

§1402-B. Organ Donation Advisory Council

1. Appointment; composition; term; compensation. The Organ Donation Advisory Council, established by Title 5, section 12004-I, subsection 36-E, referred to in this section as "the council," consists of 10 members as follows:

- A. The Secretary of State or the secretary's designee; [PL 2011, c. 168, §4 (NEW).]
- B. The Commissioner of Health and Human Services or the commissioner's designee; [PL 2011, c. 168, §4 (NEW).]
- C. A representative of the Department of the Secretary of State, Bureau of Motor Vehicles, appointed by the Secretary of State; [PL 2011, c. 168, §4 (NEW).]
- D. The president of a statewide medical society, appointed by the President of the Senate; [PL 2011, c. 168, §4 (NEW).]
- E. A representative of a federally designated organ procurement organization serving the State, appointed by the Speaker of the House of Representatives; [PL 2011, c. 168, §4 (NEW).]
- F. Three members of the public with experience in the field of organ and tissue donation or transplantation, at least one of whom must be a recipient of a donated organ or tissue and at least one of whom must be a donor or a family member of a donor, appointed by the President of the Senate; and [PL 2011, c. 168, §4 (NEW).]
- G. Two members of the public with experience in the field of organ and tissue donation or transplantation, at least one of whom must be a doctor experienced in organ and tissue transplantation, appointed by the Speaker of the House of Representatives. [PL 2011, c. 168, §4 (NEW).]

All appointed members are appointed for a term of 3 years. A vacancy must be filled in the same manner as the position was originally filled for the unexpired portion of the term. An appointed member may not serve for more than 2 consecutive terms. Appointed members serve until their successors are appointed. Members serve without compensation.

[PL 2011, c. 168, §4 (NEW).]

2. Meetings; reports. The council shall meet at least 4 times a year and convene special meetings at the call of the chair, a majority of the members of the council or the Secretary of State. The members of the council shall elect a chair, except that the Secretary of State may not be chair. The council shall make an annual report to the Governor that must include an account of all actions taken to further organ and tissue donation and file a copy of the report to the Secretary of State, the Secretary of the Senate and the Clerk of the House of Representatives.

[PL 2011, c. 168, §4 (NEW).]

3. Duties. The council shall:

- A. Assist the Secretary of State in coordinating the efforts of all public and private agencies within the State concerned with the donation and transplantation of organs and tissues; [PL 2011, c. 168, §4 (NEW).]
- B. Advise the Secretary of State on policy and priorities of need in the State for a comprehensive program relating to organ and tissue donation and transplantation; [PL 2011, c. 168, §4 (NEW).]
- C. Assist the Secretary of State in developing strategies to increase donations that the council may find effective; [PL 2013, c. 127, §2 (AMD); PL 2013, c. 127, §5 (AFF).]
- D. Establish numerical goals for increasing organ and tissue donation rates in the State, to include a baseline account of current organ and tissue donation rates, as well as periodic benchmarks for success. The bureau may provide monthly donor designation rates for each branch office of the

bureau to assist in identifying goals; and [PL 2013, c. 127, §2 (AMD); PL 2013, c. 127, §5 (AFF).]

E. Administer the Maine Organ and Tissue Donation Fund established in subsection 4. [PL 2013, c. 127, §3 (NEW); PL 2013, c. 127, §5 (AFF).]
[PL 2013, c. 127, §§2, 3 (AMD); PL 2013, c. 127, §5 (AFF).]

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

[PL 2013, c. 127, §4 (NEW); PL 2013, c. 127, §5 (AFF).]

SECTION HISTORY

PL 2011, c. 168, §4 (NEW). PL 2013, c. 127, §§2-4 (AMD). PL 2013, c. 127, §5 (AFF).

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