

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

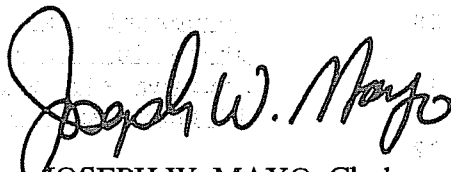
No. 1483

H.P. 1096

House of Representatives, May 10, 1993

An Act Regarding Cable Television.

Reference to the Committee on Utilities suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative ADAMS of Portland.

Cosponsored by Representatives: CASHMAN of Old Town, CLOUTIER of South Portland, FAIRCLOTH of Bangor, GRAY of Sedgwick, HOLT of Bath, MORRISON of Bangor, PINEAU of Jay, POULIN of Oakland, STEVENS of Orono, TRACY of Rome, TREAT of Gardiner, Senators: HANDY of Androscoggin, O'DEA of Penobscot.

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

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4 **Sec. 1. 30-A MRSA §3010, sub-§1, ¶A**, as enacted by PL 1989, c.
352, is amended to read:

6 A. In the event service to any subscriber is interrupted
8 for 24 8 or more consecutive hours, it will, upon request,
grant that subscriber a pro rata credit or rebate.

10 **Sec. 2. 30-A MRSA §3010, sub-§3**, as enacted by PL 1989, c.
352, is repealed and the following enacted in its place:

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

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

20 B. Annually, and within 30 days of any new franchise
22 opening for business in the State, a statement containing
24 the names of the owners of each franchise, corporate or
26 personal, with an address and telephone number for each and
28 a statement of the percentage of each franchise that is
30 publicly or corporately held;

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

40 D. Within 30 days of the exchange, sale or transfer of more
42 than 5% of any franchise doing business within the State, a
44 form containing the date of the transfer and the names,
46 addresses and telephone numbers of the transferors and
48 transferees.

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

Sec. 3. 30-A MRSA §3010, sub-§6-C, is enacted to read:

6-C. Unauthorized provision of information. A cable
television system operator may not diminish the privacy of a
subscriber by:

A. Providing any person or public or private corporation
with a list containing the name or address of, or any
information about, the subscriber, unless the system

2 operator gives notice of the intent to release subscriber
3 information to the subscriber and receives the subscriber's
4 permission in writing. A cable television system operator
5 may not levy an additional charge on a subscriber who
6 withholds such permission; or

7 B. Disclosing the television viewing habits of any
8 subscriber without the subscriber's express written consent.

10 **Sec. 4. Introduction of legislation authorized.** The Joint Standing
11 Committee on Utilities shall review all rules promulgated by the
12 Federal Communications Commission pursuant to the federal Cable
13 Television Consumer Protection and Competition Act of 1992,
14 Public Law 102-385. The committee shall report out legislation
15 to the Second Regular Session of the 116th Legislature containing
16 the statutory provisions determined necessary by the committee to
17 implement the regulatory authority granted to the State by that
18 act, and by the rules promulgated pursuant to it, including if
19 necessary, provisions petitioning the Federal Communications
20 Commission for authority to regulate cable television systems in
21 the State.

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24 **STATEMENT OF FACT**

26 This bill provides consumers with increased information
27 concerning cable franchise owners and prohibits a cable
28 television system operator from diminishing a subscriber's
29 privacy by providing private information about the consumer to
30 others.

32 The bill also instructs the Joint Standing Committee on
33 Utilities to monitor federal regulations promulgated pursuant to
34 the federal Cable Television Consumer Protection and Competition
35 Act of 1992, and authorizes the committee to report legislation
36 to the Second Regular Session of the 116th Legislature to take
37 necessary state implementation actions.

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