

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1052

H. P. 808

House of Representatives, March 16, 1977

Speaker laid before the House and on Motion of Mr. Carey of Waterville referred to the Committee on Energy. Sent up for concurrence and 1,800 ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Kerry of Old Orchard Beach.

Cosponsors: Mr. Davies of Orono, Mr. Connolly of Portland and Mr. Kelleher of Bangor.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT to Restrict Oil Firms to One Phase of the Oil Industry.

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

Sec. 1. 10 MRSA § 1452, as enacted by PL 1975, c. 549, is amended by adding at the end a new paragraph to read:

The Legislature further finds that motor fuels are becoming a scarce commodity which is essential to the transportation system of the State, and control by a small number of firms of the supply, distribution and retail sale of motor fuels would be harmful to the public welfare. Since a small number of firms presently supply and distribute a large proportion of the motor fuels purchased in Maine, and since a small number of firms are gaining a larger and larger percentage of the retail sale of motor fuels, the Legislature declares it to be in the public interest to regulate the activities of oil firms and restrict their activities to one phase of the industry.

Sec. 2. 10 MRSA § 1453, sub-§ 13 is enacted to read:

13. Retail service station. Retail service station shall mean a facility operated by a retail dealer where motor fuels are sold to the public.

Sec. 3. 10 MRSA § 1454-A is enacted to read:

§ 1454-A. Regulation of retail service station operations

1. Restriction of activities.

A. After September 1, 1978, no producer or refiner of petroleum products shall engage in the distribution of motor fuels to retail service stations or operate a retail service station in this State.

B. After September 1, 1978, no distributor of motor fuels shall engage in the production or refinement of motor fuels or operate a retail service station in this State.

C. After September 1, 1978, no operator of a retail fuel outlet shall engage in production, refinement or distribution of motor fuels in this State.

2. Voluntary allowances, equipment rentals, apportionment of motor fuels.

A. Voluntary allowances. Every distributor of motor fuels supplying gasoline and special fuels to retail dealers as defined in section 1453 shall extend all voluntary allowances uniformly to all retail dealers supplied.

B. Equipment rentals. Every distributor of motor fuels supplying gasoline and special fuels to retail dealers shall apply all equipment rentals uniformly to all retail dealers supplied.

C. Apportionment of motor fuels. Every distributor of motor fuels shall apportion all gasoline and special fuels to all retail dealers during periods of shortages on an equitable basis and shall not discriminate among the dealers in their allotments.

STATEMENT OF FACT

The purpose of this bill is to prevent a few firms from gaining control of all phases of the motor fuels industry in Maine. Since a few firms do exercise considerable influence in the supply and distribution of motor fuels in this State, and since there is a trend of increasing concentration in the retail sale of gasoline, this bill will prevent a few firms from controlling all sectors of the gasoline industry.