

MAINE STATE LEGISLATURE

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TRANSPORTATION

Reported by: Senator Brannigan of Cumberland

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STATE OF MAINE
SENATE
116TH LEGISLATURE
SECOND REGULAR SESSION

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" and inserting in its place 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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2 Financial Services and the owners or operators of any facilities
3 described in the signs. The Department of Administrative and
4 Financial Services and owners or operators of the facilities may
5 decide upon the division of expenses.

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

12 Sec. 3. 23 MRSA §1965, sub-§1, ¶S-1, as enacted by PL 1991, c.
13 622, Pt. EE, §2, is amended to read:

14 S-1. Utilize the Department of Transportation, Office of
15 Legal Services or the Department of the Attorney General for
16 general counsel, bond counsel, labor defense, workers'
17 compensation, legislative issues and other required legal
18 services on a fee-for-service basis at rates determined by
19 those agencies; and

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

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

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

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

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

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

48 'Sec. 4. 23 MRSA §1967, sub-§5 is enacted to read:

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2 5. Access. Notwithstanding subsection 1, the authority may
4 permit the City of Saco, or its successors or assigns, to use the
6 interchange in Saco formerly known as exit 5 of the turnpike and
8 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:

- 10 A. A liquor store or retail facility;
- 12 B. A regional information center;
- 14 C. A restaurant;
- 16 D. A hotel; or
- 18 E. A banquet and conference center.

20 The facilities must be located on property adjacent to the access
22 way that connected the former exit 5 interchange with North
24 Street in Saco. The terms of locating a facility must be
26 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.

28 **Sec. 5. Report.** The Maine Turnpike Authority shall report to
30 the joint standing committee of the Legislature having
32 jurisdiction over transportation matters on or before February 1,
34 1995 on the authority's progress towards developing and
implementing a logo signing program. The report must include
36 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.'

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

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

44 **FISCAL NOTE**

46 That portion of the expenses of the signs for the Saco hotel
48 and conference center and discount liquor store at former exit 5
that is to be paid by Department of Administrative and Financial
50 Services can be absorbed by the department utilizing existing
budgeted resources.

2 The increases of General Fund revenue associated with
3 establishing a discount state liquor store in Saco have already
4 been accounted for by Public Law 1993, chapter 410.'

6
7 **STATEMENT OF FACT**

8
9 This amendment clarifies the Maine Turnpike Authority's
10 power to establish a logo signing program and to charge a fee for
11 logo signs on the Maine Turnpike. This amendment would allow for
12 either a liquor store or a retail store at the Saco Plaza. It
13 changes the language relating to placement requirements for signs
14 to the Saco Plaza. It requires the Maine Turnpike Authority to
15 submit a status report on adoption of a logo signing program to
16 the Joint Standing Committee on Transportation. The amendment
17 also makes technical changes and adds a fiscal note to the bill.

18
19 This amendment also conforms existing law to current
20 drafting standards.