

**HOUSE . . . . . No. 4104**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Timothy R. Madden and Daniel A. Wolf*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act exempting the town of Nantucket from the provisions of MGL and the code of Massachusetts regulations regarding funeral directors, embalmers, funeral homes, and crematories.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

*Timothy R. Madden*

*Barnstable, Dukes and Nantucket*

*Daniel A. Wolf*

*Cape and Islands*

**HOUSE . . . . . No. 4104**

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By Representative Madden of Nantucket and Senator Wolf, a joint petition (accompanied by bill, House, No. 4104) of Timothy R. Madden and Daniel A. Wolf (by vote of the town) that the town of Nantucket be authorized to exempt funeral directors, embalmers, funeral homes, and crematories from certain regulations. Public Health. [Local Approval Received.]

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The Commonwealth of Massachusetts

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**In the Year Two Thousand Fourteen**

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An Act exempting the town of Nantucket from the provisions of MGL and the code of Massachusetts regulations regarding funeral directors, embalmers, funeral homes, and crematories.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           Section 1. Funeral Directors and Embalmers: Notwithstanding the provisions of MGL  
2 Ch. 112, § 83 and 239 CMR 3.02, Type 3 and Type 6 Funeral Directors and Embalmers shall be  
3 exempted from holding any ownership shares in any funeral establishment.

4           Section 2. Establishments: Notwithstanding the provisions of 239 CMR 3.06.(1)(b), any  
5 funeral establishment on Nantucket Island shall not be mandated to have a chapel; and of 239  
6 CMR 3.06 (1)(f) any funeral establishment on Nantucket Island may consist of more than one  
7 building or more than one lot of land, said buildings and/or lots shall not be required to be  
8 adjoining or connecting.

9           Section 3. Notwithstanding the provisions of MGL Ch. 114, §43B, the placement of any  
10 future crematory sited on Nantucket Island shall be determined by the Nantucket Cemetery  
11 Commission, created pursuant to the Acts of 2011, Chapter 47, or a vote at an Annual Town  
12 Meeting. Such crematory may be sited as an auxiliary use of any public or private cemetery, or  
13 may be sited on a single parcel of town-owned land.

14           Section 4. This act shall take effect upon its passage.