

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 968

S. P. 305

In Senate, February 21, 1973

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

HARRY N. STARBRANCH, Secretary

Presented by Senator Speers of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT Relating to Duties and Responsibilities of Funeral Directors.

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

Sec. 1. R. S., T. 22, § 2843, amended. Section 2843 of Title 22 of the Revised Statutes is amended by adding before the first paragraph a new paragraph to read as follows:

No dead human body shall be released for the purpose of transportation to any person other than a licensed funeral director or his duly authorized agent.

Sec. 2. R. S., T. 32, § 1400, sub-§ 3, amended. Subsection 3 of section 1400 of Title 32 of the Revised Statutes, as enacted by section 1 of chapter 253 of the public laws of 1967, is amended to read as follows:

3. Funeral establishment. "Funeral establishment" means every place or premise devoted to ~~or~~ and used in the care and preparation for the funeral and burial of human dead ~~or~~ and maintained for the convenience of the bereaved for viewing or other services in connection with the human dead ~~or~~ and as the ~~office or~~ place for carrying on the profession of funeral service.

Sec. 3. R. S., T. 32, § 1402-A, additional. Title 32 of the Revised Statutes is amended by adding a new section 1402-A to read as follows:

§ 1402-A. Pricing cards and agreements

Any funeral establishment which has a casket selection room shall place a card or brochure in each casket therein setting forth the price of the funeral service using said casket and listing all services and other merchandise included in the price. Where there are separate prices for the caskets and ser-

VICES, the card or brochure shall indicate the price of the casket and of the services.

The same system of pricing as defined shall be used by funeral establishments that use for casket selection the facilities of a manufacturer, jobber or other place where caskets are displayed.

At the time funeral arrangements are made and prior to the rendering of the service or providing the merchandise, the funeral service licensee shall give or cause to be given to the person making such arrangements a written statement duly signed by the licensee of the funeral establishment, setting forth the price of the funeral service that has been selected and what services are included therein, the price of any supplemental items of service and merchandise requested; the amount of each item for which the funeral director will advance moneys as an accommodation, insofar as these can be specified at that time, and the agreed method of payment.

Sec. 4. R. S., T. 32, § 1403-A, additional. Title 32 of the Revised Statutes is amended by adding a new section 1403-A to read as follows:

§ 1403-A. Embalming required within specific time

All dead human bodies not buried or otherwise disposed of within 18 hours after death shall be embalmed as prescribed by this chapter or stored under refrigeration sufficient to prevent deterioration of the body.

Sec. 5. R. S., T. 32, § 1404, amended. Section 1404 of Title 32 of the Revised Statutes is amended by adding at the end a new sentence to read as follows:

In the event that such a body is required to be kept without embalming for more than 18 hours, then said body shall be stored under refrigeration sufficient to prevent deterioration of the body.

Sec. 6. R. S., T. 32, § 1451, amended. Section 1451 of Title 32 of the Revised Statutes, as repealed and replaced by section 2 of chapter 253 of the public laws of 1967 and as amended, is further amended by adding at the end 3 new sentences to read as follows:

Any such inspector so employed by the board shall be a funeral director duly licensed under this chapter and shall have practiced as such licensee for not less than 10 consecutive years prior to his employment. The compensation of such inspector shall be determined by the board. Any such inspector shall have the right at any reasonable time to enter any premises where the practice of funeral services is being carried on or where such practice is advertised as being carried on, for the purpose of inspecting the premises, the licensee and the registration of any funeral service licensee and resident trainee operating therein.

STATEMENT OF FACT

The purpose of this bill is to set forth more precisely the duties of funeral directors as to:

1. Transportation of dead bodies.
2. Pricing.
3. Embalming.
4. Inspectors.