

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON AGRICULTURE,
CONSERVATION AND FORESTRY**

August 2019

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129TH LEGISLATURE
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LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 129th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

CARRIED OVER..... carried over to a subsequent session of the Legislature
CON RES XXX..... chapter # of constitutional resolution passed by both houses
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE..... emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT..... legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY..... ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 129th Legislature is Thursday, September 19, 2019. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 1040 An Act To Waive the Variance Process for Harvesting Timber in a Shoreland Zone

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ARATA A	ONTP	

This bill allows a landowner to conduct timber harvesting activities on property adjacent to a river, stream, pond, wetland or tidal water that exceed limits established by Department of Agriculture, Conservation and Forestry, Bureau of Forestry rules if determined necessary by a professional forester in order to meet acceptable forestry standards upon a five-day notice to the bureau by the landowner stating the area where the timber harvesting activity is to take place, the name of the professional forester, the professional forester's license number and the professional forester's determination of the need for the timber harvesting activity.

LD 1049 An Act Regarding the Sale of Cats and Dogs with Health Problems

PUBLIC 90

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI L GROHOSKI N	OTP-AM	S-52

This bill provides alternative remedies for a purchaser of a dog that has a health problem causing diminished life expectancy. For a dog with a life expectancy of less than one year as determined by a veterinarian, the purchaser may choose to receive a refund of the full purchase price of the dog. For a dog with a life expectancy of one to five years as determined by a veterinarian, the purchaser may choose to receive a refund of half of the purchase price of the dog. Return of the dog to the seller and reimbursement of veterinary fees by the seller are not required.

Committee Amendment "A" (S-52)

This amendment replaces the bill and changes the title. The amendment allows, for a dog or cat with a life expectancy of less than one year as determined by a veterinarian, the purchaser to choose to retain the dog or cat and receive a full refund for the original purchase price of the dog or cat. The amendment also provides that reimbursement of veterinarian fees by the seller is not required when a purchaser chooses to retain the dog or cat and receive a full refund for the original purchase price of the dog or cat.

The amendment provides that sellers may not, contractually or otherwise, exempt themselves from the remedies provided for deaths or health problems in dogs and cats caused by hereditary or congenital defects.

Enacted Law Summary

Public Law 2019, chapter 90 allows, for a dog or cat with a life expectancy of less than one year as determined by a veterinarian, the purchaser to choose to retain the dog or cat and receive a full refund for the original purchase price of the dog or cat. The amendment also provides that reimbursement of veterinarian fees by the seller is not required when a purchaser chooses to retain the dog or cat and receive a full refund for the original purchase price of the dog or cat. The law also provides that sellers may not, contractually or otherwise, exempt themselves from the remedies provided for deaths or health problems in dogs and cats caused by hereditary or congenital defects.