

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 465

H.P. 282

House of Representatives, February 7, 2023

An Act to Provide for an Electronic Permit for the Disposition of Human Remains

Reference to the Committee on Health and Human Services suggested and ordered printed.

Robert B. Hunt
ROBERT B. HUNT
Clerk

Presented by Representative THORNE of Carmel.

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

2 **Sec. 1. 22 MRSA §2843, 2nd ¶**, as amended by PL 2009, c. 601, §27, is further
3 amended to read:

4 The State Registrar of Vital Statistics, ~~or~~ a municipal clerk or a subregistrar may issue
5 a permit for final disposition by cremation, burial at sea, use by medical science or removal
6 from the State only upon receipt of a certificate of release by a duly appointed medical
7 examiner as specified in Title 32, section 1405.

8 **Sec. 2. 22 MRSA §2843, 3rd ¶**, as amended by PL 2009, c. 601, §27, is repealed.

9 **Sec. 3. 22 MRSA §2843, sub-§3**, as amended by PL 2013, c. 20, §1, is further
10 amended to read:

11 **3. Permit for burial.** ~~The person in charge of each burying ground or funeral director~~
12 ~~or authorized person present at the burial or crematory in this State shall endorse or~~
13 ~~electronically affirm, and provide the date the body was or cremated remains were disposed~~
14 ~~of on, each such permit with which that person is presented, and return it to the State~~
15 ~~Registrar of Vital Statistics or to the clerk of the municipality in which such the burying~~
16 ~~ground or crematory is located within 7 days after the date of disposition. If there is no~~
17 ~~person in charge of the burying ground, an official of the municipality in which the burying~~
18 ~~ground is located shall endorse, and provide the date the body was disposed of on, each~~
19 ~~such permit, and present it to the State Registrar of Vital Statistics or the clerk of the~~
20 ~~municipality. The funeral director or authorized person shall present a copy of each permit,~~
21 ~~after endorsement or electronic affirmation, to the State Registrar of Vital Statistics or the~~
22 ~~clerk of the municipality where death occurred and to the clerk who issued the permit to be~~
23 ~~filed in the electronic death registration system authorized pursuant to section 2847. The~~
24 ~~State Registrar of Vital Statistics shall adopt rules to implement this subsection. Rules~~
25 ~~adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter~~
26 ~~375, subchapter 2-A.~~

27 **Sec. 4. 22 MRSA §2843, sub-§3-A**, as amended by PL 2019, c. 257, §1, is
28 repealed.

29 **Sec. 5. 22 MRSA §2843, sub-§4**, as amended by PL 2019, c. 611, §1, is further
30 amended to read:

31 **4. Records.** Each municipality shall maintain a record of any endorsed or
32 electronically affirmed permit received pursuant to subsection 3 ~~or 3-A~~ in the electronic
33 death registration system described in section 2847. A copy of an endorsed or
34 electronically affirmed permit must be made available to a member of the public upon a
35 request made to the municipal clerk. The State Registrar of Vital Statistics may adopt
36 routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A to carry out the
37 purposes of this subsection.

38 **SUMMARY**

39 This bill authorizes a funeral director or authorized person present at a burial or
40 crematory in this State to electronically affirm the disposition of human remains.