

# MAINE STATE LEGISLATURE

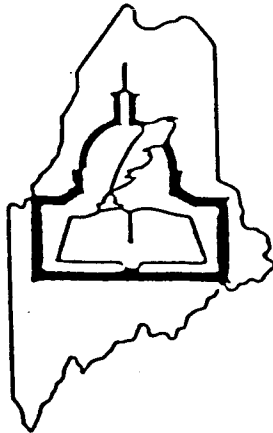
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STATE OF MAINE  
ONE HUNDRED AND TWELFTH LEGISLATURE  
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE ON  
HUMAN RESOURCES  
BILL SUMMARY



MAY 1986

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ONE HUNDRED AND TWELFTH LEGISLATURE  
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE  
BILL SUMMARIES  
MAY 1986

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature, covering the Second Regular Session of the 112th Legislature. The summaries are arranged by LD number under each committee.

All Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "CA" if it is a committee amendment. If the amendment was adopted in the House, the letter H appears after the sponsor. If it was adopted in the Senate, the letter S appears.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Key to Committee Reports and Floor Action:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-AM	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

Sponsor: MELENDY, Carroll, Pines, Kerry  
Committee Report: LVWD

SUMMARY: This bill would have required a warning label on smokeless tobacco. On February 27, 1986, President Reagan signed the Comprehensive Smokeless Tobacco Health Education Act of 1986 which preempts state action and imposes a federal labeling requirement. This bill was withdrawn.

**LD** AN ACT TO EXPEDITE LITIGATION IN CASES  
**1760** INVOLVING JUDICIAL REVIEW OF CERTIFICATE OF  
NEED DECISIONS OF THE DEPARTMENT OF HUMAN  
SERVICES

Sponsor: BROWN L, Gill, Melendy, Boutilier  
Committee Report: OTP-ND 2298

SUMMARY: This bill attempts to address the problem of delays in implementing certificate of need approvals for new nursing home beds caused by post approval appeals by parties who were denied the certificate of need approval.

Section 1 would have required courts to expedite review of these cases.

Section 2 sought to give courts the discretion to award attorneys' fees to applicants who prevail in certificate of need appeals.

Section 3 would give courts the discretion to require nursing home applicants seeking judicial review to post bonds to cover the costs of delay and economic injury to the prevailing applicant. This provision was modeled after the Maine Rules of Civil Procedures, Rule 65, governing injunctions.

The committee reported this bill out in new draft with an amended version of Section 3 only. See new draft, LD 2298.