



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 465

H.P. 282

House of Representatives, February 7, 2023

**An Act to Provide for an Electronic Permit for the Disposition of
Human Remains**

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

Robert B. Hunt
ROBERT B. HUNT
Clerk

Presented by Representative THORNE of Carmel.

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

2 **Sec. 1. 22 MRSA §2843, 2nd ¶**, as amended by PL 2009, c. 601, §27, is further
3 amended to read:

4 The State Registrar of Vital Statistics, ~~or~~ a municipal clerk or a subregistrar may issue
5 a permit for final disposition by cremation, burial at sea, use by medical science or removal
6 from the State only upon receipt of a certificate of release by a duly appointed medical
7 examiner as specified in Title 32, section 1405.

8 **Sec. 2. 22 MRSA §2843, 3rd ¶**, as amended by PL 2009, c. 601, §27, is repealed.

9 **Sec. 3. 22 MRSA §2843, sub-§3**, as amended by PL 2013, c. 20, §1, is further
10 amended to read:

11 **3. Permit for burial.** ~~The person in charge of each burying ground or funeral director~~
12 ~~or authorized person present at the burial or crematory in this State shall endorse or~~
13 ~~electronically affirm, and provide the date the body was or cremated remains were disposed~~
14 ~~of on, each such permit with which that person is presented, and return it to the State~~
15 ~~Registrar of Vital Statistics or to the clerk of the municipality in which such the burying~~
16 ~~ground or crematory is located within 7 days after the date of disposition. If there is no~~
17 ~~person in charge of the burying ground, an official of the municipality in which the burying~~
18 ~~ground is located shall endorse, and provide the date the body was disposed of on, each~~
19 ~~such permit, and present it to the State Registrar of Vital Statistics or the clerk of the~~
20 ~~municipality. The funeral director or authorized person shall present a copy of each permit,~~
21 ~~after endorsement or electronic affirmation, to the State Registrar of Vital Statistics or the~~
22 ~~clerk of the municipality where death occurred and to the clerk who issued the permit to be~~
23 ~~filed in the electronic death registration system authorized pursuant to section 2847. The~~
24 ~~State Registrar of Vital Statistics shall adopt rules to implement this subsection. Rules~~
25 ~~adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter~~
26 ~~375, subchapter 2-A.~~

27 **Sec. 4. 22 MRSA §2843, sub-§3-A**, as amended by PL 2019, c. 257, §1, is
28 repealed.

29 **Sec. 5. 22 MRSA §2843, sub-§4**, as amended by PL 2019, c. 611, §1, is further
30 amended to read:

31 **4. Records.** Each municipality shall maintain a record of any endorsed or
32 electronically affirmed permit received pursuant to subsection 3 ~~or 3-A~~ in the electronic
33 death registration system described in section 2847. A copy of an endorsed or
34 electronically affirmed permit must be made available to a member of the public upon a
35 request made to the municipal clerk. The State Registrar of Vital Statistics may adopt
36 routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A to carry out the
37 purposes of this subsection.

38 **SUMMARY**

39 This bill authorizes a funeral director or authorized person present at a burial or
40 crematory in this State to electronically affirm the disposition of human remains.