



122nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2005

Legislative Document

No. 1664

S.P. 616

In Senate, May 9, 2005

An Act To Limit Mercury Emissions from Crematoria

(AFTER DEADLINE)

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

Reference to the Committee on Natural Resources suggested and ordered printed.

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JOY J. O'BRIEN Secretary of the Senate

Presented by Senator COWGER of Kennebec. Cosponsored by Representative KOFFMAN of Bar Harbor.

2	Be it enacted by the People of the State of Maine as follows:
2 4	Sec. 1. 32 MRSA §1405, first ¶, as amended by PL 2003, c. 689, Pt. B, §6, is further amended to read:
6	Any person, firm or corporation within the State, with the approval of the Department of Health and Human Services may
8	establish and maintain suitable buildings and appliances for the cremation of bodies of the dead and, subject to the regulations
10	of the department, may cremate such bodies and dispose of the ashes of the same. <u>A person, firm or corporation approved by the</u>
12	Department of Health and Human Services pursuant to this section shall follow procedures established for removal of dental amalgam
14	and emissions capture established in Title 38, section 1672.
16	Sec. 2. 38 MRSA §1672 is enacted to read:
18	<u>§1672. Cremation; dental amalgam</u>
20	1. Removal of fillings; capture of emissions. Beginning October 1, 2006, a person, firm or corporation within the State
22	that has received the approval of the Department of Health and Human Services to establish and maintain suitable buildings and
24	appliances for the cremation of bodies of the dead in accordance with Title 32, section 1405 is subject to the requirements under
26	this section. In cremating a body that has dental amalgam fillings, the person, firm or corporation in charge of the
28	cremation shall either;
30	A. Remove the dental amalgam fillings from the body prior to cremation and properly dispose of them; or
32	B. Capture the mercury from emissions prior to release into
34	the air.
36	2. Rulemaking. The department shall adopt rules to implement this section. Rules adopted pursuant to this
38	subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.
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42	SUMMARY
44	This bill requires that, beginning October 1, 2006, a crematorium either remove dental amalgam fillings from a body
46	prior to cremation or capture mercury from emissions prior to release into the air. The bill directs the Department of
48	Environmental Protection to adopt routine technical rules to implement this requirement.

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