult son or daughter, parent, and adult brother or sister.

41 M.P.T.L. ch. 2 § 4

§ 4. Marriage Certificates

a. Marriage certificates for each marriage that occurs in Mashantucket shall be completed and filed with the Mashantucket Pequot Tribal Clerk's Office pursuant to 6 M.P.T.L. ch. 3.

41 M.P.T.L. ch. 2 § 5

§ 5. Administrative

a. The Tribal Clerk's Office will send to the Commissioner of the State of Connecticut Department of Public Health an authenticated copy of each certificate of birth, marriage, and death received by the registrar for the calendar month preceding. Such notification shall occur on a schedule agreed upon by the Tribe and the state.

b. There shall be a Five (\$15.00) Dollar fee for each certified copy of a birth, marriage, or death certificate.

Historical and Statutory Notes

Derivation.

Effective August 14, 2014 this title 41, Vital Statics, was enacted via TCR081414-08 of 15.

Effective October 30, 2014, TCR103014-08 of 09 enacted 41 M.P.T.L Vital Statics Ch. 2 Birth, Marriage, and Death Certificates

Amendments.

Effective July 9, 2015, TCR070915-02 of 08 amends 41 M.P.T.L. ch. 2 § 5(b) to modify fees charged for certified copies of birth, marriage and death certificates issued by the Tribal Clerk's Office.