

Testimony in Opposition to LD 2239, “An Act to Designate School Sports Participation and Facilities by Sex.”

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Good morning, Senator Carney, Representative Kuhn, and members of the Joint Standing Committee on the Judiciary. My name is James Myall and I’m a policy analyst at the Maine Center for Economic Policy. I’m testifying today in opposition to “LD 2239, An Act to Designate School Sports Participation and Facilities by Sex.”

Inclusivity is primarily a moral issue. We should support transgender kids and their well-being first and foremost because it’s the right thing to do. But MECEP also believes that our economy needs to work for everyone, which means ensuring that no Mainer is cut out of opportunities due to their gender identity.

Discrimination in school hurts the future economic outcomes of transgender youth. We know that transgender kids already suffer higher levels of depression and other mental health problems because they feel isolated and discriminated against by their peers.ⁱ Transgender students are already less than half as likely as cisgender students in Maine high schools to be playing organized sports,ⁱⁱ and this bill will widen that gap. Research shows that participation in sports helps improve transgender students’ well-being,ⁱⁱⁱ which is closely tied to academic success in school. When students do well in school and have more post educational opportunities, the economy is stronger for all of us.

On a larger scale, we know that state laws on the treatment of transgender people impact Americans’ decisions about where to live. A national survey of transgender adults found that almost half of those living in communities that were hostile to them have considered moving away, and 70% were less likely to go on vacation to states they saw as unfriendly.^{iv} MECEP believes passing this bill would send a signal that Maine does not see transgender kids as fully welcome in our state and would lead to people leaving the state and others opting not to move here or visit and spend their vacation dollars here. The size of that effect may go beyond transgender individuals and their families to people who value inclusivity more broadly. That all reduces the size of our workforce and results in less money spent at Maine businesses.

Finally, we also have concerns about the impact of this legislation on Maine taxpayers. The bill may require local school districts to retrofit new bathrooms or changing facilities, and the inclusion of a right of civil action means districts could face new legal costs which will increase liability insurance premiums. Those costs will either increase property taxes or crowd out other investments that help students succeed.

MECEP believes this bill moves Maine in the wrong direction. Instead of creating an inclusive Maine where everyone can reach their full potential, it singles out certain students for discriminatory treatment, hurting them and ultimately hurting all of us. Historically, we know that a more inclusive economy delivers benefits for everyone,^v and we believe the same is true today here in Maine.

We urge you to vote against this measure. Thank you, and I'm happy to answer any questions.

ⁱ In the 2025 Maine Integrated Youth Health Survey, transgender high schoolers in Maine were more than twice as likely to have felt sad or hopeless as cisgender students.
https://www.maine.gov/miyhs/sites/default/files/2025_Reports/Detailed_Reports/HS/MIYHS2025_Detailed_Reports_HS_State/Maine%20High%20School%20Detailed%20Tables.pdf

ⁱⁱ 2025 Maine Integrated Youth Health Survey
https://www.maine.gov/miyhs/sites/default/files/2025_Reports/Detailed_Reports/HS/MIYHS2025_Detailed_Reports_HS_State/Maine%20High%20School%20Detailed%20Tables.pdf

ⁱⁱⁱ Caitlin M. Clark & Joseph G. Kosciw, *Engaged or Excluded: LGBTQ Youth's Participation in School Sports and Their Relationship to Psychological Well-being*, 59 *Psychol. Schs.* 95 (2022).

<http://dx.doi.org/10.1002/pits.22500>

^{iv} <https://williamsinstitute.law.ucla.edu/publications/transgender-moving-desire/>

^v For examples, see <https://www.nber.org/papers/w31758> and <http://klenow.com/HHJK.pdf>