

Maine Broadband Coalition
Testimony in Support of LD 536: An Act To Establish Net Neutrality
April 24, 2025

Senator Lawrence, Representative Sachs and distinguished members of the Joint Standing Committee on Energy, Utilities, and Technology,

My name is Joe Oliva, and I offer this testimony on behalf of the Maine Broadband Coalition in support of LD 536.

The Maine Broadband Coalition represents a wide range of perspectives in Maine's broadband landscape but is fundamentally concerned with giving voice to internet users across the state to secure universal, affordable, and equitable access to broadband connectivity that serves both current and future needs.

Our support for LD 536 is rooted in the conviction that net neutrality is a basic consumer protection that would benefit everyday internet users in Maine across usage types – for residences, businesses, and municipalities.

Net neutrality is a catch-all for a set of principles that can be distilled into one simple sentiment: that all internet users – and the data traffic which they generate and constitute – must be treated equally. In practical terms, net neutrality dictates that internet service providers (ISPs) cannot create “fast lanes” (and, by extension, “slow lanes”) for particular services, at different price-points, and with regard to device type, application, or platform used to access the internet.

While net neutrality has long been debated at the federal level, the Sixth Circuit Court of Appeals struck down the FCC's ability to carry out this form of regulation earlier this year. The fallout from this decision has opened the door for states like ours to institute their own net neutrality laws without the prospect of federal preemption. Much like the laws we have regarding data privacy and our track record of leveraging state funding to connect rural communities with state-of-the-art broadband infrastructure, Maine has the opportunity to once again play a leadership role in the nation.

Additionally, LD 536 is not a novel concept in Maine law, rather an expansion of what's already on the books. LD 1364, An Act Regarding Net Neutrality and Internet Policy was enacted in 2019 and mandates that ISPs that are contracted by the State of Maine must abide by the Federal Communications Commission's Open Internet Order, which was enacted in 2015 and later repealed in 2017. Including all internet users and tying violations to the Unfair Trade Practices Act as proposed by this bill is the logical appropriate next step in ensuring that Mainers are able to enjoy the full advantages of the historic taxpayer investment in broadband infrastructure through the Broadband Equity Access and Deployment (BEAD) program.

We are willing to assist the committee in any way that is helpful.