

§1418-K. Fees

1. Fees prohibited generally. Except as provided in subsection 2, a rental fee may not be required or received for the granting of authority to the division to operate a vending facility.

[PL 1997, c. 393, Pt. A, §31 (NEW).]

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

A. The vending facility generates revenue primarily from the general public at large rather than from public employees; [PL 1997, c. 393, Pt. A, §31 (NEW).]

B. The vending facility occupies space for which there are other competing retail commercial uses and other retail users are, in fact, renting nearby public space on the property; and [PL 1997, c. 393, Pt. A, §31 (NEW).]

C. The public owner depends on generating revenue from the space occupied by the vending facility. [PL 1997, c. 393, Pt. A, §31 (NEW).]

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

[PL 1997, c. 393, Pt. A, §31 (NEW).]

3. Application. This section applies to the rental of vending facilities and the renewal of any rental agreement after the effective date of this section.

[PL 1997, c. 393, Pt. A, §31 (NEW).]

SECTION HISTORY

PL 1995, c. 560, §F13 (NEW). PL 1997, c. 393, §A31 (RPR).

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