

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 252

S. P. 107

In Senate, January 18, 1973

Referred to the Committee on Natural Resources. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Schulten of Sagadahoc.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

**AN ACT to Increase Outdoor Advertising License and Permit Fees and
Extend Controls Beyond 600 Feet.**

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

Sec. 1. R. S., T. 32, § 2713, amended. The 2nd paragraph of section 2713 of Title 32 of the Revised Statutes, as enacted by section 1 of chapter 257 of the public laws of 1969, and as amended by section 22 of chapter 593 of the public laws of 1971, is repealed and the following enacted in place thereof:

Every person, firm or corporation engaged in the business of outdoor advertising shall, before obtaining a license, pay the Department of Transportation the appropriate sum determined from the following schedule of fees:

1. For any person, firm or corporation engaged in the business of outdoor advertising whose advertisements are not income producing through rental or receipt of compensation from any other person, firm or corporation;

A. \$5 on condition that not more than 5 advertising structures are erected or maintained none of which bear a panel size in excess of 20 square feet;

B. \$25 for the erection and maintenance of more than 5 advertising structures or any single panel in excess of 20 square feet;

2. For any person, firm or corporation engaged in the business of outdoor advertising for income through rental or receipt of compensation from any other person, firm or corporation;

A. \$100 for the maintenance of up to 500 permits for advertising structures;

B. \$250 for the maintenance of more than 500 but less than 1,000 permits

for advertising structures ;

C. \$500 for the maintenance of more than \$1,000 permits for advertising structures.

Sec. 2. R. S., T. 32, § 2714, amended. The 3rd paragraph of section 2714 of Title 32 of the Revised Statutes, as enacted by section 1 of chapter 257 of the public laws of 1969, and as amended by section 22 of chapter 593 of the public laws of 1971, is further amended to read as follows :

Every person, firm or corporation shall before obtaining a permit pay the ~~department~~ **Department of Transportation** the sum of :

Sec. 3. R. S., T. 32, § 2714, sub-§§ 1, 2 and 3, amended. Subsections 1, 2 and 3 of section 2714 of Title 32 of the Revised Statutes, as enacted by section 1 of chapter 257 of the public laws of 1969, are amended to read as follows :

1. ~~\$2.50~~ **\$5** for each panel, affixed to an advertising structure, the total area of which does not exceed ~~100~~ **200** square feet ; and

2. ~~\$4.50~~ **\$10** for each panel, affixed to an advertising structure, the total area of which exceeds ~~100~~ **200** square feet, but does not exceed ~~300~~ **450** square feet ; and

3. ~~\$5~~ **\$15** for each panel, affixed to an advertising structure, the total area of which exceeds ~~300~~ **450** square feet but does not exceed **700** square feet ; ~~and.~~

Sec. 4. R. S., T. 32, § 2716, sub-§ 1, ¶ M, amended. Paragraph M of subsection 1 of section 2716 of Title 32 of the Revised Statutes, as enacted by section 1 of chapter 257 of the public laws of 1969, is amended to read as follows :

M. Which is or shall be painted upon **or annexed** to any rock or tree or any other natural features ; or

Sec. 5. R. S., T. 32, § 2716, sub-§ 2, ¶ D, sub-¶ (1), div. (c), amended. Division (c) of subparagraph (1) of paragraph D of subsection 2 of section 2716 of Title 32 of the Revised Statutes, as enacted by section 1 of chapter 257 of the public laws of 1969, is amended to read as follows :

(c) Maximum height : 25 feet **measured from the average grade level at the base of the advertising structure to the uppermost point of the advertising structure ;**

Sec. 6. R. S., T. 32, § 2717, sub-§ 7, additional. Section 2717 of Title 32 of the Revised Statutes, as enacted by section 1 of chapter 257 of the public laws of 1969, and as amended by section 22 of chapter 593 of the public laws of 1971, is further amended by adding a new subsection 7 to read as follows :

7. Compact or built-up section, jurisdiction, exception. Administration of this chapter by the Department of Transportation shall not apply to on-

premise advertisements located in compact or built-up sections except those as may be on land adjacent to the interstate system.

STATEMENT OF FACT

The purpose of this bill is to increase license and permit fees to reflect increased administrative costs to the Department of Transportation, clarify the height signs are permitted above ground and leave control of on-premise advertising in compact sections to the municipality.