

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
115TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 900, L.D. 2319, Bill, "An Act Concerning Anatomical Gifts Under the Motor Vehicle Laws"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 22 MRSA §2906, sub-§2, as enacted by PL 1969, c. 193, is amended to read:

2. Revocation. Any Except as provided in subsection 4, any document of gift which that has not been delivered to the donee may be revoked by the donor in the manner set out in subsection 1 or by destruction, cancellation or mutiliation mutilation of the document and all executed copies thereof of the document.

Sec. 2. 22 MRSA §2906, sub-§4 is enacted to read:

4. Driver's license. A gift on an organ donor card pursuant to Title 29, section 540-C may be revoked by destroying, cancelling or mutilating the organ donor card and pouch.

Sec. 3. 29 MRSA §540, as amended by PL 1991, c. 32, §§2 and 3, is further amended to read:

§540. Contents of license

Each license shall must state the name, date of birth, and place of residence, or mailing address if different from the residence, of the licensee, and permanent number assigned the licensee, and may contain such other information as the Secretary of State deems considers necessary. The license shall must also bear a full-face color photograph of the licensee for the purpose

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2 of identification except that those persons who renew their
3 licenses on or after their 65th birthday, persons in active
4 military service stationed outside the State and temporary
5 licenses issued under section 533 may be exempt from the
6 photograph requirement. A license which that does not contain a
7 photograph of the licensee may be issued as the Secretary of
8 State deems determines necessary, ~~except that the holder of a
9 commercial driver's license shall not be exempt from the color
10 photograph requirement.~~

11 Every licensee shall endorse his the licensee's usual
12 signature in the place as designated before using it the license
13 and no license shall be is valid until so endorsed.

14 A fee of \$2 shall be is charged for the photographic license
15 in addition to the fee charged for the license.

16 The Secretary of State shall provide, on each license to
17 operate motor vehicles or motorcycles issued to a person 16 years
18 of age or older at time of issuance, a statement indicating a
19 ~~willingness to make~~ declaration of an anatomical gift under Title
20 22, chapter 710.

21 The statement shall must read as follows:

22 "ANATOMICAL GIFT

23 organ The decal affixed hereto indicates a
24 willingness on the part of the licensee
25 donor to make an anatomical gift upon his/her
26 death

27 When accompanied by a completed organ donor card the license
28 holder has made a declaration of anatomical gift."

29 ~~At the time of issuance of a first license or renewal to any
30 person 16 years of age or older, the Secretary of State shall
31 make available a decal indicating "organ donor," which may be
32 affixed to the license by the licensee to indicate a willingness
33 to make an anatomical gift under Title 22, chapter 710.~~

34 Sec. 4. 29 MRSA §540-C is enacted to read:

35 §540-C. Anatomical gifts

36 1. Declaration of anatomical gift. If a licensee makes a
37 declaration on an organ donor card as provided in subsection 3
38 and submits the completed card to the Secretary of State, the

Secretary of State shall issue a license to operate motor vehicles or motorcycles to the licensee that includes a pouch containing the organ donor card declaring that the licensee has made an anatomical gift under the Uniform Anatomical Gift Act. There is an additional \$1 fee for issuance of the anatomical gift pouch and organ donor card.

2. Willingness to make anatomical gift. The Secretary of State shall make available without additional fee an organ donor decal that expresses the licensee's willingness to make an anatomical gift. The decal must state: The decal affixed hereto indicates a willingness on the part of the licensee to make an anatomical gift upon his/her death.

3. Organ donor card. The Secretary of State shall make available to each applicant for a license or renewal license to operate motor vehicles or motorcycles an organ donor card by which the licensee may make a declaration of an anatomical gift under the Uniform Anatomical Gift Act. The completed organ donor card must accompany the license issued in a pouch provided by the Secretary of State. The organ donor card must be in substantially the following form:

DECLARATION OF ANATOMICAL GIFT

I am of sound mind and at least 16 years of age. I hereby make a gift to take effect upon my death of: (CHECK ONE)

() My entire body or any parts of my body.

() Only the following specific part or parts of my body:

-
.....
.....

I authorize any person or institution authorized as a donee under Maine law, by the Uniform Anatomical Gift Act, to be the recipient of this gift.

I understand that if I make this gift and receive a motor vehicle or motorcycle driver's license indicating this gift, I must destroy, cancel or mutilate the organ donor card and pouch to revoke the gift.

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2 Signed by the donor and the following 2 witnesses in the
presence of each other.

4 Signature.....
Address.....

6

8 Witness.....
Address.....

10

12 Witness.....
Address.....

14

16

COMPLETION OF THIS
CARD IS OPTIONAL

18

20 **Sec. 5. Administration of Act.** The Department of the Secretary
22 of State shall retain within the Administration. - Motor Vehicles
24 Highway Fund account an amount of money from the \$1 fee
26 sufficient to cover the cost of administering this Act. Any
revenues collected in excess of costs must be credited to the
General Fund.

26

28 **Sec. 6. Allocation.** The following funds are allocated from the
Highway Fund to carry out the purposes of this Act.

30

1992-93

32 **SECRETARY OF STATE, DEPARTMENT OF THE**

34 **Administration - Motor Vehicles**

36 All Other \$16,425

38 Provides funds for the purchase of materials
40 and general operating expenses to implement
42 an anatomical gift program. The expenses of
this program will be reimbursed by the
44 collection of fees. This will increase
Highway Fund revenue by \$16,425 in fiscal
year 1992-93.

46 **Sec. 7. Effective date.** This Act takes effect January 1, 1993.

FISCAL NOTE

2
4
6
8

1992-93

APPROPRIATIONS/ALLOCATIONS

Highway Fund \$16,425

10 REVENUES

12 Highway Fund \$16,425

14 The Department of the Secretary of State will require a
16 Highway Fund allocation of \$16,425 in fiscal year 1992-93 to
18 provide funds for materials necessary to implement the anatomical
20 gift program. This allocation will be reimbursed from revenues
22 collected from a \$1 fee. Any surplus funds above the expenses of
the program will be deposited as undedicated revenue to the
General Fund. The net fiscal impact is neutral in fiscal year
1992-93 with a potential for an increase of General Fund revenue
in future years.

24

STATEMENT OF FACT

26

28 The purpose of this amendment is to authorize the Secretary
of State to issue an organ donor card to a licensee that will
effectuate an anatomical gift when accompanied by a driver's
30 license in the organ donor pouch.

Reported by Senator Gauvreau for the committee on Judiciary.
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