

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



117th MAINE LEGISLATURE

SECOND REGULAR SESSION-1995

Legislative Document

No. 1634

S.P. 627

In Senate, January 2, 1995

An Act to Clarify Professional Liability.

Submitted by the Department of the Secretary of State pursuant to Joint Rule 24.
Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS
Secretary of the Senate

Presented by Senator MILLS of Somerset.

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

2

4 **Sec. 1. 13 MRSA §708-A, sub-§3, ¶B,** as enacted by PL 1995, c.
141, §2, is amended to read:

6

8 B. ~~Supervised--or~~ Directly supervised and controlled that
portion of a professional service rendered by another person
10 that was performed negligently or in breach of any other
12 legal duty.

10

12

STATEMENT OF FACT

14

16 This bill amends the laws governing the liability of a
shareholder of a professional corporation to provide that a
shareholder is jointly and severally liable for claims arising
18 from the rendering of a professional service by a professional
corporation if that shareholder directly supervised and
controlled that portion of a professional service rendered by
20 another that was performed negligently. Current law provides
only that such a shareholder have supervised or controlled that
22 portion of a professional service rendered by another that was
performed negligently in order for that shareholder to be held
24 liable.

24