

# MAINE STATE LEGISLATURE

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(EMERGENCY)  
SECOND REGULAR SESSION

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ONE HUNDRED AND NINTH LEGISLATURE

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**Legislative Document**

**No. 1957**

S. P. 764

In Senate, February 21, 1980

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

MAY M. ROSS, Secretary of the Senate

Presented by Senator Pierce of Kennebec.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY

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**AN ACT to Extend the Period for Issuance and Coverage under the Maine Medical and Hospital Malpractice Joint Underwriting Association Act By One Year.**

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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, a temporary Joint Underwriting Association was enacted under the Maine Medical and Hospital Malpractice Joint Underwriting Association Act; and

Whereas, this association was authorized to issue policies of medical malpractice insurance until July 1, 1980; and

Whereas, it is vitally necessary that this legislation be extended to allow issuance of policies until July 1, 1981; 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 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**Sec. 1.** 24 MRSA § 2403, sub-§ 2, as repealed and replaced by PL 1979, c. 290, § 1, is amended to read:

**2. Purpose.** The purpose of the association shall be to provide, until July 1, ~~1980~~ **1981**, 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**Sec. 2. 24 MRSA § 2405, sub-§ 1, first sentence**, as repealed and replaced by PL 1979, c. 290, § 2, is amended to read:

The association shall not issue any policies with an inception date after July 1, ~~1980~~ **1981**, and in no event shall issue a policy providing for coverage after July 1, ~~1981~~ **1982**.

**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 to extend the period for issuance and coverage under the Maine Medical and Hospital Malpractice Joint Underwriting Association Act for one year.