

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE**

**FIRST SPECIAL SESSION**  
**August 21, 2003 to August 22, 2003**

**The General Effective Date For**  
**First Special Session**  
**Non-Emergency Laws Is**  
**November 22, 2003**

**SECOND REGULAR SESSION**  
**January 7, 2004 to January 30, 2004**

**The General Effective Date For**  
**Second Regular Session**  
**Non-Emergency Laws Is**  
**April 30, 2004**

**SECOND SPECIAL SESSION**  
**February 3, 2004 to April 30, 2004**

**The General Effective Date For**  
**Second Special Session**  
**Non-Emergency Laws Is**  
**July 30, 2004**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2004**

D. The land is designated as a resource protection area in a comprehensive plan, zoning ordinance or zoning map.

**Sec. 2. 36 MRSA §1109, sub-§3, ¶M**, as amended by PL 2003, c. 414, Pt. B, §51 and affected by Pt. D, §7, is further amended to read:

M. The identification of the land or of outstanding natural resources on the land by a legislatively mandated program, on the state, local or federal level, as particular areas, parcels, land types or natural resources for protection including, but not limited to, the Register of Critical Areas under Title 5, chapter 312; the laws governing wildlife sanctuaries and management areas under Title 12, section 10109, subsection 1 and sections 12706 and 12708; the laws governing the State's rivers under Title 12, chapter 200; the natural resource protection laws under Title 38, chapter 3, subchapter 1, article 5-A; and the Maine Coastal Barrier Resources Systems under Title 38, chapter 21; ~~or~~

**Sec. 3. 36 MRSA §1109, sub-§3, ¶N**, as enacted by PL 1989, c. 748, §4, is amended to read:

N. Whether the land contains historic or archeological resources listed in the National Register of Historic Places or is determined eligible for such a listing by the Maine Historic Preservation Commission, either in its own right or as contributing to the significance of an adjacent historic or archeological resource listed, or eligible to be listed, in the National Register of Historic Places; ~~or~~

**Sec. 4. 36 MRSA §1109, sub-§3, ¶O** is enacted to read:

O. Whether there is a written management agreement between the landowner and the Department of Inland Fisheries and Wildlife or the Department of Conservation as described in section 1102, subsection 10.

See title page for effective date.

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## CHAPTER 620

H.P. 735 - L.D. 1014

### An Act To Enhance Professionalism of Private Investigators in this State

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

**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 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:

A. To make any representation ~~which, including, but not limited, to presentation of a badge, that suggests, or which that~~ 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.

See title page for effective date.

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