

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 250

H. P. 236

House of Representatives, January 15, 1981

Referred to the Committee on Public Utilities. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Peterson of Caribou.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Provide for the Termination of Cable Television Permits Issued Prior to July 1, 1965 without Fixed Termination Dates.

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

30 MRSA § 2151, sub-§ 2, ¶J is enacted to read:

J. Notwithstanding any other provisions of this chapter, any permit to provide a cable television system issued prior to July 1, 1965 without a fixed termination date shall be deemed to expire 15 years from the effective date of this paragraph.

STATEMENT OF FACT

This bill will provide that cable television permits issued without termination dates will expire in 15 years.

This issue was previously addressed by the Maine Legislature in the Maine Revised Statutes, Title 30, section 2151, subsection 2, paragraph H, by specific reference to newly enacted Federal Communications Commission regulations which required all cable television franchises without termination dates to terminate within 15 years. In 1977 the Federal Communications Commission deleted this requirement.

As a result of this deletion, certain franchises, which were grandfathered from the Act by the 1965 and 1967 amendments to the Maine Revised Statutes, Title 30, section 2151, subsection 2, paragraph H, currently have no termination date. The confusion in Maine law resulting from this FCC deletion has caused uncertainty on the part of the affected communities and the cable television companies as to their rights and responsibilities.

This bill removes that uncertainty in a manner consistent with the original legislative intent.