



**REVISED Written Testimony by William Norbert
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Neither For Nor Against L.D. 732

An Act to Prohibit Copyrights for Works of State Government

March 24, 2025

Joint Standing Committee on State and Local Government

Senator Baldacci, Representative Salisbury, and Distinguished Members of the Joint Standing Committee on State and Local Government:

My name is Bill Norbert. I am the Governmental Affairs and Communications Manager at the Finance Authority of Maine (FAME). I am submitting this written testimony Neither For Nor Against L.D. 732, *An Act to Prohibit Copyrights for Works of State Government*.

This bill seeks to prohibit the use of copyright protection for any work of the State except for merchandise sold by a department or agency. This bill does not preclude the State from receiving and holding a copyright transferred to the State by assignment, bequest or otherwise or a copyright of a work of the State existing prior to the effective date of this legislation.

FAME is a quasi-independent state agency whose mission is to enrich business and educational outcomes through relevant, timely financial support to Maine's people. FAME's vision is a Maine where all people have access to improved economic outcomes through business growth and education attainment. We administer a variety of business financing and education financing programs, including Maine's Section 529 college savings plan, NextGen 529®. In undertaking this work, we occasionally create products requiring copyrights.

Copyright is a form of intellectual property law that protects original works of authorship including literary, dramatic, musical, and artistic works. It is a type of intellectual property that gives its owner the exclusive legal right to copy, distribute, adapt, display, and perform a creative work, usually for a limited time. The creative work may be in a literary, artistic, educational, or musical form.

We are concerned about the potential reach of this proposed prohibition on agency copyrights. We fear that it could mean, among other things, that everything

FAME creates for NextGen or other programs, including photos of Mainers and FAME staff on the website, videos we produce that live on the website, social media work, research we commission or partner on, would lack protection and could be lifted and used by anyone anywhere without recourse for us. We are concerned about the creative and research work we undertake in carrying out our mission.

Another example is Claim Your Future®, which was created by FAME. Claim Your Future is a program that encourages exploration into education after high school, future careers, and money management. FAME provides free Claim Your Future program kits to any interested Maine school or educational nonprofit organization. Students can also play online at ClaimYourFuture.org and FAME's College Access and Financial Education Team conducts Claim Your Future sessions in Maine classrooms upon request. In FY 24, FAME continued its partnership with Illinois Student Assistance Commission to bring the program to Illinois students and schools. Over the past year, 225,000 individuals have played Claim Your Future online across every U.S. state and in over 90 countries.

While the bill's language exempting current copyrights is appreciated, we are concerned going forward about the prohibition as a matter of policy for future FAME endeavors. **I have communicated with the bill sponsor, Representative Poirier, and she has agreed to offer an amendment exempting quasi-independent agencies like FAME from the bill's scope. This would address our concerns, and we appreciate her consideration very much.**

Thank you for your consideration of my comments.