TESTIMONY NEITHER FOR NOR AGAINST

L.D. 2162

AN ACT TO REGULATE AND PREVENT CHILDREN'S ACCESS TO ARTIFICIAL
INTELLIGENCE CHATBOTS WITH HUMAN-LIKE FEATURES AND
SOCIAL ARTIFICIAL INTELLIGENCE COMPANIONS

February 17, 2026

Senator Bailey, Representative Mathieson, and members of the Committee on Health Coverage, Insurance and Financial Services, I am Eileen King, Deputy Executive Director for Maine School Management Association, testifying on behalf of the legislative committees of the Maine School Boards Association and Maine School Superintendents Association neither for nor against L.D. 2162.

Our primary concern with the current language of L.D. 2162 is the ambiguity surrounding the definition of a "deployer." The bill defines a "deployer" as a "person that operates or distributes an artificial intelligence chatbot," and the definition of "person" includes a "state or local government agency." This broad language leaves us uncertain as to whether a school or school district that utilizes an AI-powered educational tool would be considered a "deployer" under this statute. There is a strong argument that "deployer" could include a school unit that uses third-party tools, software, or applications with students. A broad reading of the term "distribute" could include not only the third-parties that own the chatbots but also intermediaries that make them available to end-users, which is the role schools play in relation to their students. If schools are considered deployers, they would be subject to the significant requirements and potential liabilities outlined in the bill. We believe further clarification is needed to determine how this legislation would apply to educational settings, as the responsibilities of a "deployer" are substantial and may not be feasible for schools to undertake.

Technology is an integral part of the modern educational landscape, and AI-powered tools offer immense potential to support student learning. These tools can provide personalized instruction, assist students with disabilities, and offer immediate feedback to students and teachers. Many of these valuable educational tools, such as Google's Gemini and Microsoft's Copilot, utilize conversational interfaces to engage students in the learning process. We are concerned that a broad interpretation of "human-like features" could inadvertently prohibit the use of these beneficial technologies in our classrooms. Much would depend on how the tools operate and which features students have access to. Removing these tools could negatively impact the academic and social-emotional supports that our students rely on daily. It is crucial that any legislation in this area is carefully crafted to avoid unintended consequences that would hinder, rather than help, our students.

This law, as written, would create significant contracting considerations for schools. For instance, if either the third-party provider or the school unit could be considered a deployer, contracts would need to clearly specify which party would address the compliance obligations under the law and which would be responsible for any potential liability for non-compliance. Expressly removing schools from the definition of "deployer" when all

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they are doing is allowing or requiring students to utilize certain technologies could help to alleviate this issue.

We believe it is possible to protect children from the potential harms of AI while still allowing for its responsible use in education.

As you deliberate, we respectfully encourage consideration of:

- Clear definitions that distinguish between social AI companions and instructional AI tools used in classrooms;
- Explicit clarification regarding whether public schools are intended to be treated as deployers;
- Practical implementation timelines and guidance, should schools fall within the scope of the bill;
- Alignment with existing student data privacy and educational technology statutes.

We want to assure the committee that schools are acutely aware of the potential dangers associated with emerging technologies, including the risk of students forming unhealthy attachments to AI chatbots. The safety and well-being of our students is our highest priority. School districts have robust processes in place for the selection and vetting of all educational technology. We are diligent in our efforts to choose tools that are not only effective for learning but also safe and appropriate for our students. We understand the importance of preventing the creation of inappropriate human-chatbot connections and are committed to selecting technology that supports learning without compromising student safety.

Thank you for your time and consideration.