

MAINE STATE LEGISLATURE

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Date 6/5/23 Majority

L D 1302
(Filing No H-321)

LABOR AND HOUSING

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

COMMITTEE AMENDMENT "A" to HP 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

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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.

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COMMITTEE AMENDMENT "A" to H P 827, L D 1302

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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)

COMMITTEE AMENDMENT



131st MAINE LEGISLATURE

LD 1302

LR 1878(02)

An Act to Create a Rebuttable Presumption Under the Workers' Compensation Law for Line Workers Diagnosed with Post-traumatic Stress Disorder

Fiscal Note for Bill as Amended by Committee Amendment 'A' (H-321)

Committee: Labor and Housing

Fiscal Note Required: Yes

Fiscal Note

Legislative Cost/Study

Legislative Cost/Study

The general operating expenses of this study are projected to be \$3,050 in fiscal year 2023-24. The Legislature's proposed budget for the 2024-2025 biennium includes \$14,500 in each of fiscal years 2023-24 and 2024-25 for the costs of legislative studies, as well as \$2,234 in projected balances from fiscal year 2022-23 and \$36,777 of balance carried over from prior years for this purpose. Whether these amounts are sufficient to fund all studies will depend on the number of studies authorized by the Legislative Council and the Legislature. The additional costs of providing staffing assistance to the study during the interim can be absorbed utilizing existing budgeted staff resources.

Fiscal Detail and Notes

Additional costs to the Department of Labor and the Workers' Compensation Board associated with having a representative serve on the commission can be absorbed within existing budgeted resources.