

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)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

FIRST REGULAR SESSION
December 6, 2006 to June 21, 2007

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 20, 2007

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Penmor Lithographers
Lewiston, Maine
2007

sive purpose of supporting the discount program established under Title 26, section 1419-A, subsection 6.

The commission may require contributions to the state universal service fund in an amount necessary to collect amounts transferred pursuant to this subsection.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective June 4, 2007.

**CHAPTER 225
H.P. 907 - L.D. 1289**

**An Act To Provide Oversight
for Crematoriums**

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

Sec. 1. 32 MRSA §1405, as amended by PL 1985, c. 611, §§11 and 12 and PL 1997, c. 210, §40 and PL 2003, c. 689, Pt. B, §6, is further amended to read:

§1405. Cremation

Any ~~A~~ person, firm or corporation within the State, ~~with the approval of~~ after obtaining a license from and paying a license fee to the Department of Health and Human Services may establish and maintain suitable buildings and appliances for the cremation of bodies of the dead and, subject to the ~~regulations~~ rules of the department, may cremate such bodies and dispose of the ashes of the same. ~~The department shall adopt rules to implement this section. Rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.~~

The body of a deceased person ~~shall~~ may not be cremated within 48 hours after ~~his decease~~ death unless ~~he the person~~ died of a contagious or infectious disease, and in no event ~~shall~~ may the body of a deceased person be cremated, buried at sea, used by medical science or removed from the State until the person, firm or corporation in charge of the disposition has received a certificate from a duly appointed medical examiner that ~~he the medical examiner~~ has made personal inquiry into the cause and manner of death and is satisfied that ~~no~~ further examination or judicial inquiry concerning the ~~same~~ cause and manner of death is not necessary. This certificate, a certified copy of the death certificate and a burial transit permit when presented by the authorized person as defined in Title 22, section 2846, ~~shall be~~ is sufficient authority for cremation, burial at sea, use by medical science or removal from the State, and the person, firm or corporation in charge of the disposition ~~shall~~ may not refuse

to cremate or otherwise dispose of the body solely because these documents are presented by such an authorized person. The certificate ~~shall~~ must be retained by the person, firm or corporation in charge of the cremation or disposition for a period of 15 years. For the certificate, the medical examiner ~~shall~~ must receive a fee of \$15 payable by the person requesting ~~same~~ the certificate.

~~No human~~ Human remains ~~shall~~ may not be removed, transported or shipped to ~~any~~ a crematory unless encased in a casket or other suitable container.

See title page for effective date.

**CHAPTER 226
H.P. 975 - L.D. 1383**

**An Act To Enhance
Availability of Emergency
Telephone Services**

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

Sec. 1. 25 MRSA §2921, sub-§5-A is enacted to read:

5-A. Enhanced 9-1-1 access-only service. "Enhanced 9-1-1 access-only service" or "E-9-1-1 access-only service" means the provision of E-9-1-1 access to a residential telephone customer's premises when telephone service to the premises has been otherwise suspended or disconnected.

Sec. 2. 25 MRSA §2935 is enacted to read:

§2935. E-9-1-1 access-only service

1. Provision of E-9-1-1 access-only service. It is the policy of this State that E-9-1-1 be broadly available where it is economically and technologically practical. The bureau shall, by rule, establish requirements for the provision of E-9-1-1 access-only service, including, but not limited to, the circumstances in which E-9-1-1 access-only service is and is not required and which telephone service providers are and are not subject to the requirements.

2. Rulemaking. The bureau shall adopt rules to implement this section. Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 3. Major substantive rulemaking; authority for legislation. Major substantive rules provisionally adopted pursuant to the Maine Revised Statutes, Title 25, section 2935 must be submitted to the Legislature by January 15, 2008 for review by the Joint Standing Committee on Utilities and Energy during the Second Regular Session of the 123rd Legislature. In the rulemaking, the Public Utilities Com-