TRANSPORTATION

Reported by: Senator Brannigan of Cumberland

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STATE OF MAINE
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116TH LEGISLATURE
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COMMITTEE AMENDMENT "A" to S.P. 594, L.D. 1653, Bill, "An Act to Enable the Use of Former Exit 5 on the Maine Turnpike for Access to an Adjacent Liquor Store and Hotel and Conference Center Facility"

Amend the bill in section 1 in subsection 37 in the 2nd line (page 1, line 7 in L.D.) by striking out the following: "shall" and inserting in its place the following: 'shall must' and in the next to the last line (page 1, line 8 in L.D.) by striking out the following: "shall" and inserting in its place the following: 'shall must'

Further amend the bill in section 1 in subsection 38 in the first line (page 1, line 14 in L.D.) by striking out the following: 'shall must' and in the next to the last line (page 1, line 18 in L.D.) by striking out the following: "shall be" and inserting in its place the following: 'shall be is'

Further amend the bill by striking out all of section 2 and inserting in its place the following:

'Sec. 2. 23 MRSA §1201, sub-§39 is enacted to read:

39. Saco Plaza: facilities at former Exit 5. Signs for the facilities permitted by Title 23, section 1967, subsection 5 must be installed and maintained along the northbound and southbound lanes of the Maine Turnpike at appropriate locations leading to and at the former exit 5 of the Maine Turnpike. The signs must be provided and maintained by the Maine Turnpike Authority. The signs must be paid for by the Department of Administrative and
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Financial Services and the owners or operators of any facilities described in the signs. The Department of Administrative and Financial Services and owners or operators of the facilities may decide upon the division of expenses.

One sign along the northbound lanes and one sign along the southbound lanes must incorporate the single or multicolored logos or designs used by the hotel or convention center operator. These signs must briefly describe the services available to the traveling public.

Sec. 3. 23 MRSA §1965, sub-§1, ¶5-1, as enacted by PL 1991, c. 622, Pt. EE, §2, is amended to read:

S-l. Utilize the Department of Transportation, Office of Legal Services or the Department of the Attorney General for general counsel, bond counsel, labor defense, workers' compensation, legislative issues and other required legal services on a fee-for-service basis at rates determined by those agencies; and

Sec. 4. 23 MRSA §1965, sub-§1, ¶T, as enacted by PL 1981, c. 595, §3, is amended to read:

T. Take all other lawful action necessary and incidental to these powers; and

Sec. 5. 23 MRSA §1965, sub-§1, ¶U is enacted to read:

U. Adopt rules, in accordance with the Maine Administrative Procedure Act, to establish a logo signing program on the turnpike. The authority may charge fees for signs that contain names, symbols, logos or other identifiers of specific commercial enterprises. This paragraph may not be interpreted as limiting the authority's general power to collect fees under paragraph H.'

Further amend the bill in section 3 in subsection 1 in the last line (page 2, line 12 in L.D.) by inserting after the following: "1971." the following: 'In accordance with rules adopted pursuant to section 1965, subsection 1, paragraph U, the authority may erect and maintain or allow to be erected and maintained signs that contain names, symbols, trademarks, logos or other identifiers of specific commercial enterprises.'

Further amend the bill by striking out all of section 4 and inserting in its place the following:

Sec. 4. 23 MRSA §1967, sub-§5 is enacted to read:
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5. Access. Notwithstanding subsection 1, the authority may permit the City of Saco, or its successors or assigns, to use the interchange in Saco formerly known as exit 5 of the turnpike and land located adjacent to this former interchange for access, utility lines and appurtenances, parking and related accessory rights for the benefit of any or any combination of the following facilities:

A. A liquor store or retail facility;
B. A regional information center;
C. A restaurant;
D. A hotel; or
E. A banquet and conference center.

The facilities must be located on property adjacent to the access way that connected the former exit 5 interchange with North Street in Saco. The terms of locating a facility must be mutually agreed upon by the authority and the City of Saco, its successors or its assigns. Access to and from the turnpike by means of the interchange at former exit 5 is restricted to facilities permitted under this subsection.

Sec. 5. Report. The Maine Turnpike Authority shall report to the joint standing committee of the Legislature having jurisdiction over transportation matters on or before February 1, 1995 on the authority's progress towards developing and implementing a logo signing program. The report must include specifics on the program such as the types of facilities included, the locations where signs are allowed and the eligibility criteria for businesses requesting a logo sign.

Further amend the bill by renumbering the sections to read consecutively.

Further amend the bill by inserting at the end before the statement of fact the following:

"'FISCAL NOTE

That portion of the expenses of the signs for the Saco hotel and conference center and discount liquor store at former exit 5 that is to be paid by Department of Administrative and Financial Services can be absorbed by the department utilizing existing budgeted resources."
The increases of General Fund revenue associated with establishing a discount state liquor store in Saco have already been accounted for by Public Law 1993, chapter 410.

STATEMENT OF FACT

This amendment clarifies the Maine Turnpike Authority's power to establish a logo signing program and to charge a fee for logo signs on the Maine Turnpike. This amendment would allow for either a liquor store or a retail store at the Saco Plaza. It changes the language relating to placement requirements for signs to the Saco Plaza. It requires the Maine Turnpike Authority to submit a status report on adoption of a logo signing program to the Joint Standing Committee on Transportation. The amendment also makes technical changes and adds a fiscal note to the bill.

This amendment also conforms existing law to current drafting standards.