

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST REGULAR SESSION

December 7, 1988 to July 1, 1989

Chapters 1 - 502

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
SEPTEMBER 30, 1989

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
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J.S. McCarthy Company
Augusta, Maine
1989

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND FOURTEENTH LEGISLATURE

1989

CHAPTER 56

H.P. 171 - L.D. 236

**An Act to Amend the Law Governing
Disposition of the Bodies of Persons Who
Die in State Correctional Facilities**

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

22 MRSA §2883, as amended by PL 1981, c. 493, §2, is further amended to read:

§2883. Deaths in almshouses, prisons and institutions

All public officers, agents and servants of any and every county and municipality, and of any and every almshouse, prison, morgue, hospital or any other public institution having charge or control over dead human bodies required to be buried at the public expense are required to notify immediately the ~~said~~ board of distribution, or ~~such~~ the person or persons as may from time to time be designated by ~~said~~ the board, or its duly authorized officer or agent, whenever any ~~such~~ body or bodies come into ~~his~~ or their possession, charge or control, and shall, without fee or reward, deliver ~~such~~ the body or bodies to ~~said~~ the board or its duly authorized officer or agent, and permit and suffer the ~~said~~ board or its agents, or the physicians and surgeons from time to time designated by it or them, who comply with this chapter, to take and remove any and all ~~such~~ bodies to be used within the State for the advancement of medical education. No ~~such~~ notice need be given and no ~~such~~ body shall be delivered if any person, satisfying the authorities in charge of ~~said~~ the body that ~~he or she~~ the person is a member of the family or next of kin to the deceased, shall claim the body for burial, but it shall be surrendered to ~~him or her~~ the person for interment, and no notice ~~shall~~ may be given and no body delivered to ~~said~~ the board or its agents if ~~such~~ the deceased person was a traveler and not a vagabond, who died suddenly, in which case the ~~said~~ body shall be buried. No notice may be given and no body delivered to the board or its agents by the Department of Corrections if, at its option, the department assumes responsibility for the expenses of burial. The option may be exercised by the Department of Corrections regardless of whether the body is claimed by a member of the family or next of kin, but in such a case it may only be exercised with the agreement of the person making the claim. The superintendents and medical staffs of the Augusta Mental Health Institute, the Bangor Mental Health Institute and Pineland Center, having charge or control over dead human bodies required to be buried at public expense, when no person satisfies the superintendent of either hospital for the mentally ill or the Pineland Center, and the Department of Mental Health and ~~Corrections~~ Mental Retardation that ~~he or she~~ the person is a member of the family of, or has some family connection or is next of kin to the deceased, and wishes to claim the body for burial, may for the advancement of science hold an autopsy and examine the body of ~~such~~ the deceased person, notwithstanding any provisions of this chapter.

Notwithstanding the availability of lump sum death benefits under the ~~Federal~~ United States Social Security Act,

the term "buried at public expense" as written in this section shall be deemed to include the unclaimed dead bodies of all indigent persons otherwise within the intendment of this section.

See title page for effective date.

CHAPTER 57

S.P. 140 - L.D. 260

An Act Concerning Seafood Market Development

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

Sec. 1. 12 MRSA §6021-A is enacted to read:

§6021-A. Marine Products Marketing Program

The Marine Products Marketing Program is established to encourage, promote and provide for direct participation of Maine seafood producers in joint public and private market development programs. The commissioner may enter into agreements or cooperative arrangements with any person for the purpose of advertising and increasing the sale and consumption of seafood products. The commissioner may receive, administer and disburse any funds or contributions from these persons, either independently or in conjunction with state funds allocated to the purpose, provided that funds so contributed shall be used only for the purposes of market development programs.

Sec. 2. 12 MRSA §6101, sub-§§1 to 3, as enacted by PL 1977, c. 661, §5, are amended to read:

1. Purpose. The purpose of this section shall be to increase the availability of fish fishery product inspection services to Maine processors and packers in order to improve the marketing of fish fishery products.

2. Program. The department shall be the state agency which shall be responsible for cooperating with the Federal Government in developing and administering a voluntary fish fishery product inspection program.

3. Regulations. The commissioner may adopt or amend regulations not inconsistent with the National Shellfish Sanitation Program and National Marine Fisheries Services regulations for the voluntary inspection of fishery products.

Sec. 3. 12 MRSA §6103, as enacted by PL 1981, c. 705, Pt. C, §2, is amended to read:

§6103. Implementation of fishery product or shellfish inspection programs

The Commissioner of Agriculture, Food and Rural Resources and the Commissioner of Marine Resources shall