

# MAINE STATE LEGISLATURE

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LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN  
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 164, SUBSECTION 6.

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PORTLAND LITHOGRAPH COMPANY  
PORTLAND, MAINE  
1977

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PUBLIC LAWS  
OF THE  
**STATE OF MAINE**  
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The Notwithstanding any other provision of law or rule of evidence, the certificate of the Secretary of State or his deputy, under seal of the State, shall be received in any court in this State as prima facie evidence of the issuance, suspension or revocation of any operator's license or any certificate of registration of any vehicle.

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

Effective May 20, 1977

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## CHAPTER 185

### AN ACT to Grant Variances to Single Family Home Owners under the Water Pollution Abatement Program.

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

38 MRSA § 451-A, sub-§ 7, is enacted to read:

7. Power to grant variances to owners of a single family dwelling. The Board of Environmental Protection may grant a variance for a time certain from any statutory water pollution abatement time schedule upon receipt of an application from the owner of a single family dwelling which:

A. Has been used as his dwelling place year round prior to October 1, 1977;

B. Is maintaining a discharge subject to the requirements of sections 413, 414 and 414-A and if the following conditions exist and requirements are met:

(1) The discharge, in the opinion of the Board of Environmental Protection, is not creating a significant danger to the public health, safety and welfare;

(2) The discharge will not differ in kind or be greater in quantity from that which existed prior to October 1, 1977;

(3) The owner of the single family dwelling has a valid waste discharge license;

(4) The owner of the single family dwelling has obtained a certificate of eligibility from a local, county, regional, state or federal agency stating that the applicant is eligible for an existing program of financial assistance where eligibility is based on income and assets; and

(5) The applicant agrees to seek funds from public agencies or private lending institutions to install an approved wastewater disposal system; and

C. Variances shall be issued for a term certain not to exceed 3 years and may be renewed, except that no variances shall run beyond July 1, 1985. Upon notice of the availability of funds, the licensee shall present to the Department of Environmental Protection for approval an implementation schedule for construction of the required treatment facilities.

Variances may be conditioned upon reasonable and necessary terms relating to appropriate interim measures to be taken by the licensee to obtain adequate funding for the required system.

Effective October 24, 1977

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## CHAPTER 186

### AN ACT Concerning Fees of Board of Examiners of Psychologists.

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

32 MRSA § 3833, as last amended by PL 1973, c. 220, § 1, is further amended to read:

#### § 3833. Fees

There shall be paid to the board chairman by each applicant for a permanent license a fee of ~~\$35~~ \$50 for the initial application and a fee of ~~\$35~~ \$50 for the examination. No part of this fee shall be returnable under any circumstances other than failure of the board to hold examinations at the time originally announced, whereupon the examination fee only may be returned at the option of the candidate.

Effective October 24, 1977

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## CHAPTER 187

### AN ACT to Change the License Status of Maine Resident Military Optometrists.

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

32 MRSA § 2423, sub-§ 5 is enacted to read:

5. Military service; license to practice optometry. A resident of the State who is serving in the military service of the United States and is en-