



# HOUSE OF REPRESENTATIVES

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*Testimony of Rep. Benjamin Hymes*

### **L.D. 134, "An Act to Require Certain Individuals Who Instruct Children Under 18 Years of Age in Dance or Creative Movement to Undergo a Criminal Background Check"**

*Before the Joint Standing Committee on Health and Human Services*

March 12, 2025

Good morning, Senator Ingwersen, Representative Meyer, and distinguished members of the Joint Standing Committee on Health and Human Services.

I am Representative Benjamin Hymes, proudly representing House District 38. I am testifying today in opposition to LD 134, "An Act to Require Certain Individuals Who Instruct Children Under 18 Years of Age in Dance or Creative Movement to Undergo a Criminal Background Check".

As both a legislator and the owner of a ballet and theatre company serving over 150 students in mid-coast Maine, I see firsthand how this bill would severely impact small arts businesses. After speaking with studio owners statewide, it is clear—this bill attempts to solve a problem that does not exist.

The arts community operates on razor-thin margins, driven by passionate individuals who want to provide creative opportunities. Most studios barely break even. Personally, I take no paycheck, reinvesting everything to enhance our students' experience.

My staff includes five professionals with full-time jobs who teach a few hours per week out of love for the arts. Adding a financial burden for background checks makes little sense for such limited roles. I also employ responsible teenagers to assist younger students under adult supervision. This bill would eliminate those opportunities.

Moreover, during our productions at opera houses and auditoriums, venue staff interact with students for hours—yet face no similar background check requirement. I, as the business owner, take full responsibility for safety, with volunteer parents helping backstage.

Even more concerning is the licensing provision. The Department of Health and Human Services (DHHS) is already overburdened and lacks expertise in evaluating arts instruction. Determining who is "qualified" to teach ballet, tap, or theatre should not fall under DHHS jurisdiction. Hiring decisions should be the responsibility of the proprietor of the studio and based on merit and experience, not arbitrary regulations. Broadway performers and national company participants may be better suited to instruct students than someone with a university degree in dance. However, a university graduate may be hired to create a more well-rounded staff. Again, this should be at the discretion of the studio proprietor based on the vision for the company.

I urge you to vote "ought-not-to-pass" on LD 134.

I am happy to discuss the financial and staffing impact in detail as well as answering any questions you may have. I thank you for your time.

Benjamin C. Hymes  
State Representative