

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

## FIRST REGULAR SESSION - 1989

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Legislative Document

No. 1570

H.P. 1127

House of Representatives, May 9, 1989

Reference to the Committee on Business Legislation suggested and ordered printed.

A handwritten signature in cursive script, reading "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative HANDY of Lewiston.

Cosponsored by Representative JOSEPH of Waterville and Representative CARROLL of Gray.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-NINE

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An Act to Prohibit Cemetery Corporations and Associations from  
Soliciting Prearranged Burials and Burial Business.

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

3 13 MRSA c. 83, sub-c. I-A is enacted to read:

5 SUBCHAPTER I-A

7 SOLICITATION OF PREARRANGED

9 BURIALS AND BURIAL BUSINESS PROHIBITED

11 §1041. Solicitation by cemeteries prohibited

13 No cemetery corporation or other association operating a  
15 cemetery under this chapter may solicit a prearranged burial  
17 service or plan for any person. "Prearranged burial service or  
19 plan" shall mean any burial service or plan that is arranged,  
21 planned or determined prior to the demise of a person for whom  
23 the burial service is to be performed. Cemetery corporations and  
25 cemetery associations operating under this chapter may enter into  
27 contracts or agreements under this chapter for prearranged burial  
29 services or plans provided they do not in any manner solicit  
31 those contracts or agreements.

33 No cemetery corporation or other association operating a  
35 cemetery under this chapter may pay or cause to be paid, directly  
37 or indirectly, any money or other thing of value to a person not  
39 responsible for payment for a burial as a commission or gratuity  
41 for the securing of business for the cemetery corporation or  
43 association.

45 STATEMENT OF FACT

47 This bill prohibits cemetery corporations and associations  
49 from soliciting prearranged burials and burial plans. The bill  
51 also prohibits the payment of commission to a person who secures  
53 business for a cemetery. Both restrictions already apply to  
55 funeral homes and establishments under the funeral directors and  
57 embalmers laws.