

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 3, 2008 to June 13, 2009**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 12, 2009**

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

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**Augusta, Maine**  
**2009**

**Sec. 2. 9-B MRSA §325, sub-§1, ¶B**, as amended by PL 1997, c. 398, Pt. D, §10, is repealed.

See title page for effective date.

~~graph (5)~~ is cause for refusal and any false statement may result in prosecution as provided in section 8114.

See title page for effective date.

**CHAPTER 20**

**H.P. 104 - L.D. 122**

**An Act To Correct the Law Concerning Private Investigators' License Qualifications**

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

**Sec. 1. 32 MRSA §8105, sub-§5**, as amended by PL 2001, c. 298, §2, is further amended to read:

**5. Application.** Submits an application ~~which~~ that contains the following:

- A. Full name;
- B. Full current address and addresses for the prior 5 years;
- C. The date and place of birth, height, weight and color of eyes;
- D. A statement granting the chief of police authority to check the criminal records of any law enforcement agency. The applicant must agree to submit to having ~~his~~ fingerprints taken by the issuing authority if it becomes necessary to resolve any question as to ~~his~~ the applicant's identity; and
- E. Answers to the following questions:
  - (1) Are you currently under indictment or information for a crime for which the possible penalty is imprisonment for a period equal to or exceeding one year?
  - (2) Have you ever been convicted of a crime for which the possible penalty was imprisonment for a period equal to or exceeding one year?
  - (3) Are you a fugitive from justice?
  - (4) Are you an unlawful user of or addicted to marijuana or any other drug?
  - (5) Have you been adjudged mentally defective or been committed to a mental institution within the past 5 years? or
  - (6) Are you an illegal alien?

By affixing ~~his~~ the applicant's signature, the applicant certifies that the information in the application provided by ~~him~~ the applicant is true and correct and that ~~he~~ the applicant understands that an affirmative answer to any of the questions in paragraph E, ~~subpara-~~

**CHAPTER 21**

**H.P. 214 - L.D. 271**

**An Act To Encourage Economic Recovery and Employment Growth To Support Maine's Working Waterfronts**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas**, Maine's working waterfront industries are critical to the growth of the State's economy and bolstering these industries, which have suffered unexpected catastrophic events in regions of high unemployment, by providing Pine Tree Development Zone benefits could help them recover more rapidly and allow them to continue to be valuable assets to the economy; and

**Whereas**, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. 30-A MRSA §5250-I, sub-§4**, as amended by PL 2005, c. 351, §1, is further amended to read:

**4. Base level of employment.** "Base level of employment" means the greater of either the total employment in the State of a business as of March 31st, June 30th, September 30th and December 31st of the calendar year immediately preceding the year of the business's application to become a certified Pine Tree Development Zone business divided by 4 or its average employment during the base period. Pursuant to section 5250-J, subsection 4-A, "base level of employment" may be adjusted to mean 25% of the average number of employees of that business over the 3 months immediately preceding the catastrophic occurrence.

**Sec. 2. 30-A MRSA §5250-I, sub-§5-A** is enacted to read:

**5-A. Catastrophic occurrence.** "Catastrophic occurrence" means accidental fire, flood, hurricane, windstorm, earthquake or other similar event.