

By Mr. Palumbo of Newbury, petition of Thomas G. Palumbo for legislation to increase the amount of money allowed for certain burial expenses. Human Services and Elderly Affairs.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Ninety-One.

AN ACT INCREASING THE AMOUNT OF MONEY ALLOWED FOR CERTAIN BURIAL EXPENSES.

*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. The last paragraph of section 130 of chapter 6  
2 of the General Laws, is hereby amended by striking out the first  
3 sentence and inserting in place thereof the following sentence: —  
4 The commission may, if no other means are available, pay for the  
5 expense of the funeral and burial of blind persons aided under  
6 this section, a sum not exceeding fifteen hundred dollars, provided  
7 that the total expense of the funeral and burial does not exceed  
8 nineteen hundred and fifty dollars; and provided, further, that any  
9 payment made by said commission shall be reduced by whatever  
10 resources may exist in the estate of such deceased blind person.

1 SECTION 2. Section 8 of chapter 115 of the General Laws,  
2 is hereby amended by striking out the first sentence and inserting  
3 in place thereof the following sentence: — Amounts expended by  
4 the burial agent under the provisions of section seven shall not  
5 exceed fifteen hundred dollars for any person under this chapter,  
6 provided that the total expense of the funeral and burial does not  
7 exceed nineteen hundred and fifty dollars; and, provided further,  
8 that any payment made by said burial agent shall be reduced by  
9 whatever resources may exist in the estate of said person.

1 SECTION 3. Section 18 of chapter 117 of the General Laws,  
2 is hereby amended by striking out the third sentence and inserting

3 in place thereof the following sentence: — The expense thereof  
4 may be recovered of their kindred, if any, chargeable by law for  
5 their support in the manner provided in this chapter; and if the  
6 expense of their funeral and burial is not paid by such kindred,  
7 an amount not exceeding fifteen hundred dollars, provided that  
8 the total expense of the funeral and burial does not exceed  
9 nineteen hundred and fifty dollars; and, provided further, that any  
10 payment made by the department shall be reduced by whatever  
11 resources may exist in the estate of said person.

1 SECTION 4. Said chapter 117 is hereby further amended by  
2 striking out section 19, and inserting in place thereof the following  
3 section: —

4 Section 19. In case of the decease of a poor and indigent person  
5 the commonwealth shall pay for the expense of the funeral and  
6 burial of such person a sum not exceeding fifteen hundred dollars,  
7 provided that the total expense of the funeral and burial does not  
8 exceed nineteen hundred and fifty dollars; and provided, further  
9 that any payment made by the commonwealth shall be reduced  
10 by whatever resources may exist in the estate of said person. The  
11 funeral director engaged in conducting the funeral and burial of  
12 said deceased person shall perform the services and furnish the  
13 materials in connection therewith as follows: — removal of body;  
14 procuring of death certificate and burial permit; embalming and  
15 dressing of body; furnishing suitable burial garment; furnishing  
16 suitable casket, bearing metal plate with name of deceased  
17 engraved thereon; furnishing outer case of pine wood; furnishing  
18 hearse for transporting body of the deceased to a cemetery;  
19 furnishing conveyance for transporting to such cemetery the  
20 immediate family of the deceased; procuring of a clergyman, of  
21 the religion that the deceased professed, to officiate at the funeral,  
22 procuring a burial place for the body of the deceased; opening  
23 the grave, and obtaining the use of interment devices.

1 SECTION 5. Section 2 of chapter 118 of the General Laws is  
2 hereby amended by striking out the third paragraph, and inserting  
3 in place thereof the following paragraph: —

4 The department may pay a sum not exceeding fifteen hundred  
5 dollars for the funeral and burial of a recipient provided that cost

6 does not exceed nineteen hundred and fifty dollars and there are  
7 insufficient resources to pay for the cost of such funeral and burial.  
8 Any resources of the recipient shall be deducted from the  
9 maximum cost of the funeral and burial allowable hereunder and  
10 the difference, subject to the limitation set forth in this paragraph,  
11 shall be paid by the department.

1 SECTION 6. Section 7 of chapter 118A of the General Laws,  
2 is hereby amended by striking out the third and fourth sentences  
3 and inserting in place thereof the following two sentences: — The  
4 department may pay a sum not exceeding fifteen hundred dollars  
5 for the funeral and burial of a recipient provided that cost of  
6 funeral and burial does not exceed nineteen hundred and fifty  
7 dollars and there are insufficient resources to pay for the cost of  
8 such funeral and burial. Any resources of the recipient shall be  
9 deducted from the maximum cost of the funeral and burial  
10 allowable hereunder and the difference, subject to the limitation  
11 set forth in this paragraph, shall be paid by the department.

1 SECTION 7. Section 23 of chapter 119 of the General Laws  
2 is hereby amended by striking out subsection H, and inserting in  
3 place thereof the following subsection: —

4 H. The department may pay a sum not exceeding fifteen  
5 hundred dollars for the funeral and burial of a child in its care  
6 provided that the cost of funeral and burial does not exceed  
7 nineteen hundred and fifty dollars and there are insufficient  
8 resources to pay for the cost of such funeral and burial. Any  
9 resources of the child shall be deducted from the maximum cost  
10 of the funeral and burial allowable hereunder and the difference,  
11 subject to the limitation set forth in this paragraph, shall be paid  
12 by the department.

