

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

SECOND SPECIAL SESSION
June 19, 2018 to September 13, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 13, 2018

ONE HUNDRED AND TWENTY-NINTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2018 to June 20, 2019

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 2019

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2019

must be made available for statistical evaluation and may not be made available for any other purpose.

See title page for effective date.

CHAPTER 90
S.P. 309 - L.D. 1049

**An Act Regarding the Sale of
Cats and Dogs with Health
Problems**

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

Sec. 1. 7 MRSA §4155, sub-§3, ¶¶B and C, as enacted by PL 1995, c. 589, §1, are amended to read:

B. Exchange of the animal for an animal of the purchaser's choice of equivalent value, ~~providing if a replacement is available; or~~

C. Retainment of the animal and reimbursement for 1/2 of the reasonable veterinary fees not to exceed 1/2 of the original purchase price of the animal; ~~or~~

Sec. 2. 7 MRSA §4155, sub-§3, ¶D is enacted to read:

D. For an animal with less than one year of life expectancy, as determined by a veterinarian pursuant to subsection 1, retainment of the animal and a full refund of the original purchase price of the animal. Reimbursement of veterinary fees by the seller is not required under this paragraph.

Sec. 3. 7 MRSA §4155, sub-§5, as amended by PL 2007, c. 702, §27, is further amended to read:

5. Sellers not exempt. Sellers may not, contractually or otherwise, exempt themselves from the remedies provided by this section for deaths or health problems in animals caused by infectious, contagious, parasitic or communicable disease or for deaths or health problems in animals caused by hereditary or congenital defects as described in subsection 1.

Sec. 4. 7 MRSA §4156, sub-§2, as amended by PL 2007, c. 702, §29, is further amended to read:

2. Refund. If the purchaser wishes to receive a full refund for the animal, the purchaser must return the animal no later than 2 business days after receipt of a written statement from a veterinarian indicating that the animal is unfit due to a health problem. With respect to a dead animal, the purchaser must provide the seller with a written statement from a veterinarian indicating that the animal died from a health problem that existed on or before the receipt of the animal by the purchaser. This subsection does not apply to a

refund requested pursuant to section 4155, subsection 3, paragraph D.

See title page for effective date.

CHAPTER 91
S.P. 223 - L.D. 779

**An Act To Improve the
Definition of "Strangulation"
in the Aggravated Assault
Laws**

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

Sec. 1. 17-A MRSA §208, sub-§1, ¶C, as amended by PL 2015, c. 358, §1, is further amended to read:

C. Bodily injury to another under circumstances manifesting extreme indifference to the value of human life. Such circumstances include, but are not limited to, the number, location or nature of the injuries, the manner or method inflicted, the observable physical condition of the victim or the use of strangulation. For the purpose of this paragraph, "strangulation" means ~~the intentional~~ impeding ~~of~~ the breathing or circulation of the blood of another person by intentionally, knowingly or recklessly applying pressure on the person's throat or neck. Violation of this paragraph is a Class B crime.

See title page for effective date.

CHAPTER 92
H.P. 509 - L.D. 688

**An Act To Set Maine Dental
Provider Licensing Fees**

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

Sec. 1. 32 MRSA §18323, sub-§3, as enacted by PL 2015, c. 429, §21, is amended to read:

3. Fees. The authority to adopt by rule fees for purposes authorized under this chapter in amounts that are reasonable and necessary for their respective purposes, except that ~~the fee for any one purpose may not exceed \$550;~~

A. The fee for any one purpose may not exceed \$550 unless another fee is authorized by paragraph B or C;