

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1992

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Legislative Document

No. 2317

S.P. 898

In Senate, February 11, 1992

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.  
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 Senator TITCOMB of Cumberland  
Cosponsored by Senator BOST of Penobscot, Representative JACQUES of Waterville and  
Representative SIMPSON of Casco.

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STATE OF MAINE

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

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**An Act to Govern Residential Propane Gas Suppliers.**

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

Sec. 1. 10 MRSA c. 307, first 2 lines, are repealed and the following enacted in their place:

CHAPTER 307

OILS AND PETROLEUM PRODUCTS

Sec. 2. 10 MRSA §§1661-C and 1661-D are enacted to read:

§1661-C. Propane fuel charges

1. Disclosure of propane prices. Any person or other entity who provides or offers to provide propane fuel for use in propane storage tanks located at a residence shall disclose or quote the specific price to be charged and any other available prices upon request of a consumer or potential consumer. The supplier shall establish a single price schedule for all consumers or separate price schedules for the categories of consumers shown below. Suppliers shall establish and disclose or quote separate prices within each category for consumers to whom the supplier provides a storage tank or tanks and for consumers who furnish their own storage tanks. The categories are:

A. Consumers whose estimated annual usage is 50 gallons per year or less;

B. Consumers whose estimated annual usage is more than 50 but less than 100 gallons per year;

C. Consumers whose estimated annual usage is more than 100 but less than 300 gallons per year;

D. Consumers whose estimated annual usage is more than 300 but less than 500 gallons per year;

E. Consumers whose estimated annual usage is more than 500 but less than 800 gallons per year; and

F. Consumers whose estimated annual usage is more than 800 gallons per year.

2. Unfair trade practice. A violation of this section constitutes an unfair trade practice under Title 5, chapter 10.

§1661-D. Consumer-furnished storage tanks; storage tank removal charges

1. Storage tanks furnished by consumer. A person or other entity who provides or offers to provide propane fuel for residential use may not condition the supply of propane to a

2 residential consumer upon use by the consumer of the supplier's  
4 storage tanks, but a supplier is not required by this section to  
6 permit its storage tanks to be filled or refilled by another  
8 supplier.

10 2. Storage tank removal charges. A person or other entity  
12 who provides or offers to provide propane fuel for residential  
14 use may not impose a charge upon the consumer for the removal of  
16 supplier-owned storage tanks from the consumer's property or for  
18 any associated service.

20 3. Unfair trade practice. A violation of this section  
22 constitutes an unfair trade practice under Title 5, chapter 10.

### STATEMENT OF FACT

24 This bill requires suppliers of propane gas for residential  
26 use to establish price schedules based on estimated annual usage  
28 and to disclose all prices to consumers or potential users. The  
30 bill also regulates the use of propane gas tanks at residences,  
prohibits suppliers from refusing to provide or fill such tanks  
based on ownership of the tank and prohibits assessment by  
suppliers of storage tank removal charges. In addition to  
penalties now existing in the Maine Revised Statutes, Title 10,  
chapter 307, the bill makes violations of these provisions unfair  
trade practices subject to the jurisdiction of the Department of  
the Attorney General.