

Maine Broadband Coalition Testimony
In SUPPORT of LD 1902 and LD 1705
and in OPPOSITION to LD 1973
May 22, 2023



Senator Carney, Representative Moonen, and distinguished members of the Judiciary Committee:

My name is Myles Smith, and I am the Executive Director of the Maine Broadband Coalition (MBC), a non-profit organization dedicated to expanding broadband access and digital equity in Maine. We represent dozens of organizations and thousands of internet users.

We submit this testimony today **in support of LD 1902 and LD 1705**, which brings strong new privacy protections, and **in opposition to LD 1973**, which codifies many of the weak current privacy practices of the tech industry into state law.

Maine led the nation in passing a landmark bill in 2019 that gave Maine internet users the option to opt-in to any use, sell, sharing or disclosure of their information by their Internet Service Providers (ISPs). It protected people from discrimination in prices or services if they refused to have their data used in this way, provided an individual right of action if the users' privacy was violated without consent, and limited what data ISPs could collect and required them to take reasonable steps to protect it.

That bill was supported by MBC members, including GWI, an ISP based in Maine that refused to profit off customer data anyway. Smaller Maine-based ISPs are unlikely to have enough user data to be of interest to buyers, unlike the larger ISPs such as Charter Communications (Spectrum), Comcast, and data mining and advertising firms like Google, Facebook, and Amazon. The bill passed on a bipartisan basis, 85-45 in the House of Representatives and unanimously in the Senate. Maine was one of two states that established this "opt-in" standard of privacy online.

This is the standard for internet privacy that we should build upon. Two bills before the committee today, LD 1902 and LD 1705, build upon the high privacy standards Maine set in 2019. These bills recognize the high sensitivity of personal health data and biometric identifiers and sets a high bar for the use of that data. It gives the individual the freedom to choose what data they share, and gives them the freedom to take action if their rights are violated.