



TO: The Honorable Anne Carney
The Honorable Matt Moonen, Co-Chairs
Members of the Joint Standing Committee on Veterans and Legal Affairs

DATE: November 6, 2023

RE: [LD 1977](#), An Act to Create the Data Privacy and Protection Act - Rep. Maggie O'Neil of Saco

Good morning Senator Carney and Representative Moonen.

My name is Ann Luther. I am a resident of Trenton. I'm submitting this written testimony on behalf of the League of Women Voters of Maine, where I serve as a volunteer and chair the League's Advocacy Committee. I am testifying in support of LD 1977.

The League of Women Voters of Maine is a nonpartisan political organization that has been working for over 100 years to encourage informed and active participation in government, to increase understanding of major public policy issues, and to influence public policy through education and advocacy. We never support or oppose any political party or candidate.

The League of Women Voters believes that, especially in the context of elections:

- voters should have sufficient information about candidates and campaign issues to make informed choices;
- transparency and the public's right to know who is using what resources to influence elections are vital to their ability to cast an informed vote;
- and undue influence in the marketplace of ideas can have a corrosive effect on public discourse and election outcomes.

We see profound new challenges that threaten these principles. The massive accumulations of private data — bought and sold as a commodity — allows unknown entities to exert undue influence over voters and elections without disclosure or disclaimer.

Here's how that works: Commercial interests with unprecedented power and reach gather information about us from surveillance devices, our actions on-line, and our smartphones. They know where we live and who our friends are and what we buy. They know our likes and dislikes, our politics and sleep habits. They use or sell that information to political actors who have an interest in manipulating us with targeted messages. Often, that content is mis-, dis-, or mal-information, micro-targeted to susceptible voters. Neither the identities nor the spending of these actors is public. And the public may not even be aware of the purposeful distortion in the information ecosystem. All of this has little connection to rational, issue-based discussion of public policy, candidates, or our shared future. We are not free agents in the marketplace of ideas.

The abuse of our personal data and the resulting distortion of our public conversation was never anticipated by law or regulation and is now out of control. The data privacy measures proposed in LD 1977 would effectively “starve the beast” while also safeguarding vital personal privacy interests. Without the massive accumulation of private data, those who seek to disrupt the marketplace of ideas would not be able to exert as much influence or as effectively tilt the landscape in political campaigns. Legislation with data minimization, data retention, and affirmative opt-in requirements would cut off these malicious actors from the data that allows them to distort our public discourse.

For these reasons, we support LD 1977.

Thank you for the opportunity to testify. I would be happy to answer any questions from the Committee.