

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 2084

S. P. 659

In Senate, January 26, 1976

Referred to the Committee on Legal Affairs. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Cianchette of Somerset.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SIX

AN ACT to Prohibit Embalming when an Autopsy has been Authorized.

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

Sec. 1. 32 MRSA § 1404, 1st sentence, is amended to read:

No person shall inject into any cavity or artery of the body of any person who has died from violence, by the action of chemical, thermal or electrical agents, or following abortion, or suddenly when not disabled by recognizable disease, **or when an autopsy has been otherwise authorized**, any fluid or substance, until a legal certificate as to the cause of death from the medical examiner has been obtained, or until legal investigation has determined the cause of death, or written permission to embalm such body has been given by the medical examiner.

Sec. 2. 32 MRSA § 1404 is amended by adding at the end the following new sentence:

Violation of this section is a Class E crime.

STATEMENT OF FACT

This bill will prevent any embalmer or funeral director from injecting any fluid or substance into any cavity or artery of the body when an autopsy has been authorized.