

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

**FIRST REGULAR SESSION**

December 5, 1984 to June 20, 1985

Chapters 1-384

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

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J.S. McCarthy Co., Inc.  
Augusta, Maine  
1986

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

AS PASSED AT THE  
FIRST REGULAR SESSION

of the  
ONE HUNDRED AND TWELFTH LEGISLATURE

1985

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lysts, advisors, consultants or planners, financial management advisors, securities or investment analysts, estate planners or other such terms.

"Financial planner" does not include employees of financial institutions authorized to do business in this State, as defined in Title 9-B, section 131, subsection 17-A.

3. Person. "Person" means any individual, partnership, unincorporated organization, corporation or any employee or agent of a partnership, unincorporated organization or corporation.

§9753. Disclosure required

If a person represents himself as a financial planner recommends that a consumer invest financial resources in an investment and the financial planner has any direct or indirect interest in that investment or has any potential of direct or indirect financial gain if the consumer invests his resources in that investment, then the financial planner shall fully disclose to the consumer the existence of that interest or potential gain. This duty to disclose extends to commissions, fees, referral fees or other compensation the financial planner may receive if the consumer makes the investment.

§9754. Enforcement

Any person who violates this chapter commits a civil violation for which a forfeiture not to exceed \$100 may be adjudged in the case of a first violation and a forfeiture not to exceed \$500 may be adjudged in the case of 2nd and subsequent violations.

Effective September 19, 1985.

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## CHAPTER 236

S.P. 365 - L.D. 985

AN ACT Concerning Commercial Fishing and  
Maritime Activity Zones.

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

12 MRSA §4818 is enacted to read:

§4818. Commercial fishing and maritime activity zones

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Commercial fishing activities" includes not only those activities directly related to commercial fishing, but also those commercial activities commonly associated with or supportive to commercial fishing, such as the manufacture or sale of ice, bait and nets and the sale, manufacture, installation or repair of boats, engines and other electronic devices commonly used on boats.

B. "Maritime activity" includes the construction, repair, storage, loading and unloading of boats, chancellery and other commercial activities designed and intended to facilitate maritime trade.

2. Municipalities may establish zones. A municipality may, within coastal shoreland areas within that municipality, adopt zoning ordinances establishing a commercial fishing and maritime activity zone. In creating such a zone, the municipality shall consider at least the following:

A. The number of commercial fishermen utilizing its shorefront;

B. The availability of shorefront for commercial fishing;

C. The demands for shorefront property for commercial and residential purposes not related to commercial fishing or maritime activity; and

D. Access to the shore and availability of space appropriate for commercial fishing and maritime activities.

Effective September 19, 1985.

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## CHAPTER 237

S.P. 589 - L.D. 1552

AN ACT to Allow the Use of Lobster Fund Money  
to Provide for Lobster Hatcheries.