

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 810

S.P. 255

In Senate, March 2, 2017

### An Act To Allow Funeral Homes To Own and Operate Crematories

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Reference to the Committee on Labor, Commerce, Research and Economic Development suggested and ordered printed.

A handwritten signature in cursive script, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator MAKER of Washington.  
Cosponsored by Representative STEWART of Presque Isle and  
Senators: BRAKEY of Androscoggin, CYRWAY of Kennebec, LANGLEY of Hancock,  
Representatives: ALLEY of Beals, McCREA of Fort Fairfield, PERRY of Calais, SIMMONS  
of Waldoboro, TUELL of East Machias.

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

2 **Sec. 1. 13 MRSA §1341, sub-§3**, as enacted by PL 1999, c. 620, §1, is amended  
3 to read:

4 **3. Exception.** This section does not apply to a structure containing crypts erected or  
5 controlled by a church or religious society used for the remains of the clergy or  
6 dignitaries of the church or religious society or to a crematory owned and operated by a  
7 funeral establishment under Title 32, section 1501.

8 **Sec. 2. 32 MRSA §1501, 4th ¶**, as amended by PL 1989, c. 450, §22, is further  
9 amended to read:

10 A funeral establishment, in which the preparation of dead bodies takes place, must  
11 contain a preparation room equipped with tile, cement or composition floor, necessary  
12 drainage or proper disposal of waste satisfactory to the local health officer, ventilation  
13 and necessary instruments and supplies for the preparation and embalming of dead human  
14 bodies for burial, transportation or other disposition. Notwithstanding Title 13, section  
15 1303, a funeral establishment may own and operate a crematory in a location that meets  
16 state and municipal zoning and environmental standards.

17 **SUMMARY**

18 This bill allows a licensed funeral establishment to own and operate a crematory in a  
19 location that meets state and municipal zoning and environmental standards.