

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34

Date: (Filing No. H- )

**LABOR AND HOUSING**

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
131ST LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 827, L.D. 1302, “An Act to Create a Rebuttable Presumption Under the Workers' Compensation Law for Line Workers Diagnosed with Post-traumatic Stress Disorder”

Amend the bill by striking out the title and substituting the following:

**'Resolve, to Create the Commission to Study Post-traumatic Stress Disorder in Lineworkers'**

Amend the bill by striking out everything after the title and inserting the following:

**'Sec. 1. Commission established. Resolved:** That the Commission to Study Post-traumatic Stress Disorder in Lineworkers, referred to in this resolve as "the commission," is established.

**Sec. 2. Commission membership. Resolved:** That, notwithstanding Joint Rule 353, the commission consists of 9 members as follows:

- 1. Two members of the Senate, appointed by the President of the Senate, including one member of the party holding the largest number of seats in the Legislature and one member of the party holding the 2nd largest number of seats in the Legislature;
- 2. Two members of the House of Representatives, appointed by the Speaker of the House, including one member of the party holding the largest number of seats in the Legislature and one member of the party holding the 2nd largest number of seats in the Legislature;
- 3. One member representing the interests of utility companies, appointed by the President of the Senate;
- 4. One member representing the interests of lineworkers, appointed by the Speaker of the House;
- 5. One member who is experienced in providing treatment of post-traumatic stress disorder to individuals, appointed by the Speaker of the House;
- 6. The Commissioner of Labor or the commissioner's designee; and

**COMMITTEE AMENDMENT**

1           7. The Executive Director of the Workers' Compensation Board, or the executive  
2 director's designee, who is a nonvoting member.

3           **Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate chair  
4 and the first-named House of Representatives member is the House chair of the  
5 commission.

6           **Sec. 4. Appointments; convening of commission. Resolved:** That all  
7 appointments must be made no later than 30 days following the effective date of this  
8 resolve. The appointing authorities shall notify the Executive Director of the Legislative  
9 Council once all appointments have been completed. After appointment of all members,  
10 the chairs shall call and convene the first meeting of the commission. If 30 days or more  
11 after the effective date of this resolve a majority of but not all appointments have been  
12 made, the chairs may request authority and the Legislative Council may grant authority for  
13 the commission to meet and conduct its business.

14           **Sec. 5. Duties. Resolved:** That the commission shall examine the following:

- 15           1. The prevalence of post-traumatic stress disorder among lineworkers;
- 16           2. The causes of post-traumatic stress disorder among lineworkers;
- 17           3. The treatment of post-traumatic stress disorder among lineworkers;
- 18           4. The incidences and claims filed under the laws governing workers' compensation by  
19 lineworkers attributed to post-traumatic stress disorder;
- 20           5. The availability of employee assistance to lineworkers from their employers to cope  
21 with traumatic events or traumatic scenes that lineworkers may experience throughout the  
22 course of their employment; and
- 23           6. Whether lineworkers should be included in the list of employees for whom there is  
24 a rebuttable presumption under the laws governing workers' compensation that, when the  
25 employee is diagnosed by a licensed psychiatrist or psychologist as having post-traumatic  
26 stress disorder resulting from work stress that was extraordinary and unusual, the post-  
27 traumatic stress disorder is presumed to have arisen out of and in the course of the  
28 lineworker's employment.

29           **Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide  
30 necessary staffing services to the commission, except that Legislative Council staff support  
31 is not authorized when the Legislature is in regular or special session.

32           **Sec. 7. Report. Resolved:** That, no later than December 6, 2023, the commission  
33 shall submit a report that includes its findings and recommendations, including suggested  
34 legislation, to the Joint Standing Committee on Labor and Housing. The Joint Standing  
35 Committee on Labor and Housing may report out a bill related to the report to the Second  
36 Regular Session of the 131st Legislature.'

37           Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
38 number to read consecutively.

1  
2  
3  
4  
5

**SUMMARY**

This amendment replaces the bill with a resolve. The resolve establishes the Commission to Study Post-traumatic Stress Disorder in Lineworkers.

**FISCAL NOTE REQUIRED**

**(See attached)**