

# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

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Legislative Document

No. 1452

S.P. 538

In Senate, April 9, 2009

**Resolve, Establishing the Committee To Study the Feasibility of  
Instituting Testing for Sports-related Head Injuries**

(AFTER DEADLINE)

(EMERGENCY)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator HOBBS of York.  
Cosponsored by Representative DOSTIE of Sabattus.

1       **Emergency preamble. Whereas,** acts and resolves of the Legislature do not  
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3       **Whereas,** the Committee To Study the Feasibility of Instituting Testing for Sports-  
4 related Head Injuries is created in this resolve and must issue its findings and report by  
5 December 2, 2009; and

6       **Whereas,** the study must be initiated before the 90-day period expires in order that  
7 the study may be completed and a report submitted in time for submission to the next  
8 legislative session; and

9       **Whereas,** in the judgment of the Legislature, these facts create an emergency within  
10 the meaning of the Constitution of Maine and require the following legislation as  
11 immediately necessary for the preservation of the public peace, health and safety; now,  
12 therefore, be it

13       **Sec. 1. Committee established. Resolved:** That the Committee To Study the  
14 Feasibility of Instituting Testing for Sports-related Head Injuries, referred to in this  
15 resolve as "the committee," is established; and be it further

16       **Sec. 2. Committee membership. Resolved:** That the committee consists of 13  
17 members appointed as follows:

- 18           1. Three members of the Senate appointed by the President of the Senate;
- 19           2. Four members of the House of Representatives appointed by the Speaker of the  
20 House; and
- 21           3. Six members appointed by the Governor as follows:
  - 22               A. An athletic director;
  - 23               B. A doctor with expertise in head trauma;
  - 24               C. A person who works in sports medicine;
  - 25               D. A teacher;
  - 26               E. A parent of a student athlete; and
  - 27               F. A psychologist; and be it further

28       **Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate  
29 chair and the first-named House of Representatives member is the House chair of the  
30 committee; and be it further

31       **Sec. 4. Appointments; convening of committee. Resolved:** That all  
32 appointments must be made no later than 30 days following the effective date of this  
33 resolve. The appointing authorities shall notify the Executive Director of the Legislative  
34 Council once all appointments have been completed. Within 15 days after appointment  
35 of all members, the chairs shall call and convene the first meeting of the committee,  
36 which must be no later than August 1, 2009; and be it further

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**Sec. 5. Duties. Resolved:** That the committee shall:

1. Study the feasibility of instituting ImPACT™ tests as developed by ImPACT Applications, Inc.; and
2. Review concussion management and whether the ImPACT™ tests are suitable for use in this State; and be it further

**Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide necessary staffing services to the committee; and be it further

**Sec. 7. Report. Resolved:** That, no later than December 2, 2009, the committee shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Second Regular Session of the 124th Legislature. The Joint Standing Committee on Health and Human Services is authorized to introduce a bill related to the subject matter of the report to the Second Regular Session of the 124th Legislature upon receipt of the report.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

**SUMMARY**

This resolve establishes the Committee To Study the Feasibility of Instituting Testing for Sports-related Head Injuries.