

# MAINE STATE LEGISLATURE

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(EMERGENCY)  
FIRST REGULAR SESSION

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ONE HUNDRED AND NINTH LEGISLATURE

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**Legislative Document**

**No. 319**

S. P. 143

In Senate, February 2, 1979

Referred to the Committee on Business Legislation. Sent down for concurrence and ordered printed.

Presented by Mr. Pierce of Kennebec.

MAY M. ROSS, Secretary of the Senate

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-NINE

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**AN ACT Relating to the Maine Medical and Hospital Malpractice Joint Underwriting Association Act.**

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

Whereas, the Regular Session of the 107th Legislature enacted "The Maine Medical and Hospital Malpractice Joint Underwriting Association Act," which Act automatically terminates on July 1, 1979; and

Whereas, the availability of hospital and medical malpractice insurance in Maine would be questionable without the Act; and

Whereas, it is imperative that the life of the Act be extended until July 1, 1980 to insure the availability of medical malpractice insurance; and

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

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

**Sec. 1. 24 MRSA § 2403, sub-§ 2**, as amended by PL 1977, c. 7, § 3, is repealed and the following enacted in its place:

**2. Purpose.** The purpose of the association shall be to provide, until July 1, 1980, a market for medical malpractice insurance on a self-supporting basis without subsidy from its members.

Sec. 2. 24 MRSA § 2405, sub-§ 1, first sentence, as repealed and replaced by PL 1977, c. 643, § 1, is repealed and the following enacted in its place:

**The association shall not issue any policies with an inception date after July 1, 1980 and in no event shall issue a policy providing for coverage after July 1, 1980.**

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.

#### STATEMENT OF FACT

The purpose of this bill is set out in the emergency preamble.