

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 283

6
7 H.P. 242

House of Representatives, January 30, 1985

8 Submitted by the Department of Public Safety pursuant to Joint Rule 24.
9 Reference to the Committee on Legal Affairs suggested and ordered
10 printed.

EDWIN H. PERT, Clerk

11 Presented by Representative Rioux of Biddeford.

Cosponsored by Representative Dillenback of Cumberland,
Representative Handy of Lewiston and Senator Stover of Sagadahoc.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 AN ACT to Amend the Laws Relating to
18 Private Investigators.
19

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

22 Sec. 1. 32 MRSA §8110-A is enacted to read:

23 §8110-A. Employment of investigative assistant

24 A private investigator duly licensed under this
25 chapter may employ investigative assistants provided
26 that:

27 1. Limit on number of investigative assistants.
28 No more than 3 investigative assistants are employed
29 at one time; and

30 2. Assistants to be licensed. Each investiga-
31 tive assistant is duly licensed under this chapter.

1 Sec. 2. 32 MRSA §8113, as amended by PL 1981, c.
2 698, §164, is repealed and the following enacted in
3 its place:

4 §8113. Refusal; suspension; revocation; grounds

5 The commissioner may, after a hearing in conform-
6 ance with the provisions of the Maine Administrative
7 Procedure Act, Title 5, chapter 375, subchapter IV,
8 refuse to issue or renew a license. The Administra-
9 tive Court may suspend or revoke the license of any
10 person licensed under this chapter. The following
11 shall be grounds for an action to refuse to issue,
12 suspend, revoke or refuse to renew the license of a
13 person licensed under this chapter:

14 1. Fraud or deceit. The practice of fraud or
15 deceit in obtaining a license under this chapter or
16 in connection with service rendered within the scope
17 of the license issued;

18 2. Conviction of certain crimes. Conviction of
19 a crime which involves dishonesty or false statement
20 or which relates directly to the practice for which
21 the licensee is licensed or which is enumerated in
22 this chapter, or conviction of any crime for which
23 incarceration for one year or more may be imposed;

24 3. Violation of chapter or rule. Any violation
25 of this chapter or any rule adopted by the commis-
26 sioner;

27 4. Aiding or abetting unlicensed practice of
28 private investigation. Aiding or abetting the prac-
29 tice of private investigation by a person not duly
30 licensed under this chapter and who represents him-
31 self to be duly licensed;

32 5. Failure to maintain bond. Failure to main-
33 tain a bond as required by section 8111;

34 6. Incompetence. Incompetence in the practice
35 for which he is licensed. A licensee shall be deemed
36 incompetent in the practice if the licensee has:

37 A. Engaged in conduct which evidences a lack of
38 ability or fitness to discharge the duty owed by

