

**University of Maine System Testimony in Opposition to
LD 732, An Act to Prohibit Copyrights for Works of State Government, Presented by
UMS Chief External & Governmental Affairs Officer Samantha Warren, March 24, 2025**

Senator Baldacci, Representative Salisbury, and distinguished members of the Joint Standing Committee on State and Local Government: My name is Sam Warren and I am the Chief External & Governmental Affairs Officer for the University of Maine System (UMS).

Our System is the state's largest driver of educational attainment and economic development. We are also Maine's engine of new ideas and innovation, which are disseminated through the publication of books, journal articles, videos, designs and drawings, recordings, computer programs, and many other mediums. All of these works are currently copyrightable under the federal Copyright Act, which protects the intellectual property of our talented faculty and staff and ensures when it is reproduced, they and our public university are appropriately credited — as they deserve to be.

On behalf of these faculty and staff, our System strongly opposes LD 732.

As a publicly funded institution, we believe strongly that scholarly and creative works produced by our universities' employees and students should be accessible to the people of Maine, and well beyond. Through its Digital Commons, for example, the University of Maine's library makes works produced within its public university community available to the public by applying copyleft and making them open access. Currently, there are more than 77,000 works available, nearly double what was online a decade ago. The University of Southern Maine (USM), the University of Maine at Farmington, and the University of Maine School of Law have similar open access digital collections. These resources are widely used. For example, there have been nearly 300,000 downloads from USM's Digital Commons in just the past year.

Open access to content is different from unfettered rights to content.

LD 732 would allow anyone for any purpose, including their own personal promotion and profit, to freely use, reproduce, and distribute works created within our public universities without permission or the need to provide attribution and pay licensing fees. This means our faculty, staff, and students would have no control over how their works were used, modified, or redistributed. It also likely means they could not enter into agreements that require them to transfer certain rights to the publisher of their work, like an academic journal, even though publication is necessary for their tenure and promotion and often has a public benefit.

We believe this would create a disincentive to study and work in Maine and for Maine, at a time when out-of-state recruitment and retention of both students and employees has been essential to the sustainability and impact of our public universities and especially

UMaine's world-class education and research enterprise, and thus the success of our state's economy and communities. As one of my System colleagues said, "This would cripple our R1."

There are additionally a number of technical questions we have, including:

- whether our System is meant to be included in this bill;
- how to distinguish when the works produced by our faculty, staff, and students are "works of the State" versus their own personal work;
- how to address works created by our employees in collaboration with colleagues from other states;
- And what legal protections and enforcement mechanisms would there be against unauthorized reproduction or adaptation and to ensure proper attribution or prevent misuse?

I would also note that UMS does occasionally generate revenue through the sale and licensing of copyrighted works and this bill would remove our rights to do so, thus further challenging our underfunded public universities' ability to maintain tuition affordability and access for Maine students.

For these reasons and **in recognition of the contributions of the rights of our talented faculty, staff, and students, if this bill moves forward, we ask that you explicitly exempt the University of Maine System.**

Thank you for your support of Maine's public universities. I look forward to taking your questions.