S.P. 829

Submitted by the Department of Transportation pursuant to Joint Rule 24.
Reference to the Committee on Transportation is suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Pray of Penobscot.
Cosponsor: Representative Nadeau of Lewiston.
approaches, for commercial purposes, with the exception of such kiosks at rest areas, gasoline filling stations, service and repair stations and restaurants as it deems necessary to service the needs of the traveling public while using the turnpike, except that the authority may permit the erection or installation of electric power, telegraph, telephone, water, sewer or pipeline facilities; and provided also that the leasehold interests in such kiosks, gasoline filling stations, service and repair stations and restaurants shall be subject to taxation as provided in section 1971.

Sec. 2. 23 MRSA §1971, as enacted by PL 1981, c. 595, §3, is amended to read:

§1971. Exemption from taxes

The accomplishment by the authority of the authorized purpose stated in this chapter being for the benefit of the people of the State and for the improvement of their commerce and prosperity in which accomplishment the authority will be performing essential governmental functions, the authority shall not be required to pay any taxes or assessment on any property acquired or used by it for the purposes provided in this chapter, except that restaurants, kiosks, fuel and service facilities, leased or rented by the authority to business entities, shall be subject to taxation, and assessments shall be made against the tenant in possession based upon the value of the leasehold interest, both real and personal, nor may the authority be required to pay any tax upon its income except as may be required by the laws of the United States, and the bonds or other securities and obligations issued from the authority, their transfer and the income therefrom, including any profits made on the sale thereof, shall at all times be free from taxation within the State.
STATEMENT OF FACT

The statutes governing the Maine Turnpike Authority prohibit the granting of easements or franchises for commercial purposes, except for gasoline filling stations, service and repair stations and restaurants.

McKean & Associates, Inc., which holds a license from the State to erect a statewide kiosk system, sought permission from the Maine Turnpike Authority to erect kiosks in certain locations on the turnpike. They were informed that without express legislative authorization the kiosk program does not lie within the powers of the authority.

The purpose of this bill is to provide the necessary legislative authorization.