

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

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ONE HUNDRED AND TENTH LEGISLATURE

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**Legislative Document**

**No. 1170**

H. P. 982

House of Representatives, March 9, 1981

Referred to the Committee on Labor. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative McHenry of Madawaska.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

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**AN ACT Concerning Injuries to In-Plant Truck Operators under the Workers' Compensation Act.**

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

39 MRSA § 64-D is enacted to read:

**§ 64-D. Injury to plant truck operators**

If any person has been employed, as a driver or operator of an in-plant truck or motor vehicle designed or used for the conveyance of material or property within a factory, plant or mill, for at least 2 years prior to the onset of a hemorrhoidal condition, and if that condition has developed within 6 months of having been actually so employed, there is a rebuttable presumption that the employee received the injury or developed the condition in the course of his employment and that the injury or condition was not occasioned by the willful intention of the employee to injure himself or another.

STATEMENT OF FACT

This bill creates a rebuttable presumption that operators of in-plant trucks in factories, plants or mills who, under certain circumstances, develop a hemorrhoidal condition, the condition is presumed to be work-related.