

Cremation Issue Chart

MAINE



| ISSUE: IDENTIFICATION OF DECEASED | | | |
|---|--|---|------------------------------|
| Law/Regulation | Is ID Required? | Information Required for ID | Any Restrictions/Limitations |
| N/A | | | |
| ISSUE: ALTERNATIVE CONTAINER FOR CREMATION | | | |
| Law/Regulation | Is It Required? | Definition of Alternative Container | |
| Ch. 331c Maine State Board of Funeral Directors;Definitions | Yes | 1. Alternative container. “Alternative container” means an unfinished wood box or other non-metal receptacle without ornamentation or a fixed interior lining, often made of fiberboard, pressed wood or composition materials, which is designed for the encasement of human remains. | |
| ISSUE: URN | | | |
| Law/Regulation | Any requirements for Urn/Temporary Container | Definition of Urn/Temporary Container | |
| ME 10-144 CMR 227 | Yes | Temporary Container. A temporary container is a receptacle for cremated Remains, usually made of cardboard, plastic or similar material designed to hold the cremated remains. Urn. A receptacle designed to permanently encase the cremated remains, or a container in which cremated remains can be placed and closed in a manner so as to prevent leakage or spillage of remains or the entrance of foreign material. | |

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| ISSUE: AUTHORIZING AGENT | |
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| Law/Regulation | Legal Order of Authorizing Agent |
| §2843-A. Custody of remains of deceased persons | <p>D. "Next of kin" means a person having the following relationship to the subject, in the following order of priority:</p> <ol style="list-style-type: none"> (1) The spouse; (1-A) A domestic partner. For purposes of this section, "domestic partner" means the partner of the subject who: <ol style="list-style-type: none"> (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; |
| ISSUE: FINAL DISPOSITION | |
| Law/Regulation | Any Guidelines or Requirements of Disposition of Cremated Remains Including Mailing Requirements |
| 10-144 CMR 225 SECTION 6: DISPOSITION OF CREMATED REMAINS | <p>A. The authorized person is responsible for the final arrangement of the cremated remains. Cremated remains must be delivered by the Crematorium Authority to the individual specified by the authorized person on the cremation authorization form. After this delivery, the cremated remains may be transported in any manner authorized in the State of Maine, without a permit, and disposed of in accordance with the provisions of these Rules and 22 M.R.S.A. §§ 2843 and 2843-A.</p> <p>B. If the authorized person or a representative thereof has not received shipment of the cremated remains after a period of 30 days from the date of cremation, then the Crematorium Authority may dispose of the cremated remains in any manner permitted by law, except scattering, subject to Subsection C below.</p> <p>C. If the Crematorium Authority has reasonable grounds to believe that a funeral practitioner was associated with human remains held at the crematorium for more than 30 days, the Crematorium Authority should make every effort to return human remains to that funeral practitioner. In the event that the cremated remains are returned to the funeral practitioner, the funeral practitioner must dispose of the human remains in accordance with 22 M.R.S.A. §§ 2843, 2843-A, and 32 M.R.S.A. §§ 1405 and 1405-A.</p> |