

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1997

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Legislative Document

No. 1001

H.P. 737

House of Representatives, February 11, 1997

**An Act to Encourage Organ Donation by Establishing an Organ  
Donation Registry.**

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Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative LEMAIRE of Lewiston.  
Cosponsored by Senator RAND of Cumberland and  
Representatives: BAKER of Bangor, FARNSWORTH of Portland, HATCH of Skowhegan,  
JONES of Bar Harbor, JONES of Greenville, PENDLETON of Scarborough, SANBORN of  
Alton, VOLENIK of Brooklin.

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

Sec. 1. 29-A MRSA §1402-A, sub-§§3 to 5 are enacted to read:

3. Choice to be included on registry. The Secretary of State shall provide to a licensee who makes an anatomical gift pursuant to Title 22, chapter 710 a form that includes the following question: "Do you want your name placed on a registry of potential organ or tissue donors?" The form must provide a place for the licensee to indicate an answer of "Yes" or "Choose not to make a choice at this time."

4. Executing an anatomical gift. The Secretary of State shall by rule establish a procedure for a person to make an anatomical gift pursuant to Title 22, chapter 710 at the time of initially obtaining or renewing a license. Rules adopted pursuant to this subsection are major substantive rules under Title 5, chapter 375, subchapter II-A.

5. Information on making an anatomical gift. The Secretary of State shall annually by mail make available to license holders information on organ and tissue donation. The Secretary of State shall also make information on organ and tissue donation available at Bureau of Motor Vehicles offices.

Sec. 2. 29-A MRSA §1402-B is enacted to read:

§1402-B. Registry of anatomical gifts

1. Registry established. The Secretary of State shall by rule establish and administer a registry of anatomical gifts that lists every person who makes an anatomical gift pursuant to Title 22, chapter 710 and who indicates a preference under section 1402-A, subsection 3 to be included in the registry. Rules adopted pursuant to this section are major substantive rules under Title 5, chapter 375, subchapter II-A.

2. Access by certain organizations. The rules established under subsection 1 must provide for access to the registry by a recognized organ procurement organization. The rules must define "recognized organ procurement organization" and establish a process by which such an organization may access the registry.

**SUMMARY**

This bill establishes a registry to voluntarily list holders of Maine driver's licenses who formally declare their choice to make an anatomical gift upon death. The bill also requires the

2 Secretary of State to provide licensees at the time of initial  
application or renewal with the information necessary to formally  
4 declare a person's choice to make an anatomical gift upon death.  
The bill also requires the Secretary of State to make available  
6 to license holders information regarding organ and tissue  
donation.