



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1484

H.P. 1086

House of Representatives, April 4, 2019

**An Act To Create a System Using the Permit for Disposition of
Human Remains To Track the Burial of Cremated Remains in a
Public Cemetery**

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

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative DOORE of Augusta.
Cosponsored by Senator DESCHAMBAULT of York and
Representative: HANDY of Lewiston.

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

2 **Sec. 1. 22 MRSA §2843, sub-§3-A**, as amended by PL 2017, c. 363, §1, is
3 further amended to read:

4 **3-A. Authorization for burial of cremated remains in public burying ground.**
5 The State Registrar of Vital Statistics shall provide an authorization to be used for the
6 purposes of this subsection. If cremated remains are buried in a public burying ground in
7 ~~this the~~ State, the person in charge of the public burying ground ~~may shall~~ endorse and
8 ~~provide record~~ the date the cremated remains were buried on ~~each permit with which that~~
9 ~~person is presented~~ an authorization for the remains and return ~~it the authorization~~ to the
10 State Registrar of Vital Statistics or to the clerk of the municipality in which the public
11 burying ground is located within 7 days after the cremated remains were buried. If there
12 is no person in charge of the public burying ground, an official of the municipality in
13 which the public burying ground is located ~~may shall~~ endorse and ~~provide record~~ the date
14 the cremated remains were buried on ~~each such permit~~ the authorization and present ~~it the~~
15 authorization to the State Registrar of Vital Statistics or the clerk of the municipality.
16 ~~The~~ If an authorization is not returned to the State Registrar of Vital Statistics within 7
17 days after cremated remains were buried, the funeral director or authorized person may
18 present a copy of each permit the authorization, if the permit authorization has been
19 endorsed, to the State Registrar of Vital Statistics or the clerk of the municipality where
20 death occurred and to the clerk who issued the permit. ~~For the purposes of this~~
21 ~~subsection, "public burying ground" has the same meaning as in Title 13, section 1101-A,~~
22 ~~subsection 4 authorization.~~

23 For purposes of this subsection, unless the context otherwise indicates, the following
24 terms have the following meanings.

25 A. "Authorization" means the form or electronic process prescribed and furnished by
26 the State Registrar of Vital Statistics for the purpose of recording the consent of an
27 authorized person for the burial or removal of cremated remains in a public burying
28 ground as specified by department rule.

29 B. "Burial" means all manner of dispersal or deposit in or on the ground or in a
30 structure.

31 C. "Public burying ground" has the same meaning as in Title 13, section 1101-A,
32 subsection 4.

33 **SUMMARY**

34 This bill changes the requirements for persons responsible for public burying grounds
35 by changing the documentation of cremated remains buried in a burying ground from a
36 permissive function to a mandated duty to be performed by the responsible person within
37 7 days of the cremated remains being buried.