

MAINE STATE LEGISLATURE

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1 (New Draft of S.P. 157, L.D. 424)
2 (New Title)
3 FIRST REGULAR SESSION
4

5 ONE HUNDRED AND TWELFTH LEGISLATURE
6

7 Legislative Document

No. 1347

9 S.P. 502

In Senate, April 18, 1985

10 Reported by Senator Trafton of Androscoggin from the Committee on
11 Legal Affairs and printed under Joint Rule 2. Original bill sponsored by
12 Senator Sewall of Lincoln. Cosponsored by Senator Chalmers of Knox and
Representative Scarpino of St. George.

JOY J. O'BRIEN, Secretary of the Senate

13
14 STATE OF MAINE
15

16 IN THE YEAR OF OUR LORD
17 NINETEEN HUNDRED AND EIGHTY-FIVE
18

19 AN ACT Concerning the Requirements for
20 Licensing Private Investigators.
21

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

24 Sec. 1. 32 MRSA §8105, sub-§7, as enacted by PL
25 1981, c. 126, §2, is repealed.

26 Sec. 2. 32 MRSA §8105, sub-§7-A is enacted to
27 read:

28 7-A. Experience. Meets at least one of the fol-
29 lowing criteria:

30 A. Has been employed for a minimum of one year
31 as an investigative assistant possessing a valid
32 license issued by the commissioner and has passed
33 a firearms examination prescribed by the commis-
34 sioner;

1 B. Has been employed for a minimum of one year
2 as a member of an investigative service of the
3 United States;

4 C. Has been employed for a minimum of one year
5 as a law enforcement officer of a state or polit-
6 ical subdivision of a state and has met the
7 training requirements set forth in Title 25, sec-
8 tion 2805, or is qualified to receive a waiver
9 from those requirements; or

10 D. Has passed a firearms examination prescribed
11 by the commissioner and possesses a minimum of 6
12 years of preparation consisting of a combination
13 of:

14 (1) Work experience, including at least 2
15 years in a nonclerical occupation related to
16 law or the criminal justice system; and

17 (2) Educational experience, including at
18 least:

19 (a) Sixty academic credits of
20 post-secondary education acquired at an
21 accredited junior college, college or
22 university; or

23 (b) An associate degree in law en-
24 forcement, based on 2 years of
25 post-secondary instruction, conferred
26 by an established vocational-technical
27 institute; and

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STATEMENT OF FACT

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This new draft provides an exception to the employment requirement in the licensing of private investigators for persons who have not attended the Maine Criminal Justice Academy, but do meet alternative requirements. A person meets this alternative qualification if he possesses a total of 6 years of education and appropriate work experience.

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The person must have a least 2 years of experience working in the field of law in a nonclerical position, or other nonclerical work related to the criminal justice system. For example, 2 years of experience as a parole officer would meet this requirement. The person must also possess at least 2 years of post-secondary education. Sixty academic credits at any accredited junior college, college or university is considered appropriate and sufficient for this requirement. An associate degree from a vocational-technical institute is also adequate, but only if the degree is in law enforcement. These requirements will help insure that private investigators licensed in Maine will have sufficient background in the legal system and possess sufficient education to be able to perform their duties knowledgeably and within the bounds of the law. This exception recognizes that police work and attendance at the Maine Criminal Justice Academy are not the only appropriate qualifications for private investigators.

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