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LD 1704

Senator Carney, Representative Kuhn, and Honorable Members of the Judiciary Committee, thank you for the opportunity to speak on this matter. I am testifying in opposition to LD 1704.

A fundamental concept of good governance is that for any bill to pass or new law to be made, it must demonstrate a clear need or a benefit to society. There is no evidence that this is even a problem, let alone a problem of such magnitude that legislation is necessary to tackle it. There are MANY circumstances that can result facilities intended for use by members of a particular sex to be legitimately used by those of another, and forbidding the adoption of policy that allows for these circumstances is bad governance being applied where it is not needed, let alone being an unnecessarily discriminatory policy against trans or intersex individuals. In addition to not being necessary in the first place, there is also no provision for administrative error on the part of medical staff, of recourse of violation, nor any consideration of potential unintended consequences for the adoption of this slapdash measure.

The prevention of schools from adopting permissive policy does not do anything to change the reality of how things behave in the real world but sends an unnecessary and hostile message to a small minority already facing widespread discrimination, while providing no net benefit to society at large, and complicating administrative function. We do not need this law, adoption of this law would bring no positive change, and its adoption would lead to administrative complications. On account these conditions, LD 1704 should be soundly rejected.