

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

SECOND REGULAR SESSION-2002

Legislative Document

No. 1948

H.P. 1451

House of Representatives, December 20, 2001

An Act to Clarify the Method of Sale for Heating Oil and Retail Motor Fuels.

Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 204.

Received by the Clerk of the House on December 17, 2001. Referred to the Committee on Business and Economic Development pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative RICHARDSON of Brunswick.
Cosponsored by Senator SAWYER of Penobscot and
Representatives: BRYANT of Dixfield, CARR of Lincoln, COTE of Lewiston, HAWES of
Standish, MICHAUD of Fort Kent, SULLIVAN of Biddeford, Senator: KILKELLY of Lincoln.

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

4 **Sec. 1. 10 MRSA §2623**, as amended by PL 1977, c. 694, §183,
is repealed and the following enacted in its place:

6 **§2623. Method of sale**

8 **1. Sales of commodities.** Except as otherwise provided by
10 the State Sealer, sales of commodities must comply with the
following:

12 A. Commodities in liquid form must be sold by liquid
measure or by weight;

14 B. Commodities not in liquid form must be sold only by
16 weight, by measure or by count;

18 C. A seller selling commodities in liquid form and using
20 temperature compensators must have the seller's entire fleet
of vehicles equipped with temperature compensators. Such
22 equipment must be sealed and in use throughout the year; and

24 D. The method of sale must provide accurate and adequate
quantity information that permits the buyer to make price
26 and quantity comparisons.

28 **Sec. 2. 10 MRSA §2624, sub-§3**, as enacted by PL 1973, c. 91,
§10, is amended to read:

30 **3. Quantity.** The quantity delivered and the quantity upon
32 which the price is based, if this differs from the delivered
quantity, including when temperature-compensated sales are made,
34 that fact must be stated;

36 **SUMMARY**

38 This bill establishes methods of sales of commodities that
40 require labeling and the publishing of prices that will provide
adequate information for consumers to make value price
42 comparisons among companies selling heating oil or retail motor
fuels using temperature-compensating technology and those using a
traditional 231-cubic-inch-per-gallon measurement.