Opinion

Ensuring the Safety of Women While Using Capitol Washrooms

WRITTEN BY
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Recently, I read Representative Brad Barker's version of a rule change I offered at our Joint Rules Committee meeting in Helena. Joint, meaning House and Senate members together to set rules that will affect both chambers in the upcoming session beginning January 6th. The rule change that I brought, would require men to use the men's restroom and women to use the women's restroom. Pretty basic. Currently there is no rule, there shouldn't need to be, except these days there seems to be some confusion about who's who and what's what. So, in the absence of a rule, any man can access the women's restroom and vice versa. In the proposed rule it would allow anyone, Representative Barker or anyone else, that may be confused about their sex, to request a chromosome test if denied access to the restroom. This test was the methodology used in Senate Bill 458 by Senator Glimm to establish the legal definition of one's sex. It was passed by the legislature in 2023 and signed into law by the Governor. Representative Barker voted for this bill. Representative Barker would like the readers to believe the test is mandatory for all, not true. The restrooms in question, are the ones located between the Senate and House chambers, accessible only by legislative members and staff.

Representative Barker suggested locks on restroom doors solved the problem. Not true again. If a man was already occupying one of several stalls in the women's restroom, a woman entering would have no way of knowing that. She may well be locking herself in the restroom with the man already occupying a closed stall, she would then be locking herself in the restroom with a man. Regardless, common courtesy and respect for the women of the legislature should naturally make their restroom off limits to men, whether 1 or 100.

Representatives Bedey and Barker argued this rule would inhibit the efficiency of the legislature and give unnecessary acclaim to some confused member of the legislature. Apparently, efficiency is more important than respect for women. I and most other Republicans disagree. Four Republicans, Representatives Barker, Bedey, and Sprunger, along with Senator McKamey, (the four) joined every Democrat to kill the rule change. The Senate and House votes were tallied separately, with the Senate passing the rule and the House killing it by 2 votes, Bedey, Barker, and Sprunger. Thus the joint rule change failed. After that vote, I have been contacted by a number of lady legislators thanking me for offering the rule. Representative Barker called the rule change a political stunt. Really? The lady legislators contacting me don't think so. Do you?

Representative Barker also argued that this is a policy change that should be statutory and not in rules, that somehow rules don't reflect policy. I would argue, if our rules don't keep men out of women's restrooms, then it's our policy to let men in women's restroom.

When the Legislature convenes in January, we will vote to accept or not, the rules package passed by the Rules Committee. I expect the failed rule change to be brought to the full House for a vote. Hopefully (the three) in the House will have heard from their neighbors, friends and families and help to resoundingly pass this commonsense rule. There shouldn't be a Democrat vote against this rule let alone a Republican.

Some reading the Representative Barker article, may have gotten the subtle hints that Barker doesn't appreciate the Montana Freedom Caucus. The MFC aspires to limit the size and scope of government, be responsible with your money and promote personal freedom. This requires us to call out those standing in the way of these goals. Big government Republicans are especially sensitive to this. Apparently, his ridiculous assertion that we are surrogates of the John Birch Society, is an attempt to discredit our work. Trying to destroy the messenger is a popular tactic that the left uses when they are wrong on the issues. He also accused us of a pattern of lies, but of course offered no specifics.

Then of course, the spiritual aspect asserted by Representative Barker. He maintains that since the representative in question, removed his male parts as an adult and had them replaced with manufactured female parts, it is somehow morally wrong to require him to use the male restroom. Not sure I follow that logic. What if that same person being a man, claiming to be a woman, says he's a coach, does that morally entitle him to be in our girls locker room as the good representative would suggest?

There is a lot of important work to do in the upcoming 69th Session of the Montana Legislature. It's important to embrace a spirit of respect for all legislators and our staff. Passing this rule is a good start.

Thank you!
For Freedom,
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"Property must be secured, or Liberty cannot exist."
—John Adams