

# MAINE STATE LEGISLATURE

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1  
2 Date: 6-9-21 L.D. 1214  
(Filing No. H-514)

3 INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND  
4 BUSINESS

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6 STATE OF MAINE  
7 HOUSE OF REPRESENTATIVES  
8 130TH LEGISLATURE  
9 FIRST SPECIAL SESSION

10 COMMITTEE AMENDMENT "A" to H.P. 889, L.D. 1214, "An Act To Require  
11 Vehicle Safety within the Funeral Industry"

12 Amend the bill by striking out everything after the enacting clause and inserting the  
13 following:

14 'Sec. 1. 32 MRSA §1501, as amended by PL 2017, c. 210, Pt. C, §1, is further  
15 amended by adding a new 6th paragraph to read:

16 The board shall adopt rules governing the safety of drivers of vehicles owned, leased  
17 or otherwise used by a practitioner of funeral service or a funeral establishment for the  
18 transport of human remains. Rules adopted under this paragraph are major substantive  
19 rules as defined in Title 5, chapter 375, subchapter 2-A.

20 **Sec. 2. Rulemaking.** In developing rules under the Maine Revised Statutes, Title  
21 32, section 1501 governing the safety of drivers of vehicles owned, leased or otherwise  
22 used by a practitioner of funeral service or a funeral establishment for the transport of  
23 human remains, the State Board of Funeral Service, referred to in this section as "the  
24 board," shall collaborate with stakeholders, including a practitioner of funeral service  
25 licensed under Title 32, section 1501, a member of the public who is not also a member of  
26 the board, a representative of the Department of Transportation with expertise in cargo  
27 transportation, a representative of the State Police, a representative of the insurance  
28 industry and other parties as necessary.

29 No later than December 1, 2021, the board shall submit a report to the Joint Standing  
30 Committee on Innovation, Development, Economic Advancement and Business on the  
31 progress of the stakeholders' work in developing the rules. The board shall submit a  
32 provisionally adopted rule to the Legislature for review no later than January 1, 2023.

33 **Sec. 3. Appropriations and allocations.** The following appropriations and  
34 allocations are made.

35 PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF

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**Licensing and Enforcement 0352**

Initiative: Allocates one-time funds for the costs associated with contracting for professional services to provide project management and facilitation while collaborating with stakeholders to develop rules governing the safety of drivers of vehicles used by a practitioner of funeral service or funeral establishment for the transport of human remains.

| OTHER SPECIAL REVENUE FUNDS       |  | 2021-22         | 2022-23    |
|-----------------------------------|--|-----------------|------------|
| All Other                         |  | \$20,500        | \$0        |
| OTHER SPECIAL REVENUE FUNDS TOTAL |  | <u>\$20,500</u> | <u>\$0</u> |

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**SUMMARY**

This amendment replaces the bill. The amendment requires the State Board of Funeral Service to adopt major substantive rules governing the safety of drivers of vehicles owned, leased or otherwise used by a practitioner of funeral service or a funeral establishment for the transport of human remains. It directs the board to work with stakeholders when developing the rules and to submit a report to the Joint Standing Committee on Innovation, Development, Economic Advancement and Business on the progress of stakeholders' work no later than December 1, 2021 and a provisionally adopted rule to the Legislature no later than January 1, 2023. The amendment also adds an appropriations and allocations section.

**FISCAL NOTE REQUIRED**  
(See attached)



# 130th MAINE LEGISLATURE

LD 1214

LR 1841(02)

## An Act To Require Vehicle Safety within the Funeral Industry

Fiscal Note for Bill as Amended by Committee Amendment *ACH-516)*  
 Committee: Innovation, Development, Economic Advancement and Business  
 Fiscal Note Required: Yes

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### Fiscal Note

|                                   | FY 2021-22 | FY 2022-23 | Projections<br>FY 2023-24 | Projections<br>FY 2024-25 |
|-----------------------------------|------------|------------|---------------------------|---------------------------|
| <b>Appropriations/Allocations</b> |            |            |                           |                           |
| Other Special Revenue Funds       | \$20,500   | \$0        | \$0                       | \$0                       |

#### Fiscal Detail and Notes

This bill includes a one-time Other Special Revenue Funds allocations of \$20,500 in fiscal year 2021-22 to the Licensing and Enforcement program within the Department of Professional and Financial Services for the costs associated with the Board of Funeral Services contracting for professional services to provide project management and facilitation while collaborating with stakeholders to develop rules governing the safety of drivers of vehicles used by a practitioner of funeral services or funeral establishment for the transport of human remains. The Board of Funeral Services has sufficient resources available to support the one-time cost of this legislation without raising fees.