

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Amend the Laws Governing the Burial or Cremation of Certain Persons**

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

**Sec. 1. 22 MRSA §4313, sub-§2**, as amended by PL 2005, c. 483, §1, is further amended to read:

**2. Burial or cremation.** In the event of the death of an eligible person, the funeral director shall notify the overseer prior to burial or cremation or by the end of 3 business days following the funeral director's receipt of the body, whichever is earlier. Notwithstanding section 4305, subsection 3, paragraph C, a decision on any application for assistance with burial expenses need not be rendered until the overseer has verified that no relative or other resource is available to pay for the direct burial or cremation costs, but the decision must be rendered within 8 days after receiving an application. The father, mother, grandfather, grandmother, children, ~~or~~ grandchildren ~~or~~ siblings, by consanguinity, living within or owning real or tangible property within the State, are responsible for the burial or cremation costs of the eligible person in proportion to their respective abilities. When no legally liable relative possesses a financial capacity to pay either in lump sum or on an installment basis for the direct costs of a burial or cremation, the contribution of a municipality under this subsection is limited to a reasonable calculation of the funeral director's direct costs, less any and all contributions from any other source.

### **SUMMARY**

This bill removes siblings from the list of relatives who are responsible for the burial or cremation costs for a person who was eligible to receive municipal general assistance at the time of that person's death.