

MAINE STATE LEGISLATURE

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DATE: 5/2/03

(Filing No. H-249)

CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 735, L.D. 1014, Bill, "An Act To Enhance Professionalism of Private Investigators in this State"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

Sec. 1. 32 MRSA §8109, as amended by PL 1991, c. 780, Pt. H, §1, is further amended to read:

§8109. Renewal of license

Each private investigator's license is valid for a an initial term of 2 years and is, unless revoked or suspended, renewable biennially every 4 years after the initial term.

Sec. 2. 32 MRSA §8110, sub-§3, as enacted by PL 1981, c. 126, §2, is amended to read:

~~3. Term of license. The license is valid for one-year 2 years~~ from the date of issuance and is not renewable, ~~except that the commissioner may, upon good cause shown, extend the license for any term not to exceed 6 months.~~

Sec. 3. 32 MRSA §8114, sub-§2, ¶A, as enacted by PL 1981, c. 126, §2, is amended to read:

COMMITTEE AMENDMENT

A. To make any representation which, including, but not limited, to presentation of a badge, that suggests, or which that would reasonably cause another person to believe, that he the licensed private investigator or investigative assistant is a sworn peace officer of this State, any political subdivision thereof, or any other state or of the Federal Government;

Sec. 4. 32 MRSA §8117, sub-§1, as amended by PL 1991, c. 780, Pt. H, §2, is further amended to read:

1. Amount. The fee for an original biennial license is \$400, of which \$50 must be submitted with the application and \$350 must be submitted upon issuance of the license. The fee for a biennial 4-year renewal is \$200 \$400, which is refundable upon denial of renewal. The fee for an investigative assistant's license is \$300 \$600, of which \$100 \$200 must be submitted with the application and \$200 \$400 must be submitted upon issuance of the license.

Sec. 5. 32 MRSA §8121 is enacted to read:

§8121. Confidentiality when under contract to law enforcement agency

A private investigator or investigative assistant who enters into a written contract with a law enforcement agency in this State to provide investigative services or consultation to the law enforcement agency is subject to the same provisions of law regarding confidentiality as are employees of the law enforcement agency with which the private investigator or investigative assistant is under contract.'

SUMMARY

This amendment replaces the bill. The amendment does the following:

1. It changes the time when a private investigator's license may be renewed after initial licensure from every 2 to every 4 years and doubles the renewal fee to \$400;

2. It changes the term of an investigative assistant's license from one year with a possibility of a 6-month extension to 2 years and doubles the fee to \$600;

3. It clarifies that presentation of a badge by a private investigator or an investigative assistant to cause another person to believe that the private investigator or investigative assistant is a sworn peace officer is a Class D crime; and

COMMITTEE AMENDMENT "A" to H.P. 735, L.D. 1014

2 4. It clarifies that a private investigator or investigative
assistant who contracts with a state law enforcement agency is
4 bound by that agency's confidentiality obligations.

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FISCAL NOTE REQUIRED
(See attached)

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**121st Maine Legislature
Office of Fiscal and Program Review**



LD 1014

An Act To Enhance Professionalism of Private Investigators in this State

LR 1286(02)

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Criminal Justice and Public Safety

Fiscal Note Required: YES

Fiscal Note

No Net Fiscal Impact.

	2003-04	2004-05	Projections 2005-06	Projections 2006-07
Net Cost (Savings)				
General Fund	(\$32,000)	(\$51,000)	\$32,000	\$51,000
Revenue				
General Fund	\$32,000	\$51,000	(\$32,000)	(\$51,000)

Fiscal Detail and Notes

Changing the manner and terms of how private investigator licenses are renewed will result in the redistribution of General Fund revenues collected by the Department of Public Safety from license fees; the department will collect additional amounts of \$32,000 and \$51,000 in fiscal years 2003-04 and 2004-05, respectively. In the long term, these revenue increases are offset by revenue losses of the same amounts in fiscal years 2005-06 and 2006-07.