

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND AND EIGHTEEN

—
H.P. 1197 - L.D. 1717

**An Act To Clarify the Authority of the Chief Medical Examiner To Properly
Dispose of Abandoned Human Remains**

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

Sec. 1. 22 MRSA §3028-A, as enacted by PL 1985, c. 611, §8, is amended to read:

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

Whenever unidentified human ~~skeletal~~ 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. Ashes of remains cremated may be disposed of in any appropriate manner. Human ~~skeletal~~ remains uncovered in a cared-for cemetery or known to be Indian remains are excluded from the operation of this section.

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 both completed an autopsy or necessary examination of the human remains and made reasonable inquiry under section 3028-D, subsection 1. 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.

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

Sec. 2. 22 MRSA §3035, sub-§1, ¶B, as amended by PL 2017, c. 284, Pt. FFF, §1, is further amended to read:

B. For histological slides, the fees are as follows:

- (1) For each slide, \$12.50;
- (2) A handling fee per case, \$25; and
- (3) For 21 slides or more, an additional handling fee, \$25; ~~and~~

Sec. 3. 22 MRSA §3035, sub-§1, ¶C, as corrected by RR 2015, c. 2, §11, is further amended to read:

C. For other items and services such as photographs and transparencies, additional tests relating to toxicology or specimens and videotaping:

- (1) A handling fee per case, \$20; and
- (2) Anticipated costs of providing the item or service, including shipping charges; and

Sec. 4. 22 MRSA §3035, sub-§1, ¶D is enacted to read:

D. For forensic preservation of body fragments and body fluids beyond the period established by the policy of the Office of Chief Medical Examiner, a fee not to exceed \$100 per year, per case.