

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

SECOND REGULAR SESSION-2002

Legislative Document

No. 2089

H.P. 1580

House of Representatives, January 22, 2002

An Act Concerning the Disposal and Storage of Cremains.

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Business and Economic Development suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative LEMOINE of Old Orchard Beach.

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

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Sec. 1. 32 MRSA §1405, as amended by PL 1997, c. 210, §40, is further amended by adding at the end a new paragraph to read:

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6 A funeral director or a practitioner of funeral service who receives cremains may charge a cremains disposal fee not exceeding \$100. This fee must be refunded promptly if the cremains are claimed not later than 180 days after the receipt of the cremains by the funeral director or practitioner of funeral service. If the cremains are not claimed 180 days after their receipt by a funeral director or practitioner of funeral service, that funeral director or practitioner of funeral service may dispose of the cremains in accordance with Title 13, section 1032. That funeral director or practitioner of funeral service shall refund promptly any portion of the \$100 fee not expended in the disposal of those cremains. A funeral director or practitioner of funeral service who acts in good faith in accordance with the provisions of this section that govern the disposal of cremains is not liable for damages in a civil action for such an act.

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SUMMARY

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This bill provides that a funeral director or a practitioner of funeral service who receives cremains may charge a cremains disposal fee not exceeding \$100. This fee must be refunded promptly if the cremains are claimed not later than 180 days after the receipt of the cremains by the funeral director or practitioner of funeral service. If the cremains are not claimed 180 days after their receipt by a funeral director or practitioner of funeral service, that funeral director or practitioner of funeral service may dispose of the cremains in accordance with the Maine Revised Statutes, Title 13, section 1032. That funeral director or practitioner of funeral service shall refund promptly any portion of the \$100 fee not expended in the disposal of those cremains. A funeral director or practitioner of funeral service who acts in good faith in accordance with the provisions of this section that govern the disposal of cremains is not liable for damages in a civil action for such an act.

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