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Date: (Filing No. S-)

LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

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**STATE OF MAINE
SENATE
128TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 223, L.D. 661, Bill, “An Act Regarding the Chain of Custody in Crematories”

Amend the bill by striking out all of section 1 and inserting the following:

Sec. 1. 22 MRSA §2843, sub-§3-A is enacted to read:

3-A. Permit for burial of cremated remains in public burying ground. If cremated remains are buried in a public burying ground in this State, the person in charge of the public burying ground shall endorse and provide the date the cremated remains were buried on each permit with which that person is presented and return it to the State Registrar of Vital Statistics or to the clerk of the municipality in which the public burying ground is located within 7 days after the date of burial. If there is no person in charge of the public burying ground, an official of the municipality in which the public burying ground is located shall endorse and provide the date the cremated remains were buried on each such permit and present it to the State Registrar of Vital Statistics or the clerk of the municipality. The funeral director or authorized person shall present a copy of each permit, after endorsement, to the State Registrar of Vital Statistics or the clerk of the municipality where death occurred and to the clerk who issued the permit. For the purposes of this subsection, "public burying ground" has the same meaning as in Title 13, section 1101-A, subsection 4.

Sec. 2. 22 MRSA §2843, sub-§4, as amended by PL 2009, c. 601, §27, is further amended to read:

4. Records. Each municipality shall maintain a record of any endorsed permit received pursuant to subsection 3 or 3-A. These records must be open to public inspection.

Sec. 3. 22 MRSA §2843-A, sub-§10, ¶F is enacted to read:

F. Upon cremation of the remains or dead body, the crematory shall prepare a certificate of cremation signed and dated by the person in charge of the cremation indicating the date of cremation and the identity of the cremated remains or dead body as identified by the funeral director or practitioner of funeral service or the

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1 cremation authorization form, including the deceased person's full name, date and
2 place of death, gender and veteran status. The crematory shall provide the certificate
3 of cremation to the funeral director or practitioner of funeral service or the person
4 who has custody and control of the remains or dead body.'

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

7 **SUMMARY**

8 This amendment:

9 1. Retains the requirement in the bill that crematories label the container containing
10 cremated remains with the name of the deceased person;

11 2. Retains the requirement in the bill that crematories prepare a certificate of
12 cremation in order to identify the remains that were cremated but allows crematories to
13 rely on the funeral director or authorized person's identification of the remains prior to
14 cremation; and

15 3. Requires, whenever cremated remains are buried in a public burying ground, that
16 the person in charge of the public burying ground endorse and provide the date that the
17 cremated remains were buried on the permit for final disposition issued by the State
18 Registrar of Vital Statistics or the clerk of the municipality in which the public burial
19 ground is located.