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An Act To Change the Definition of "Domestic Partner" in the Laws Governing Custody of Remains

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

Sec. 1. 22 MRSA §2843-A, sub-§1, ¶D, as amended by PL 2003, c. 672, §19, is further amended to read:

D. "Next of kin" means a person having the following relationship to the subject, in the following order of priority:

(1) The spouse;

(1-A) ~~A domestic partner. For purposes of this section, "domestic partner" means one of 2 unmarried adults who are domiciled together under long-term arrangements that evidence a commitment to remain responsible indefinitely for each other's welfare;~~the partner of the subject who:

(a) Is a mentally competent adult;

(b) Had been legally domiciled with the subject for at least 12 months immediately preceding the death of the subject;

(c) Is not legally married to or legally separated from another individual;

(d) Was the sole partner of the subject; and

(e) Was jointly responsible with the subject for each other's common welfare as evidenced by joint living arrangements, joint financial arrangements or joint ownership of real or personal property;

(2) An adult son or daughter;

(3) A parent;

(4) An adult brother or sister;

- (5) An adult grandchild;
- (6) An adult niece or nephew who is the child of a brother or sister;
- (7) A maternal grandparent;
- (8) A paternal grandparent;
- (9) An adult aunt or uncle;
- (10) An adult first cousin; or
- (11) Any other adult relative in descending order of blood relationship.

SUMMARY

This bill changes the definition of "domestic partner" in the laws governing the custody of remains to make it consistent with other laws.