

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

MAINE LAW LIBRARY  
AUGUSTA, MAINE



# 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

---

**Legislative Document**

**No. 355**

S.P. 119

In Senate, February 5, 2009

### **An Act To Protect Residential Consumers of Home Heating Fuel**

---

Reference to the Committee on Business, Research and Economic Development suggested and ordered printed.

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator BLISS of Cumberland.

Cosponsored by Senator BARTLETT of Cumberland, Representative EBERLE of South Portland and

Representatives: DILL of Cape Elizabeth, FLAHERTY of Scarborough, MORRISON of South Portland.

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

2           **Sec. 1. 10 MRSA §1110, sub-§1**, as enacted by PL 2005, c. 632, §1, is amended  
3       to read:

4           **1. Contract and solicitation requirements.** A contract for the retail sale of home  
5       heating oil, kerosene or liquefied petroleum gas that offers a guaranteed price plan,  
6       including a prepaid contract and any other similar ~~term~~ terms, must be in writing and the  
7       terms and conditions of the price plan must be disclosed. The disclosure of terms and  
8       conditions must be in plain language, must immediately follow the language concerning  
9       the price or service that could be affected and must be printed in no less than 12-point  
10      boldface type of uniform font. A solicitation for the retail sale of home heating oil,  
11      kerosene or liquefied petroleum gas that offers a guaranteed price plan that could become  
12      a contract upon a response from a consumer, including a prepaid contract and any other  
13      similar ~~term~~ terms, must be in writing and the terms and conditions of that offer must be  
14      disclosed in plain language. A contract under this section must include a conspicuous  
15      cancellation clause in no less than 12-point boldface type of uniform font that clearly  
16      states the terms and conditions by which a consumer may be released from the  
17      obligations of the contract, including any fees, penalties, notice provisions and deadlines  
18      that may apply.

19           **Sec. 2. 35-A MRSA §4712** is enacted to read:

20       **§4712. Cancellation notice requirements**

21           A contract for the retail sale of natural gas that offers a guaranteed price plan,  
22      including a prepaid contract and any other similar terms, must include a conspicuous  
23      cancellation clause in no less than 12-point boldface type of uniform font that clearly  
24      states the terms and conditions by which a consumer may be released from the  
25      obligations of the contract, including any fees, penalties, notice provisions and deadlines  
26      that may apply.

27   **SUMMARY**

28           This bill amends the statutory requirements for price protection and prepaid home  
29       heating oil, kerosene, liquefied petroleum gas and natural gas contracts to require these  
30       contracts to include a conspicuous cancellation clause in no less than 12-point boldface  
31       type of uniform font that clearly states the terms and conditions by which a consumer  
32       may be released from the obligations of the contract, including any fees, penalties, notice  
33       provisions and deadlines that may apply.