

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 980

H.P. 740

House of Representatives, March 2, 2007

An Act To Amend the Laws Governing the Burial or Cremation of Certain Persons

Reference to the Committee on Health and Human Services suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative CROSTHWAITE of Ellsworth.
Cosponsored by Senator ROSEN of Hancock and
Representatives: ROSEN of Bucksport, TARDY of Newport, Senator: SHERMAN of
Aroostook.

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

2 **Sec. 1. 22 MRSA §4313, sub-§2**, as amended by PL 2005, c. 483, §1, is further
3 amended to read:

4 **2. Burial or cremation.** In the event of the death of an eligible person, the funeral
5 director shall notify the overseer prior to burial or cremation or by the end of 3 business
6 days following the funeral director's receipt of the body, whichever is earlier.
7 Notwithstanding section 4305, subsection 3, paragraph C, a decision on any application
8 for assistance with burial expenses need not be rendered until the overseer has verified
9 that no relative or other resource is available to pay for the direct burial or cremation
10 costs, but the decision must be rendered within 8 days after receiving an application. The
11 father, mother, grandfather, grandmother, children, or grandchildren ~~or siblings~~, by
12 consanguinity, living within or owning real or tangible property within the State, are
13 responsible for the burial or cremation costs of the eligible person in proportion to their
14 respective abilities. When no legally liable relative possesses a financial capacity to pay
15 either in lump sum or on an installment basis for the direct costs of a burial or cremation,
16 the contribution of a municipality under this subsection is limited to a reasonable
17 calculation of the funeral director's direct costs, less any and all contributions from any
18 other source.

19

SUMMARY

20 This bill removes siblings from the list of relatives who are responsible for the burial
21 or cremation costs for a person who was eligible to receive municipal general assistance
22 at the time of that person's death.