

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
117TH LEGISLATURE**

**SECOND REGULAR SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
BUSINESS AND ECONOMIC DEVELOPMENT**

**JUNE 1996**

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*Sen. Jill M. Goldthwait*

*Sen. Alton E. Cianchette*

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**ONE HUNDRED SEVENTEENTH LEGISLATURE**  
**SECOND REGULAR SESSION**

***Summary Of Legislation Before The Joint Standing Committees***  
***June 1996***

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills.

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

<i>CARRIED OVER</i> .....	<i>Bill carried over to Second Session</i>
<i>CON RES XXX</i> .....	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i> .....	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i> .....	<i>House &amp; Senate disagree; bill died</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i> .....	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT</i> .....	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT</i> .....	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i> .....	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>INDEF PP</i> .....	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i> .....	<i>Ought Not To Pass report accepted</i>
<i>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PUBLIC XXX</i> .....	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i> .....	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i> .....	<i>Not signed by Governor within 10 days</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's Veto</i>

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is July 4, 1996.

## Joint Standing Committee on Business and Economic Development

**LD 47**

### **An Act to Make Pet Dealers Liable for the Sale of Dogs and Cats That Have Health Problems**

PUBLIC 589

Sponsor(s)  
VIGUE

Committee Report  
OTP-AM

Amendments Adopted  
H-779

LD 47, a carry over bill from the First Regular Session, proposed to give purchasers of dogs and cats a recourse when the animal they purchase from a pet dealer is either ill at the time of the purchase or dies within a year of the purchase due to a disease, an illness or a congenital or hereditary condition. The bill also proposed purchasers' rights and the dealers' rights and made any violation of this law a Class E crime.

**Committee Amendment "A" (H-779)** was the result of a summer study which the Business & Economic Development Committee requested of the Animal Welfare Advisory Committee, augmented by one Business & Economic Development Committee member to serve as a public representative. The original bill and this amendment both primarily addressed the subject of dogs and cats that may have no immediately observable health problems. This amendment proposed to replace the original bill.

The amendment proposed that a dog or cat be considered to have been unfit for sale if within 10 days a veterinarian states that the animal has a health problem that existed at the time of sale or if within one year a veterinarian states that an animal had a hereditary or congenital defect from which it died or has such a defect that will shorten its life or require constant treatment. The amendment proposed remedies for the purchaser if an animal dies due to conditions that rendered it unfit for sale or if the animal has a health problem that renders it unfit for sale.

Pet dealers, including breeders, would have been able to exempt themselves from these remedies if the dealer provided the purchaser with a list of the animal's known health problems, a list of health problems that are known to affect the breed or health problems the dealer does not warranty.

#### ***Enacted law summary***

Public Law 1995, chapter 589 states that a dog or cat is considered to have been unfit for sale, if within 10 days a veterinarian states that the animal has a health problem that existed at the time of sale or if within one year a veterinarian states that an animal had a hereditary or congenital defect from which it died or has such a defect that will shorten its life or require constant treatment.

If an animal dies due to conditions that rendered it unfit for sale, the purchaser may receive an animal of equal value or return of the purchase price. If the animal has a health problem that renders it unfit for sale, the purchaser may receive a refund, exchange or 1/2 of the veterinarian fees not to exceed 1/2 of the purchase price.

Pet dealers, including breeders, may exempt themselves from these remedies if the dealer provides the purchaser with a list of the animal's known health problems, a list of health problems that are known to affect the breed or health problems the dealer does not warranty.