

Testimony of Ashley Luszccki
Before the Joint Standing Committee on Judiciary
In Opposition to L.D. 844, An Act to Regulate Social Media Use by
Minors Under 16 Years of Age
March 17, 2025

Senator Carney, Representative Kuhn and members of the Joint Standing Committee on Judiciary, my name is Ashley Luszccki. I am here on behalf of the Maine State Chamber of Commerce, which represents a network of over 5,000 businesses located across the state. Thank you for the opportunity to provide testimony in opposition to L.D. 844, An Act to Regulate Social Media Use by Minors Under 16 Years of Age.

This legislation proposes to restrict minors under 14 years of age from obtaining a social media account and would require parental consent in order for 14- and 15-year-olds to become or remain social media account holders. The Chamber recognizes the need for responsible online practices that safeguard minors under 16 years of age from online harm. However, the Chamber believes this legislation raises First Amendment concerns and presents economic and practical challenges.

Social media platforms have become modern public forums where individuals, including minors, exercise their First Amendment rights. Irrespective of age, the First Amendment protects the free speech rights of all individuals and the U.S. Supreme Court's decision in *Packingham v. North Carolina* (2017) underscores that online platforms are places for free speech. Similar efforts in other states, including California, are being challenged on constitutional grounds, such as in *NetChoice, LLC v. Bonta*, highlighting concerns about laws restricting minors' social media access.

Furthermore, social media is no longer used solely for personal connections – it has become a tool for promoting educational, professional, and civic engagement opportunities. Educational and workforce development programs can engage with young people through many different digital platforms today – promoting engaging content that highlights programs, internships, and youth-friendly job opportunities. Restricting minors' access could put Maine youth at a disadvantage compared to their peers in other states and globally. It would also impact businesses seeking to engage the next generation of Maine's workforce.

While the Chamber supports protecting minors online, we believe L.D. 844 poses constitutional, economic, and practical challenges. We thank you for your consideration and urge the committee to explore alternative solutions to ensure responsible internet use.