

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

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Legislative Document

No. 1575

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H. P. 1299

House of Representatives, April 2, 1975

On motion of Mr. Cote of Lewiston, referred to the Committee on Legal Affairs. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Stubbs of Hallowell.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-FIVE

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AN ACT Relating to Licensing and Fee Requirements for Private Detective,  
Watch, Guard or Patrol Agencies.

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

Sec. 1. 32 MRSA § 3805, 3rd sentence, as enacted by PL 1971, c. 582, § 1, is amended to read:

The applicant, or, if the applicant is a corporation, its resident manager, superintendent or official representative, shall be at least ~~20~~ 18 years of age and of good moral character and, unless such application is for a license to engage in the business of watch, guard or patrol agency, shall have been regularly employed for not less than one year as a detective doing investigating work, a member of an investigative service of the United States or a police officer of the State of Maine or any political subdivision thereof.

Sec. 2. 32 MRSA § 3806, first ¶, as enacted by PL 1971, c. 582, § 1, is amended to read:

The Governor, with the advice and consent of the Council, may grant to an applicant complying with section 3805 a license to engage in the private detective business or a license to engage in the business of watch, guard or patrol agency, provided that no such license shall be granted to any person who has been convicted in any state of the United States of a felony, excepting that anyone who committed a felony prior to the age of 20 may be granted a license after attaining the age of 30, after an impartial investigation of the applicant, if he is not presently under sentence for committing a felony and upon recommendation of the Bureau of State Police that said applicant is an individual of good moral character and honest reputation.

**Sec. 3.** 32 MRSA § 3807, sub-§ 1, first sentence, as enacted by PL 1971, c. 582, § 1, is amended to read:

The fee for an original license for a resident of this State to engage in the private detective business shall be \$100 and to engage in the watch, guard or patrol agency business shall be ~~\$200~~ \$100; and for a renewal of a license to engage in the private detective business the fee shall be \$50 and for a renewal of a license to engage in the watch, guard or patrol agency business the fee shall be ~~\$100~~ \$50.

**Sec. 4.** 32 MRSA § 3807, sub-§ 2, first sentence, as last repealed and replaced by PL 1973, c. 292, § 2, is amended to read:

The fee for an original license for a nonresident to engage in the private detective business shall be ~~\$100~~ \$300 and to engage in the watch, guard or patrol agency business shall be ~~\$200~~ \$300; and for a renewal of a license to engage in the private detective business the fee shall be ~~\$50~~ \$150 and for a renewal to engage in the watch, guard or patrol agency business, the fee shall be ~~\$100~~ \$150.

**Sec. 5.** 32 MRSA § 3808, first ¶, last sentence, as enacted by PL 1971, c. 582, § 1, is amended to read:

No licensee may knowingly employ in connection with this business in any capacity any person who has been convicted of a felony or any former licensee whose license has been revoked, **excepting that anyone who committed a felony prior to the age of 20 may be granted a license after attaining the age of 30, after an impartial investigation of the applicant, if he is not presently under sentence for committing a felony and upon recommendation of the Bureau of State Police that said applicant is an individual of good moral character and honest reputation.**

**Sec. 6.** 32 MRSA § 3808, 3rd ¶, first sentence, as enacted by PL 1971, c. 582, § 1, is amended to read:

No person shall be employed by any licensee until he shall have executed and furnished to such licensee a statement under oath setting forth his full name, date of birth and residence; his parents' names and places of birth; the business or occupation in which he has been engaged for the 3 years immediately preceding the date of filing his statement; and that he has not been convicted of a felony or of any offense involving moral turpitude, **excepting that anyone who committed a felony prior to the age of 20 may be granted a license after attaining the age of 30, after an impartial investigation of the applicant, if he is not presently under sentence for committing a felony and upon recommendation of the Bureau of State Police that said applicant is an individual of good moral character and honest reputation.**

#### FISCAL NOTE

There may be a slight increase in revenue to the State, however, the amount would be minimal.

## STATEMENT OF FACT

This Act will lower the age limit for a guard or patrol agency owner to the present legal age of majority in the State of Maine, will eliminate the needless condemnation for the rest of his life of a person who was convicted of a felony at an early age in life, will make the fees equitable for those involved in private detective work and guard or patrol agencies and will increase the fees paid by nonresident detectives and guard and patrol agencies.