



126th MAINE LEGISLATURE

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Legislative Document

No. 835

H.P. 586

House of Representatives, March 5, 2013

An Act To Improve Organ Donation Awareness

Reference to the Committee on Transportation suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative ROCHELO of Biddeford.
Cosponsored by Senator LANGLEY of Hancock and
Representatives: ESPLING of New Gloucester, HERBIG of Belfast, SANBORN of Gorham,
SIROCKI of Scarborough.

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

2 **Sec. 1. 29-A MRSA §1312** is enacted to read:

3 **§1312. Maine Organ and Tissue Donation Fund voluntary checkoff**

4 **1. Maine Organ and Tissue Donation Fund.** When applying for or renewing a
5 license under this subchapter, a person may designate that a \$2 donation be paid into the
6 Maine Organ and Tissue Donation Fund established in section 1402-B, subsection 4. A
7 person who designates a \$2 donation under this subsection shall include with the person's
8 license application or renewal fee sufficient funds to make the contribution. Each license
9 application form under section 1301, subsection 1 and license renewal form under section
10 1406 must contain a designation in substantially the following form: "Maine Organ and
11 Tissue Donation Fund donation: () \$2 or () Other \$... ."

12 **2. Contributions credited to Maine Organ and Tissue Donation Fund.** The
13 Secretary of State shall determine annually the total amount contributed pursuant to
14 subsection 1. Prior to the beginning of the next year, the Secretary of State shall deduct
15 the cost of administering the Maine Organ and Tissue Donation Fund checkoff and report
16 the remainder to the Treasurer of State, who shall forward that amount to the Maine
17 Organ and Tissue Donation Fund.

18 **Sec. 2. 29-A MRSA §1402-B, sub-§3, ¶¶C and D,** as enacted by PL 2011, c.
19 168, §4, are amended to read:

20 C. Assist the Secretary of State in developing strategies to increase donations that the
21 council may find effective; ~~and~~

22 D. Establish numerical goals for increasing organ and tissue donation rates in the
23 State, to include a baseline account of current organ and tissue donation rates, as well
24 as periodic benchmarks for success. The bureau may provide monthly donor
25 designation rates for each branch office of the bureau to assist in identifying goals;
26 ~~and~~
and

27 **Sec. 3. 29-A MRSA §1402-B, sub-§3, ¶E** is enacted to read:

28 E. Administer the Maine Organ and Tissue Donation Fund established in subsection
29 4.

30 **Sec. 4. 29-A MRSA §1402-B, sub-§4** is enacted to read:

31 **4. Maine Organ and Tissue Donation Fund.** The Maine Organ and Tissue
32 Donation Fund, referred to in this subsection as "the fund," is established as an interest-
33 bearing account administered by the council for the purpose of facilitating the education
34 and registration of residents of the State in organ donation. Any private or public funds
35 appropriated, allocated, dedicated or donated to the fund, including from the Maine
36 Organ and Tissue Donation Fund checkoff under section 1312, must be deposited into the
37 fund as well as income from any other source directed to the fund. All interest earned by
38 the fund becomes part of the fund. Any balance remaining in the fund at the end of the
39 fiscal year does not lapse but is carried forward into subsequent fiscal years. All money

1 received into the fund must be used for the purposes of the fund except that balances in
2 the fund may be used for the necessary expenses of the council in the administration of
3 the fund.

4

SUMMARY

5 This bill requires the Secretary of State to place a \$2 donation checkoff on driver's
6 license application and renewal forms to fund the Maine Organ and Tissue Donation
7 Fund created by this bill and administered by the Organ Donation Advisory Council to
8 facilitate the education and registration of residents of the State in organ donation.