

Bree Mweggenberg

This morning my bucket was filled when a little one asked for some sparkles too... so we glistened up the eyes a little She asked "Why are you dressed up?" I responded that I have an important meeting for work. My work for the children extends beyond the walls of my facility and leads me to the Judiciary Committee meeting in Lansing this morning.

As a State of Michigan licensed childcare provider, every Monday through Friday I work with toddlers within the walls of my Christian based childcare group home. For reasons of potty training to sexual abuse protection, Christianity to self awareness, boys and girls are different. Boys have a penis and girls have a vagina. Phrases like push your penis down while you pee or dab your vagina dry after you pee are daily pieces of communication.

These children are just beginning to understand and learn basic anatomy and scripture, and SB4 would force me to inhibit their learning if I were to be required to identify that Johny with a penis is actually she and her. Kids even know this is not accurate! Kids are little truth spoiler and they feel empowered to share their knowledge. The best example that we are all probably familiar with is from the movie Kindergarten Cop; you know the phrase!

Children of both sexes dress in clothing of the opposite gender. Every. Single. Day. Whether they arrive in opposite gender clothes or play dress up through dramatic play, they do not care and they still recognize that clothing is indifferent to having a penis or a vagina. In the most basic way, they recognize that boys and girls pee differently. And if you e never seen two toddlers get into a wrestling match, boys are even at this age physically at an advantage. I will NOT confuse children.

Senate Bill 4 has some valid concerns in regards to inclusion, however creating a law that infringes upon others is not a solution. Laws that are not constitutional should never be of consideration. I am in opposition to this bill as it becomes extremely alarming with my religious views and gender fluidity. It infringes upon the 1st and 14th amendments and my right to religion and equal opportunity for real women.

I am a woman. I was born with a vagina, vulva, a clitoris, ovaries, fallopian tubes, a uterus and defining bone structure especially seen in the pelvis. A woman by definition. While there may be a portion of the population with abnormalities, what a woman IS should never need to be explained to those who are presumed to be competent and knowledgeable. As you sit here, elected, I remind you of your oath to uphold our rights and Constitution.

Support from Title IX has created opportunity for women. Hence, our school participates in the MALE and FEMALE scholar athlete of the year. For the 21-22 school year, not only did my daughter achieve that female title but she also broke multiple school records in track. As a college freshman she is now just a couple of seconds off from breaking track records at her university. No matter the amount of training, as a woman she was and will always be limited to break male records because of the anatomy she was born with. It is an absolute infringement on her rights to have male counterparts compete against her.

Her rights, Women's rights, have been established over years of anguish and being minimized and discriminated against by men. It took years of fighting to get our equal rights and opportunities and now we are looking to take steps backwards based on arbitrary feelings that try to re-define "women".

This bill infringes upon women and their fundamental right to equal opportunity; minimizing and devaluing us by exemplifying those with a penis. The back pedaling here is taking place far too frequently on too many levels. It is requested and urged that you vote no on this bill. This bill infringes upon our rights that have already been established.

Do you golf or bowl with a handicap? Know anyone that does? Ask yourself why? So WHY would females be subject to compete on unequal playing ground? According to DukeLaw,

"... there is an average 10-12% performance gap between elite males and elite females. The gap is smaller between elite females and non-elite males, but it's still insurmountable and that's ultimately what matters. Translating these statistics into real world results, we see, for example, that:

Just in the single year 2017, Olympic, World, and U.S. Champion Tori Bowie's 100 meters lifetime best of 10.78 was beaten 15,000 times by men and boys. (Yes, that's the right number of zeros.)

The same is true of Olympic, World, and U.S. Champion Allyson Felix's 400 meters lifetime best of 49.26. Just in the single year 2017, men and boys around the world outperformed her more than 15,000 times."

<https://law.duke.edu/sports/sex-sport/comparative-athletic-performance/>

While many of you fight for equality, this bill does just the OPPOSITE. According to Britannica,

“equal opportunity, also called equality of opportunity, in political theory, the idea that people ought to be able to compete on equal terms, or on a “level playing field,” for advantaged offices and positions. Proponents of equal opportunity believe that the principle is compatible with, and indeed may justify, inequalities of outcome of some sort, but there is considerable disagreement over precisely to what degree and what kind of inequalities it justifies and how it does so.” <https://www.britannica.com/topic/equal-opportunity>

This bill eliminates equal opportunity for men and women. To keep the concept of the bill and making sure transgender expressive persons have equal opportunity, I have written an amendment as a proposition for resolution:

"Biological sex may not be impeded or imposed upon with the use of facilities and/or accommodations that are intended for “private” use nor may biological sex be impeded upon in sports or other events in which the opposite biological sex has a counterpart activity that is comparably offered.

“Private” refers to facilities that are intended for use in which exposure to private parts including breasts, buttocks and/or genitalia may be exposed with intended use of the facility. This includes but is not limited to biological sex restrooms, locker rooms, dormitories and halls.”

I leave you with this... if you’ve never been raped, you do not fully understand how a penis can be weoponized. Rape can lead to pregnancy and with prop 3, potentially abortion. I’m confident you all understand how damaging it can be for a woman to have an abortion; not only damaging to mental health but to the future reproductive health of a woman. What if this happened to your daughter? Pieces of this bill are important, but this bill squashes equal opportunity for women, rights to religion and is not the solution.

Attached at the end are multiple sources of reason to drop this bill. Sources including a recent US Court decision that prevented the Biden Administration from redefining sex as well as documented science and also sources with statistics in regards to sex comparisons, including but not limited to female athletes losing titles and science that shows the disparities in performance achievement based on anatomy.

Your time and consideration to add this Constitutionally correct proposed amendment is appreciated.

God bless and in liberty,

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<https://docs.google.com/document/d/1joWZ27VtsFsxH2qeiectCgwi35WZwlnhKf9Rjh9TSvM/edit?usp=sharing>

“... the U.S. District Court for the Northern District of Texas, Amarillo Division, determined that “because Title IX does not protect ‘sexual orientation’ or ‘gender identity status,’ neither does Section 1557.”

Mary Elizabeth Castle, Director of Government Relations for Texas Values issued this statement in the wake of this ruling:

*“Today’s victory in federal court states one simple fact: the Biden administration cannot redefine sex. The misapplication of a Supreme Court case on employment law has robbed too many women of their athletic opportunities and victories and given them to biological males. Now, we know for certain women’s sports can be protected.”*

<https://txvalues.org/federal-court-stops-biden-administration-attempt-redefine-title-ix/>

The ruling discussed Title IX and legalities; it can be found here:

<https://adflegal.org/sites/default/files/2022-11/Neese-v-Becerra-2022-11-11-Decision.pdf>

## **First Amendment**

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

## **Fourteenth Amendment**

### **Section 1**

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.