

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

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Legislative Document

No. 1869

S.P. 701

In Senate, May 16, 1991

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.  
Reference to the Committee on Business Legislation suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by President PRAY of Penobscot  
Cosponsored by Senator BALDACCI of Penobscot.

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STATE OF MAINE

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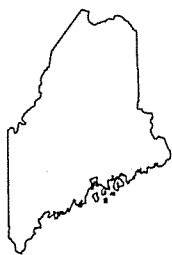
IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-ONE

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**An Act Concerning Acquisition of Heating Oil Assets.**

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(AFTER DEADLINE)



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

10 MRSA §1109, as enacted by PL 1989, c. 750, is amended to read:

**§1109. Acquisition of gasoline and heating oil assets**

1. **Definitions.** ~~"Gasoline sales" means the retail sale of internal combustion fuel for motor vehicles as defined in Title 29, section 1, subsection 7.~~ As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Gasoline sales" means the retail sale of internal combustion fuel for motor vehicles as defined in Title 29, section 1, subsection 7.

B. "Heating oil sales" means the retail sale of #2 fuel oil used for heating residential, industrial or commercial space or water.

2. **Prohibition.** A person may not acquire, directly or indirectly, from a business engaged in gasoline sales or heating oil sales in this State, without prior notice as required under subsection 3:

A. Controlling stock; or

B. Substantial assets that include those used in gasoline sales or heating oil sales.

3. **Report.** The person acquiring stock or assets under subsection 2 shall provide notice of this acquisition to the Department of the Attorney General at least 30 days prior to the date of acquisition. That period may be shortened with the consent of the Attorney General.

4. **Confidentiality.** Information received by the Department of the Attorney General as a result of this reporting requirement is a confidential investigative record under Title 5, section 200-D.

5. **Penalty.** Violation of this section is a civil violation for which a civil penalty not to exceed \$10,000 may be assessed.

**STATEMENT OF FACT**

This bill adds acquisition of heating oil businesses to the existing laws governing acquisition of gasoline sales assets.