



Mailing: PO Box 437
Street: 1 Weston Court, Suite 103
Augusta, ME 04332
207.622.7381
mecep.org

Testimony in Support of LD 1705, An Act to Give Consumers Control over Sensitive Personal Data by Requiring Consumer Consent Prior to Collection of Data

May 22, 2023

Arthur Phillips, Maine Center for Economic Policy

Senator Carney, Representative Moonen, and members of the Joint Standing Committee on Judiciary, my name is Arthur Phillips, and I am an analyst for the Maine Center for Economic Policy. Please accept this testimony in support of LD 1705, An Act to Give Consumers Control over Sensitive Personal Data by Requiring Consumer Consent Prior to Collection of Data. MECEP supports LD 1705 because it builds on recent progress our state has taken to protect Maine residents' rights to privacy.

Two years ago, Maine passed an important bill to limit the use of facial recognition software by public actors. This bill would build on our state's commitment to civil liberties by ensuring Maine residents are protected from unwanted biometric data collection practices by private actors. With ever more transactions and interactions taking place online, it is imperative we maintain control over our privacy.

Biometric data, including fingerprints, retina recognition scans, and voiceprints, are sensitive to breaches which cannot be reversed once data is compromised, because it is unique to each person. This bill would minimize the collection and use of this biometric data and provide sensible safeguards so people maintain control of their privacy.

Currently, corporations are not required to inform us when they are using, aggregating, or selling our personal biometric identifiers. LD 1705 would require technology firms to get consent before collecting consumers' biometric information; ban companies from discriminating against users who do not consent; ban companies from selling biometric data; and require reasonable safeguards to protect biometric data.

MECEP supports the bill's inclusion of a private right of action, which would empower Maine residents to bring lawsuits against companies violating the bill's provisions. This framework would minimize the state's burden of enforcement and disincentivize firms from violating the law. Thank you for your consideration of our testimony. Respectfully,

Arthur Phillips
aphillips@mecep.org

Board of Directors

Barbara Burt, Chair	Sandra Butler	Stacy Mitchell
Lucy Van Hook, Vice-Chair	Maulian Dana	Matt Schlobohm
Pamela Cox, Treasurer	Marcus Hutchins	Lee Webb
Ben Chin, Secretary	Jessica Maurer	
