

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND SIXTEENTH LEGISLATURE**

**SECOND REGULAR SESSION**

**January 5, 1994 to April 14, 1994**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 14, 1994**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1993**

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** statutory changes enacted by the Maine Revised Statutes, Title 30-A, section 4211, subsections 2 and 5 and section 4221, subsection 4 have affected the ability of municipalities and the Department of Human Services to administer plumbing inspection programs; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. 30-A MRSA §4211, sub-§5,** as enacted by PL 1993, c. 404, Pt. C, §2, is amended to read:

**5. Permit fees.** The following permit fees may be charged.

A. A ~~fixture~~ plumbing permit fee of \$4 per internal fixture may be charged.

B. A maximum plumbing permit fee of \$4 may be charged for all other internal plumbing work.

C. A minimum ~~plumbing permit~~ fee, not to exceed \$12, may ~~not~~ be charged for all internal plumbing permits combined.

D. A nonengineered subsurface waste water disposal system fee not to exceed \$60 may be charged.

**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective April 7, 1994.

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## CHAPTER 612

S.P. 594 - L.D. 1653

### 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

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

**Sec. 1. 23 MRSA §1201, sub-§§37 and 38,** as enacted by PL 1985, c. 506, Pt. A, §47, are amended to read:

**37. Norway, South Paris and the Oxford Hills Region.** Such sign ~~shall~~ must be constructed and maintained on the Maine Turnpike no more than 7 miles southerly from exit 11 and shall be worded as follows:

EXIT FOR NORWAY, SOUTH PARIS  
AND THE OXFORD HILLS  
REGION; ~~and~~

**38. Bates College.** The signs ~~shall~~ must be provided by Bates College. The Maine Turnpike shall erect one sign on the side of the northbound lanes between exits 12 and 13 and one sign on the side of the southbound lanes north of exit 13. The Maine Turnpike Authority ~~shall be~~ is responsible for the maintenance of the signs; ~~and~~

**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 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, ¶S-1,** as enacted by PL 1991, c. 622, Pt. EE, §2, is amended to read:

S-1. 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.

**Sec. 6. 23 MRSA §1967, sub-§1**, as amended by PL 1993, c. 410, Pt. MM, §6, is further amended to read:

**1. Property of the authority.** All property of the authority and all property held in the name of the State pursuant to the provisions of this chapter is exempt from levy and sale by virtue of any execution, and an execution or other judicial process is not a valid lien upon its property held pursuant to the provisions of this chapter. The authority may not lease, sell or otherwise convey, or allow to be used, any of its real or personal property or easements in that property, franchises, buildings or structures, with access to any part of the turnpike or its approaches, for commercial purposes, with the exception of such intermodal transportation facilities, kiosks at rest areas, gasoline filling stations, service and repair stations, ~~state operated liquor stores~~, state and tri-state lottery ticket agencies, automatic teller machines and restaurants as it determines 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 intermodal transportation facilities, kiosks, gasoline filling stations, service and repair stations, ~~state operated liquor stores~~, state and tri-state lottery ticket agencies, automatic teller machines and restaurants are subject to taxation as provided in section 1971. 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.

**Sec. 7. 23 MRSA §1967, sub-§5** is enacted to read:

**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. 8. 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.

See title page for effective date.

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## CHAPTER 613

S.P. 596 - L.D. 1655

### An Act to Amend the Petroleum Market Share Act

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

**Sec. 1. 10 MRSA §1673, sub-§1**, as repealed and replaced by PL 1993, c. 46, §1, is amended to read:

**1. Reporting by wholesaler.** A wholesaler shall provide annual reports to the Department of the Attorney General ~~in a manner, frequency, time and form specified by rule by the Attorney General, but at no greater frequency than 4 times per year~~, setting forth: