

STATE OF MAINE

—
 IN THE YEAR OF OUR LORD
 TWO THOUSAND AND EIGHTEEN

—
 S.P. 701 - L.D. 1856

An Act Regarding Permits for Burial of Cremated Remains

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this legislation, regarding the burial of cremated remains, must take effect before the expiration of the 90-day period so that it may apply to burials this spring; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 22 MRSA §2843, sub-§3-A, as enacted by PL 2017, c. 101, §1, is amended 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~~ may 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~~ may 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~~ may present a copy of each permit, ~~after endorsement~~ if the permit has been endorsed, 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.

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