



**Testimony of Jessica Fay for
The Maine Council on Aging
April 14, 2026
In Opposition to LD 2239**

Senator Carney, Representative Kuhn and Honorable Members of the Joint Standing Committee on the Judiciary,

My name is Jessica Fay and I am the Policy and Advocacy Director for Maine Council on Aging (MCOA), a broad, multidisciplinary network of over 140 organizations, businesses, municipalities, and older community members working to ensure we can all live healthy, engaged, and secure lives with choices and opportunities as we age at home and in community settings. We are offering testimony in Opposition to Initiated Bill LD 2239 “An Act to Designate School Sports Participation and Facilities by Sex.”

At its core, this bill is not simply about school policy, it is about the way we treat children and how that impacts them as they age. When we send a message to transgender youth that exclusion is acceptable, we reinforce a broader cultural signal that can follow them for decades. It affects how transgender adults are treated in workplaces, how they are received in healthcare settings, and how they are cared for as they age.

If LD 2239 is passed, it would send a signal that a person’s identity can be used as a basis for exclusion. That message does not stay confined to the playing fields. It follows people into adulthood, into workplaces, into healthcare systems, and into long-term care settings. It shapes how institutions treat transgender people at every stage of life.

We must also recognize that discrimination is not abstract—it has real and measurable consequences. For transgender older adults, a lifetime of stigma often leads to delayed preventative care, poorer health outcomes, and a reluctance to seek long-term care. Older transgender people often face mistreatment simply for being who they are.

These fears are not hypothetical. In 2022, a 79-year-old transgender woman in Maine was denied entry to an assisted living facility. It was only because of existing protections under the Maine Human Rights Act that she was able to seek justice through the Maine Human Rights Commission.

All institutions, schools, workplaces, healthcare systems, and long-term care facilities—should be places of safety, dignity, and respect. They should value the full humanity and contributions of every person, at every stage of life.

LD 2239 moves us in the opposite direction. It codifies exclusion and legitimizes discrimination. Maine should reject this measure.

Thank you for your time and consideration.