

# 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**

Utilities installing facilities in accordance with these rules are not required to receive a separate written location permit as required by section 2501, subsection 2. Facilities installed in accordance with the rules are legal structures and are deemed installed pursuant to a written location permit.

See title page for effective date.

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## CHAPTER 541

H.P. 635 - L.D. 866

### An Act to Allow the State to Enter into an Agreement with the State of South Carolina Concerning the Disposal of Low-level Radioactive Waste

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

**Whereas**, the State is currently engaged in negotiations with the State of South Carolina for an agreement to allow the transfer of low-level radioactive waste to that state on a short-term basis; and

**Whereas**, that agreement needs to be concluded as soon as possible and as voter ratification of that agreement would delay finalization of such an agreement and as that delay may preclude such an agreement entirely; and

**Whereas**, the ratification provisions of current law were enacted in contemplation of voter ratification of a long-term agreement and are inappropriate for short-term agreements; 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. 38 MRSA §1474, sub-§2**, as enacted by PL 1985, c. 705, §3, is amended to read:

**2. Ratification.** ~~Any~~ Except for an agreement with the Southeast Compact Commission for acceptance through June 30, 1994 of low-level radioactive waste generated by and on the premises of any facility of the United States Navy in Kittery, Maine, any compact or agreement with any other state or states or the Federal Government for low-level waste disposal

must be ratified by legislative act and, in accordance with subchapter IV, by the voters of the State.

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

Effective March 30, 1994.

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## CHAPTER 542

S.P. 551 - L.D. 1575

### An Act to Amend Certain Provisions of Law Pertaining to Brewers' Licenses

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

**Sec. 1. 28-A MRSA §1355, sub-§1-A, ¶C**, as repealed and replaced by PL 1987, c. 623, §15, is amended to read:

C. The holder of a brewery license may sell on the brewery premises during regular business hours to nonlicensees only a specialty package of malt liquor produced at the brewery, ~~the~~ The volume of ~~which is the specialty package may not to exceed one gallon, to~~ 5 liters and must be consumed off the premises.

**Sec. 2. 28-A MRSA §1355, sub-§1-A, ¶E**, as repealed and replaced by PL 1987, c. 623, §15, is amended to read:

E. The holder of a brewery license may be issued one license under chapter 43 per brewery location for the sale of liquor to be consumed on the premises ~~for a location other than~~ at the brewery.

(1) The retail license must be held exclusively by the holder of the brewery license.

(2) This retail license authorizes the sale of products of the brewery, other than the specialty package under paragraph C, in addition to other liquor permitted to be sold under the retail license, to be consumed on the premises.

(3) Notwithstanding section 1361, the brewery licensee may sell products of the brewery directly to the retail licensee under this paragraph without selling to a wholesale licensee. The brewery licensee shall keep and maintain complete records on all sales to the retail licensee.