

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1995

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Legislative Document

No. 1614

S.P. 610

In Senate, December 8, 1995

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**An Act to Amend the Law as It Pertains to Payment of Rent by a Blind  
or Visually Impaired Individual Who Operates a Vending Facility.**

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.  
Received by the Secretary of the Senate on December 6, 1995. Referred to the Committee  
on Education and Cultural Affairs and ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS  
Secretary of the Senate

Presented by Senator MILLS of Somerset.  
Cosponsored by Senator: KIEFFER of Aroostook.

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

4 **Sec. 1. 20-A MRSA §18801**, as amended by PL 1995, c. 322, §20,  
is repealed and the following enacted in its place:

6 **§18081. Fees**

8 **1. Fees prohibited generally.** A rental fee may not be  
10 required or received for the granting of authority to the  
division to operate a vending facility.

12 **2. Fees authorized; limitation.** A rental fee or other fee  
14 may be charged to the operator only if the vending facility is  
located on commercial public property, including a public  
16 airport, where the following conditions are met:

18 A. The vending facility generates revenue primarily from  
the general public at large rather than from public  
20 employees;

22 B. The vending facility occupies space for which there are  
other competing retail commercial uses and those other users  
24 are, in fact, renting nearby public space on the property;  
and

26 C. The public owner depends on generating revenue from the  
28 space occupied by the vending facility.

30 Any rent or other fee charged to the operator must be less than  
what would otherwise be charged to a competing commercial tenant  
32 and must be pursuant to an agreement. The terms of the agreement  
must adequately account for the value of investments made by the  
34 division to create or maintain the vending facility.

36 **STATEMENT OF FACT**

38 This bill allows municipalities to charge limited rental  
40 fees for a vending facility operated by a person licensed by the  
Department of Education, Division for the Blind and Visually  
42 Impaired if the facility is in a public airport or other public  
location where certain commercial competitive criteria are met.