

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

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Legislative Document

No. 1646

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H.P. 1121

House of Representatives, April 24, 1991

Reference to the Committee on Utilities suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative ADAMS of Portland.

Cosponsored by Senator CARPENTER of York and Representative KONTOS of Windham.

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STATE OF MAINE

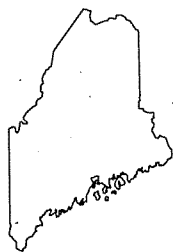
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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-ONE

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An Act Regarding Cable Television.

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

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3  
4       **Sec. 1. 30-A MRSA §3010, sub-§3, as enacted by PL 1989, c. 352, is repealed and the following enacted in its place:**

6       **3. Franchise document clearinghouse.** Each franchisee shall  
7       file a copy of the following documents with the Department of the  
8       Secretary of State, Corporations Division:

10       A. A copy of the franchise within 60 days of the granting  
11       of an initial franchise or any franchise renewal;

12       B. Annually, and within 30 days of any new franchise  
13       opening for business in the State, a statement containing  
14       the names of the owners of each franchise, corporate or  
15       personal, with an address and telephone number for each and  
16       a statement of the percentage of each franchise that is  
17       publicly or corporately held;

18       C. If not incorporated within the State, a copy of the  
19       corporation's annual report required to be filed in the  
20       state in which the franchise is incorporated, listing at a  
21       minimum all officers and directors of the corporation and,  
22       if there are no directors, the listed shareholders; and

23       D. Within 30 days of the exchange, sale or transfer of more  
24       than 5% of any franchise doing business within the State, a  
25       form containing the date of the transfer and the names,  
26       addresses and telephone numbers of the transferors and  
27       transferees.

28       The Department of the Secretary of State may set any necessary  
29       fees for those franchises not incorporated within the State.

30  
31       **Sec. 2. 30-A MRSA §3010, sub-§6-A is enacted to read:**

32       **6-A. Subscriber privacy.** A cable television system  
33       operator may not intrude upon the privacy of a subscriber by:

34       A. Providing any person or public or private corporation  
35       with a list containing the name, address or any information  
36       about the subscriber, unless the system operator gives  
37       notice of the intent to release subscriber information to  
38       the subscriber and receives the subscriber's permission in  
39       writing. A cable television system operator may not levy an  
40       additional charge on a subscriber that withholds such  
41       permission;

42       B. Disclosing the television viewing habits of any  
43       subscriber without the subscriber's express written consent;  
44       or

2 C. Installing or using any equipment that allows the system  
3 operator to observe or listen to what is occurring in an  
4 individual subscriber's household without express, prior  
5 written consent of the subscriber.

6  
7  
8 **STATEMENT OF FACT**

9  
10 This bill provides consumers with increased information  
11 concerning cable franchise owners and prohibits a cable  
12 television system operator from invading a subscriber's privacy.