

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 2105

H. P. 1917 House of Representatives, January 27, 1976
Referred to Committee on Energy. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Peterson of Windham.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SIX

**AN ACT to Notify Home Owners, Apartment Building Owners and
Tenants of Termination of Oil and Bottled Gas Delivery Service.**

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

30 MRSA c. 244-A is enacted to read:

CHAPTER 244-A

NOTICE OF TERMINATION OF OIL AND BOTTLED
GAS DELIVERY SERVICE

§ 5391. Definitions

1. Bottled gas dealer. "Bottled gas dealer" shall mean any person, firm or corporation engaged in the business of providing homes and apartment dwellings with bottled gas for cooking or heating purposes.

2. Chief health officer. "Chief health officer" shall mean the chief health officer or local health officer of a municipality, unincorporated place or plantation as defined in Title 22, section 451.

3. Fuel oil dealer. "Fuel oil dealer" shall mean any person, firm or corporation engaged in the business of providing #2 heating oil or kerosene to residential homes and apartment dwellings.

§ 5392. Termination of service

No fuel oil dealer or bottled gas dealer shall terminate deliveries of #2 fuel oil, bottled gas or kerosene to any home, mobile home or apartment

dwelling because of failure of the owner or tenant to pay the fuel oil dealer or bottled gas dealer for the product delivered without notifying the home owner, apartment owner or tenant in writing as soon as practically possible that service will be terminated. The oil dealer or bottled gas dealer shall send a copy of the notice to the chief health officer of the municipality, unincorporated place or plantation in which the home owner, apartment owner or tenant resides, that delivery of fuel oil or bottled gas will be terminated.

The chief health officer shall post notice in any apartment dwelling in which the owner is responsible for providing fuel oil or bottled gas that delivery of fuel oil and bottled gas will be terminated. If a fuel oil dealer or bottled gas dealer terminates delivery service to an apartment building, the copy of the notice to the chief health officer shall indicate whether the owner or the tenants are responsible for payment. The chief health officer shall assist the owner or tenant responsible for the payment of fuel oil or bottled gas deliveries to obtain a supply of fuel oil or bottled gas.

In the event that any of the provisions of this chapter are in conflict with applicable federal statutes or regulations, the federal statutes or regulations shall be controlling.

STATEMENT OF FACT

The purpose of this bill is to provide notice to home owners, mobile home owners, apartment building owners and tenants of termination of oil and bottled gas delivery service. A copy of the notice shall be sent to the chief health officer of the community in which the defaulting customer resides in order to help the defaulting resident obtain a source of supply of fuel oil or bottled gas.