



Testimony in Support of LD 1640: “An Act To Enact the Campus Free Speech and Free Press Act”

Senator Daughtry, Representative Brennan, and distinguished members of the Committee on Education and Cultural Affairs, my name is Nick Murray and I serve as policy analyst for Maine Policy Institute, a nonpartisan, non-profit organization that advocates for individual liberty and economic freedom in Maine. Thank you for the opportunity to testify on LD 1640.

Maine’s public college and university students need this bill because it would protect them from their schools creating unconstitutional and oxymoronic “free speech zones” which allow for students’ constitutionally-protected First Amendment rights, but only within a miniscule percentage of the outdoor area of a public campus. This legislation would prevent these institutions from using these sorts of confined zones as a way to control speech, and empower the Attorney General to hold them accountable if they try to do so.

There have been enough cases around the nation to illustrate that this legislation is necessary to keep public universities in line with the First Amendment of the United States Constitution. The bill sets out an institution's reasonable, constitutionally-congruent powers to impose appropriate time, place, and manner restrictions which are content- and viewpoint-neutral, in order to maintain public safety or another compelling institutional interest.

LD 1640 would further safeguard the First Amendment by ensuring that students and invited speakers are not censored or subverted via the “heckler’s veto,” re-affirm students’ and the public’s right to free expression and to record in outdoor areas of public campuses, and protect student journalists from their institution’s attempts to censor their work.

This is crucial because currently, several University of Maine System campuses hold policies which contradict their students’ fundamental right to speak and converse freely. Take, for instance, USM’s policy on information resources which states that inappropriate use of the system can include “intentionally and unnecessarily exposing others to material they may find personally unsuitable.”¹

¹ [University of Southern Maine](#) | FIRE

It continues all the way up to the University of Maine at Fort Kent, which requires all signs, notices and posters to be approved by the Student Affairs Office and, upon approval, may only be placed on campus bulletin boards. Any posters that do not follow the university's policies are removed by Student Affairs personnel.²

This environment is ripe for potential infringements on student expression. Please deem LD 1640 "Ought To Pass" and ensure that there is no question of students' full rights to free speech, press, and expression on Maine's public campuses. Thank you for your time and consideration.

² [University of Maine at Fort Kent](#) | FIRE