

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37

Date: (Filing No. H-)

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
SECOND REGULAR SESSION

HOUSE AMENDMENT “ ” to COMMITTEE AMENDMENT “A” to H.P. 1420, L.D. 2214, “An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2024 and June 30, 2025”

Amend the amendment by inserting after Part TTTT the following:

'PART UUUU

Sec. UUUU-1. 22 MRSA §3028-A, as amended by PL 2017, c. 335, §1, is repealed and the following enacted in its place:

§3028-A. Disposal of unidentified human remains and abandoned human remains; identification

This section governs the storage, identification, disposition and expenses related to human remains.

1. Storage and disposition of human remains. Whenever unidentified human remains are recovered, the Chief Medical Examiner may store the remains, release them to an educational institution, inter them in an appropriate resting place or have them cremated in accordance with this section. Ashes of remains cremated may be disposed of in any appropriate manner. Human remains uncovered in a cared-for cemetery are excluded from the operation of this section. Human remains known to be Indian remains are excluded from the operation of this subsection and must be handled in the manner required by section 2842-B.

The Chief Medical Examiner may assume responsibility for the disposal of identified human remains of a deceased resident of this State that are the subject of a medical examiner case if no one takes custody and control of the human remains for a period of 30 days after the Chief Medical Examiner has completed an autopsy or necessary examination of the human remains, made reasonable inquiry under section 3028-D, subsection 1 and satisfied the requirements of subsection 2. Such abandoned remains may be interred or cremated. The Chief Medical Examiner shall file or cause to be filed a certificate of abandonment in the municipality where the human remains were recovered that indicates the means of disposal.

HOUSE AMENDMENT

1 In the absence of a responsible party, payment of expenses incurred by the Chief Medical
2 Examiner pursuant to this section must be made pursuant to section 3028-D, subsection 2
3 as if the remains were unidentified. The Chief Medical Examiner may seek to recover costs
4 from the estate or municipality of residence of the deceased.

5 **2. Identification of human remains using DNA.** After the Chief Medical Examiner
6 has had possession of unidentified human remains for 45 days, the Chief Medical Examiner
7 shall test the deoxyribonucleic acid, or DNA, of human remains using forensic genetic
8 genealogy testing. For purposes of this subsection, "forensic genetic genealogy testing"
9 means a DNA analysis of a sample of biological material by a laboratory to develop a
10 profile and search for that profile in a database of personal genomics or using a direct-to-
11 consumer genetic genealogy service.

12 **Sec. UUUU-2. Chief Medical Examiner to identify human remains.** The
13 Chief Medical Examiner shall use forensic genetic genealogy testing of the
14 deoxyribonucleic acid, or DNA, of unidentified remains in order of importance as
15 determined by the Chief Medical Examiner to identify any unidentified human remains in
16 the possession of the Chief Medical Examiner as of the effective date of this Act. As used
17 in this section, "forensic genetic genealogy testing" has the same meaning as in the Maine
18 Revised Statutes, Title 22, section 3028-A, subsection 2.

19 **Sec. UUUU-3. Transfer of funds.** Notwithstanding any provision of law to the
20 contrary, on or before June 30, 2025, the State Controller shall transfer \$100,000 from the
21 Department of Professional and Financial Regulation, Office of Professional and
22 Occupational Regulation program, Other Special Revenue Funds account to the
23 Department of the Attorney General, Office of the Chief Medical Examiner program, Other
24 Special Revenue Funds account.

25 **Sec. UUUU-4. Appropriations and allocations.** The following appropriations
26 and allocations are made.

27 **ATTORNEY GENERAL, DEPARTMENT OF THE**
28 **Chief Medical Examiner - Office of 0412**

29 Initiative: Provides a one-time allocation for forensic genetic genealogy testing of the
30 deoxyribonucleic acid, or DNA, of unidentified human remains.

31 OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
32 All Other	\$0	\$100,000
33		
34 OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$100,000

35
36 Amend the amendment by relettering or renumbering any nonconsecutive Part letter or
37 section number to read consecutively.

38 **SUMMARY**

39 This amendment requires the Chief Medical Examiner to use forensic genetic
40 genealogy testing with the deoxyribonucleic acid, or DNA, of the human remains of an
41 unidentified individual after 45 days of having possession of the unidentified human

1 remains. Human remains known to be Indian remains are excluded from the provisions of
2 the amendment.

3 **SPONSORED BY:** _____

4 **(Representative BOYER, D.)**

5 **TOWN: Poland**