

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

Chapters 1-542

PUBLISHED BY THE REVISOR OF STATUTES  
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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Twin City Printery  
Lewiston, Maine  
1987

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**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION  
of the  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
1987

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Any person maintaining an office or transacting business within this State and who is required to deduct and withhold a tax on items of income under the United States Internal Revenue Code, other than wages subject to withholding as provided in section 5250, shall deduct and withhold from such items to the extent they constitute Maine net income which is not excluded from taxation under Maine law, a tax equal to 5% thereof, unless withholding pursuant to the United States Internal Revenue Code is based on other than a flat rate amount. In that event, the State's withholding procedure should estimate taxable income using the same approach to exemptions as the United States Internal Revenue Code and the amount of tax to be withheld should be calculated in accordance with withholding methods prescribed pursuant to section 5250.

**Sec. 52. Application.** Sections 48 to 51 of this Act are effective for tax years beginning on or after January 1, 1987.

Effective September 29, 1987.

## CHAPTER 498

H.P. 496 — L.D. 666

### AN ACT to Create the Maine Health Policy Council.

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

**Sec. 1.** 5 MRSA §12004, sub-§10, ¶A, sub-¶(28-B) is enacted to read:

(28-B)	<u>Health</u>	<u>Maine Health Policy Advisory Council</u>	<u>Expenses Only</u>	5 MRSA §19101
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**Sec. 2.** 5 MRSA Pt. 22 is enacted to read:

#### PART 22

#### INTERDEPARTMENTAL ADVISORY COUNCILS

#### CHAPTER 435

#### MAINE HEALTH POLICY ADVISORY COUNCIL

#### §19101. Establishment; role

The Maine Health Policy Advisory Council, as established in section 12004, subsection 10, paragraph A, shall advise and be available for consultation to the Governor, Commissioner of Human Services, Commissioner of Mental Health and Mental Retardation, other executive branch agencies, the Legislature and the Maine congressional delegation on health policy issues related to health status, health promotion and health care delivery that the council believes to be significant and that it has the resources to address.

#### §19102. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Health care delivery. "Health care delivery" means the quality and cost of care, availability of care, access to care, appropriateness of services, use of services and adequacy of facilities, equipment and personnel.

2. Health promotion. "Health promotion" means any combination of health education and related organizational, political and economic interventions designed to bring about behavioral and environmental changes conducive to health.

#### §19103. Membership; officers; compensation

1. Membership. The council shall consist of the following 17 members. Thirteen members shall be appointed by the Governor; 2 appointed by the Speaker of the House; and 2 appointed by the President of the Senate. Nine of the members appointed by the Governor must be private citizens who are nonproviders of health care services. The Governor's appointees shall serve 3-year terms, with no member serving more than 2 consecutive full terms. There shall be 3 groups of gubernatorial appointees, with one group's term expiring each year. The legislative officers' appointees shall serve 2-year terms, coterminous with the legislative term in which they are appointed. Legislators may serve no more than 3 consecutive full terms on the council.

2. Officers. The council shall elect a chairman and a vice-chairman annually. Only one of the 2 officers may be a provider of health care.

3. Compensation and reimbursement. Council members shall be compensated in accordance with chapter 379.

#### §19104. Studies and reports

The council may conduct or commission studies and reports on health policy matters.

#### §19105. Working relationships

In carrying out its responsibilities under this chapter, the council shall maintain active liaison with the Department of Human Services, Department of Mental Health and Mental Retardation, other executive branch agencies, the Legislature and consumer and provider groups. The responsibilities of the council shall in no way supplant the health care planning responsibilities of the Department of Human Services, the Department of Mental Health and Mental Retardation and other executive branch agencies.

#### §19106. Annual reports

Each year, no later than December 15th, the council shall report to the Governor, Commissioner of Human Services, Commissioner of Mental Health and Mental Retardation and the Legislature, presenting:

1. Forecast. A forecast of significant health care issues that are expected to face the State in the next 5 years;

2. Agenda. An agenda of major health policy issues for the coming year; and

3. Findings. The council's findings on issues it had raised in the previous year and on public and private health care delivery and financing goals and objectives.

§19107. Public participation and hearings

The council shall conduct at least 3 public meetings a year in different geographic areas of the State, seeking information and advice from individual citizens and interested organizations and shall hold at least one formal public hearing to obtain advice from interested parties on the council's draft of the annual report.

§19108. Staff

The council shall employ an executive director, a comprehensive health planner II and a clerk typist II.

§19109. Advisory committees

The council may from time to time appoint ad hoc advisory committees to support its work in studying particular health policy issues and public and private health care delivery and financing goals and objectives. Membership on those committees shall reflect a balance of appropriate geographic, economic, social, institutional and professional interests.

§19110. Funding

The cost of the council's mandated activities and advisory committee meetings shall be paid from appropriations from the General Fund. The council may accept gifts and grants to support activities consistent with the purposes of this chapter.

Effective September 29, 1987.

**CHAPTER 499**

H.P. 1164 — L.D. 1590

**AN ACT to Clarify Certain Sections of the Motor Vehicle Laws.**

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

Sec. 1. 29 MRSA §246, 6th ¶, as repealed and

replaced by PL 1985, c. 506, Pt. A, §53, is amended to read:

The annual fee for registration of farm motor trucks, ~~having 2 or 3~~ equipped with axles other than so-called dolly axles falling under section 1652, subsection 4, paragraph A, subparagraph (6), or farm motor trucks ~~having 2 or 3~~ axles towing a trailer or semitrailer when those trucks are used primarily for transportation of agricultural commodities, supplies or equipment to be used in connection with the operation of a farm or farms owned, operated or occupied by the registrant, shall be as follows:

From 0 pounds gross weight to 6,000 pounds gross weight .....	\$ 16
From 6,001 pounds gross weight to 9,000 pounds gross weight .....	\$ 19
From 9,001 pounds gross weight to 11,000 pounds gross weight .....	\$ 22
From 11,001 pounds gross weight to 14,000 pounds gross weight .....	\$ 34
From 14,001 pounds gross weight to 16,000 pounds gross weight .....	\$ 45
From 16,001 pounds gross weight to 18,000 pounds gross weight .....	\$ 67
From 18,001 pounds gross weight to 20,000 pounds gross weight .....	\$ 79
From 20,001 pounds gross weight to 23,000 pounds gross weight .....	\$ 96
From 23,001 pounds gross weight to 26,000 pounds gross weight .....	\$114
From 26,001 pounds gross weight to 29,000 pounds gross weight .....	\$139
From 29,001 pounds gross weight to 32,000 pounds gross weight .....	\$159
From 32,001 pounds gross weight to 35,000 pounds gross weight .....	\$235
From 35,001 pounds gross weight to 38,000 pounds gross weight .....	\$258
From 38,001 pounds gross weight to 42,000 pounds gross weight .....	\$281
From 42,001 pounds gross weight to 46,000 pounds gross weight .....	\$304
From 46,001 pounds gross weight to 50,000 pounds gross weight .....	\$327