

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

**THIRD SPECIAL SESSION**

October 1, 1992 to October 6, 1992

**FOURTH SPECIAL SESSION**

October 16, 1992

ONE HUNDRED AND SIXTEENTH LEGISLATURE

**FIRST REGULAR SESSION**

December 2, 1992 to July 14, 1993

THE GENERAL EFFECTIVE DATE FOR

FIRST REGULAR SESSION

NON-EMERGENCY LAWS IS

OCTOBER 13, 1993

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 Company  
Augusta, Maine  
1993

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

**AS PASSED AT THE**  
**FIRST REGULAR SESSION**

**of the**  
**ONE HUNDRED AND SIXTEENTH LEGISLATURE**

**1993**

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2. This section ~~shall~~ does not prohibit fees paid to a lender for handling or processing credit accident and health or credit life insurance not exceeding 10% of prima facie premiums as set forth by rules adopted by the superintendent.

**Sec. 3. 24-A MRSA §2860-A** is enacted to read:

**§2860-A. Commissions**

A commission not exceeding 5% of credit life and health insurance premiums may be paid to any creditor who is a licensed credit insurance agent. This section does not prohibit fees paid to a lender for handling or processing credit life or health insurance not exceeding 10% of prima facie premiums as set forth by rules adopted by the superintendent.

See title page for effective date.

## CHAPTER 209

S.P. 290 - L.D. 860

### An Act to Amend the Workers' Compensation Laws for Workers in Certain Marine Resources Industries

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

**Sec. 1. 39-A MRSA §102, sub-§3**, as enacted by PL 1991, c. 885, Pt. A, §8 and affected by §§9 to 11, is amended to read:

**3. Aquaculture.** "Aquaculture" means the commercial culture or husbandry of oysters, clams, scallops, mussels, salmon or trout, production of cultured fish, shellfish, seaweed or other marine plants for human and animal consumption, including:

A. All cultivating activities occurring at hatcheries or nurseries, from the egg, larval or spore stages to the transfer of the product to a growing site; and

B. All cultivating activities occurring on water, from the receipt of fish, shellfish, seaweed or other marine plants from onshore facilities to the delivery of harvested products to onshore facilities for processing.

See title page for effective date.

## CHAPTER 210

H.P. 584 - L.D. 788

### An Act to Prevent Unauthorized Use of the Name Passamaquoddy

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

**Sec. 1. 31 MRSA §6-A** is enacted to read:

**§6-A. Use of "Passamaquoddy" prohibited**

A person or persons, partnership, corporation or other entity engaged in any business or activities may not adopt a name that contains the word "Passamaquoddy" or use the word "Passamaquoddy" in connection with goods manufactured or sold or services provided after December 31, 1993 without written authorization from the Passamaquoddy Tribe.

**1. Extent of authorization.** Unless greater authority is expressly granted by the Passamaquoddy Tribe, no authorization extends to a business, activity, product or service not disclosed to the Passamaquoddy Tribe at the time of the request for authorization. Authorization is revocable unless by its terms it is irrevocable.

**2. Deceptive trade practices.** Violation of this section is a deceptive trade practice and unlawful under Title 10, chapter 206.

**3. Exemptions.** The following are exempted from the provisions of this section:

A. The use of the words "Passamaquoddy Bay":

(1) As part of a trade name of an entity or sole proprietorship; or

(2) In connection with goods manufactured or sold or services provided; and

B. Use of the word "Passamaquoddy" by a person who was using it prior to the effective date of this Act:

(1) As part of a specific trade name of an entity or sole proprietorship; or

(2) In connection with specific goods or specific services provided.

The exemption in this paragraph does not extend to the use of the word "Passamaquoddy" as part of any trade name not in use prior to the effective date of this Act or in connection with any specific goods or services not being sold prior to the effective date of this Act.

**Sec. 2. Retroactivity.** This Act applies retroactively to January 1, 1993.

See title page for effective date.