

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

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No. 820

H.P. 617

House of Representatives, February 20, 2007

An Act To Amend the Funeral Service Licensing Laws

Received by the Clerk of the House on February 16, 2007. Referred to the Committee on Business, Research and Economic Development pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative PENDLETON of Scarborough.
Cosponsored by Senator SHERMAN of Aroostook and
Representatives: AUSTIN of Gray, BEAUDETTE of Biddeford, RECTOR of Thomaston,
SMITH of Monmouth.

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

2 **Sec. 1. 32 MRSA §1400, sub-§5**, as amended by PL 2001, c. 169, §2, is further
3 amended to read:

4 **5. Practice of funeral service.** "Practice of funeral service" means the engagement
5 of a person in the care or disposition of the human remains or in the practice of
6 disinfecting and preparing by embalming or otherwise the human remains for the funeral
7 service, transportation of human remains to the place of burial or cremation, or the
8 practice of helping to meet the emotions and disposition of the bereaved or the practice of
9 funeral directing or embalming as presently known, whether under these titles or
10 designations or otherwise. "Practice of funeral service" also means making arrangements
11 for funeral services or selling funeral supplies to the public or making financial
12 arrangements for the rendering of such services or the sale of such supplies. "Practice of
13 funeral service" does not mean the ownership or operation of a cemetery, crematorium,
14 mausoleum or columbarium or any other facility used for burial of human remains.
15 "Practice of funeral service" does not include the transportation of human remains by an
16 authorized person or the transportation of human remains by the owner of a closed hearse
17 or other vehicle used exclusively for the purpose of transporting human remains in a
18 sealed container from a licensed funeral establishment where the human remains have
19 been prepared for burial or cremation to a location within or without the State.

20 A license for the practice of funeral service as used in this chapter is the license given to a
21 person who is engaged in the practice of funeral service as ~~above~~ defined in this
22 subsection.

23 **SUMMARY**

24 This bill allows individuals who own closed hearses or other appropriate vehicles to
25 transport human remains in sealed containers from a licensed funeral establishment to a
26 location in or outside the State without being required to become licensed by the State
27 Board of Funeral Service.