

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

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ONE HUNDRED AND NINTH LEGISLATURE

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**Legislative Document**

**No. 92**

H. P. 71

House of Representatives, January 16, 1979

Referred to the Committee on Business Legislation. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Gray of Rockland.

Cosponsor: Mr. Sprowl of Hope.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-NINE

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**AN ACT Relating to Regulations of Deaths and Permits for Final Disposition of  
Human Bodies.**

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

**Sec. 1. 22 MRSA § 2842, first ¶**, is amended to read:

Except as authorized by the department, a certificate of each death which occurs in this State shall be filed with the clerk of the municipality where death occurred **or the clerk of the Maine municipality in which the decedent resided** within 3 days after the day on which death occurred and prior to the removal of the body from the State.

**Sec. 2. 22 MRSA § 2843, first ¶, first sentence**, as repealed and replaced by PL 1977, c. 232, § 3, is amended to read:

Except as authorized by the department, no dead human body shall be buried, cremated or otherwise disposed of or removed from the State until a funeral director or other authorized person in charge of the disposition of the dead human body or its removal from the State has obtained a permit from the clerk of the municipality where death occurred **or the clerk of the Maine municipality in which the decedent resided**.

## STATEMENT OF FACT

Presently, the law requires the death certificate to be filed in the municipality where death occurs. This oftentimes presents a logistical problem when death occurs in a municipality that does not have a full-time clerk or the clerk cannot be located and the body must be transferred after regular business hours.

This change would also facilitate life insurance and military benefits where a certified copy of the death certificate is required, especially when emergency financial help is being sought. For example, when a veteran dies at a military facility it usually takes several weeks to obtain a certified copy of the death certificate.