

Testimony in Opposition to LD 233, “An Act to Prohibit Biological Males from Participating in School Athletic Programs and Activities Designated for Females When State Funding Is Provided to the School,” LD 380 “An Act to Amend Certain Laws Regarding Gender-affirming Health Care Services,” LD 868 “An Act to Ensure Equity and Safety in Athletics, Restrooms, Changing Rooms and Housing at Elementary, Secondary and Postsecondary Schools,” LD 1002 “An Act to Protect Children’s Identification by Requiring Public Schools to Use the Name and Gender Specified on a Child’s Birth Certificate,” LD 1134 “An Act to Prohibit Males from Participating in Female Sports or Using Female Facilities,” LD 1337 “An Act to Amend the Maine Human Rights Act Regarding Female Athletes and Safety in Women’s Single-sex Shelters,” LD 1432 “An Act to Remove Consideration of Gender Identity from the Maine Human Rights Act,” LD 1704 “An Act to Prohibit a School Administrative Unit from Adopting a Policy That Allows a Student to Use a Restroom Designated for Use by the Opposite Sex.”

James Myall, Senior Policy Analyst

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Dear Senator Carney, Representative Kuhn, and members of the Joint Standing Committee on the Judiciary, my name is James Myall and I am a senior policy analyst at the Maine Center for Economic Policy. I am writing in opposition to the above-named bills because MECEP believes that our state economy is strongest when all Mainers, including vulnerable groups like transgender Mainers, have access to quality education and health care. We also want to affirm that while we are concerned about federal threats to withhold funding to Maine, we believe that state policy should be made on the basis of values and evidence, rather than in response to extortion by the federal government.

All Mainers have a constitutional right to education and deserve to feel safe and welcome at school. This includes transgender children. LDs 233, 868, 1002, 1134, and 1704 will make Maine kids less safe, increase discrimination against transgender students, and worsen the mental health of kids who are already facing so many barriers in their everyday lives. We know that transgender highschoolers in Maine are twice as likely to feel “sad or hopeless” as cisgender students, and that in 2023, half of them had seriously considered suicide.¹ Those are appalling and alarming statistics. Research shows that bathroom discrimination increases these risks and worsens students’ health.² Similarly, participation in school sports improves the mental health of trans and nonbinary students,³ as well as boosting their grades.⁴ If we want Maine’s transgender children to not only survive but thrive, and ultimately to become successful adults who contribute to our state’s economy,

we need to foster a sense of community and belonging, rather than ostracize and discriminate against them as these bills seek to do.

Likewise, we should not discriminate when it comes to other aspects of daily life as LD 1337 and LD 1432 seek to do. Transgender women who would be excluded by LD 1337 are already more likely to suffer intimate partner violence than cisgender women⁵ and are more likely to be unhoused.⁶ They need access to the safe spaces provided by single-sex shelters from which LD 1337 would block them.

As with the other bills before you, LD 380 would hurt young Mainers, worsen mental health outcomes, and make our state less strong overall. Quite simply, gender affirming care saves lives,⁷ and making it harder to obtain will result in needless suffering and death. Maine's current law already contains safeguards to ensure that young people do not receive treatment without a diagnosis from a health care professional who deems it necessary.

Finally, I want to address the question of federal funding. Some proponents of these bills will point to President Trump's threat to withhold federal funds from Maine schools and other institutions if the state does not reduce its protections for transgender children. There is no doubt that losing federal funding poses serious budgetary and economic challenges for local school districts and for our state as a whole,⁸ especially in combination with Congressional plans to shift health care and food assistance costs to states.⁹ But state policy should be based on evidence and results, not on financial extortion from Washington. This is especially true when the President's threats are based on a novel interpretation of federal law which has not been tested in court. We should not deprive vulnerable Mainers of their rights on the whim of one man.

Thank you for your attention. MECEP believes supporting transgender Mainers and helping them to thrive is not only the morally right thing to do, but beneficial to our collective well-being. I urge you to vote "ought not to pass" on these bills. If you have questions, please feel free to reach out to me at jmyall@mecep.org

Notes

¹ Maine Integrated Youth Health Survey data, 2023.

https://www.maine.gov/miyhs/sites/default/files/2023_Reports/Detailed_Reports/HS/MIYHS2023_Detailed_Reports_HS_State/Maine%20High%20School%20Detailed%20Tables.pdf

² Myeshia Price-Feeney, Amy E. Green and Samuel H. Dorison. "Impact of Bathroom Discrimination on Mental Health Among Transgender and Nonbinary Youth." *Journal of Adolescent Health*. Nov 5, 2020.

[https://www.jahonline.org/article/S1054-139X\(20\)30653-4/pdf](https://www.jahonline.org/article/S1054-139X(20)30653-4/pdf)

³ Caitlin Clark and Joseph Kosciw, "Engaged or Excluded: LGBTQ Youth's Participation in School Sports and their Relationship to Psychological Well-Being." *Psychology in the Schools*. Vol 59, issue 1. Jan 2022, 95-114.

<https://onlinelibrary.wiley.com/doi/epdf/10.1002/pits.22500>

⁴ "The Trevor Project Research Brief: The Well-Being of LGBTQ Youth Athletes." *The Trevor Project*. August 2020. <https://www.thetrevorproject.org/wp-content/uploads/2020/08/LGBTQ-Youth-Sports-and-Well-Being-Research-Brief.pdf>

⁵ Sarah Peitzmeir et al., "Intimate Partner Violence in Transgender Populations: Systematic Review and Meta-analysis of Prevalence and Correlates." *American Journal of Public Health*. 2020 Sep;110(9):e1–e14. doi:

[10.2105/AJPH.2020.305774](https://doi.org/10.2105/AJPH.2020.305774)

⁶ Bianca Wilson et al., "Homelessness Among LGBT Adults in the US" *UCLA School of Law Williams Institute*.

May 2020. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/LGBT-Homelessness-May-2020.pdf>

⁷ Diana Tordoff et al., "Mental Health Outcomes in Transgender and Nonbinary Youths Receiving Gender-Affirming Care." *JAMA Netw Open*, 022 Feb 1;5(2):e220978. doi: [10.1001/jamanetworkopen.2022.0978](https://doi.org/10.1001/jamanetworkopen.2022.0978)

⁸ James Myall, "8 things to know about federal funding in Maine." *Maine Center for Economic Policy*. March 3, 2025. <https://www.mecep.org/blog/8-things-to-know-about-federal-funding-in-maine/>

⁹ James Myall, "Feds threaten to blow a \$649 million hole in Maine's state budget." *Maine Center for Economic Policy*. April 3, 2025. <https://www.mecep.org/blog/feds-threaten-to-blow-a-649-million-hole-in-maines-state-budget/>