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THE MAINE SENATE

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3 State House

Augusta, Maine

Testimony in Support of LD 2239, “An Act to Designate School Sports  
Participation and Facilities by Sex”  
Before the Joint Standing Committee on Judiciary  
4/14/2026

Senator Carney, Representative Kuhn, and esteemed members of the Joint Standing Committee on Judiciary:

My name is Senator Jeff Timberlake and I represent Senate District 17. I am submitting testimony in favor of LD 2239 (IB 3), “An Act to Designate School Sports Participation and Facilities by Sex.”

Despite the proposed referendum wording from the Secretary of State, the legislation before you today should not be controversial. According to the bill summary, “This initiated bill requires public schools and entities that govern interscholastic or competitive sports by public schools to designate athletic teams as for males, for females or coeducational. Athletic teams designated for females must be restricted to students whose biological sex is female and athletic teams designated for males must be restricted to students whose biological sex is male.”

The passage of the federal Title IX legislation in 1972 drastically increased the rate of female participation in sports. Data from 2010-11 highlights that 41 percent of high school athletes in the United States were female as compared to only seven percent before Title IX’s passage.

In allowing biological males to participate in female athletics, we are ignoring the fundamental principles of competitiveness and fairness in our sports that Title IX addressed.

Furthermore, the legislation requires public schools to maintain separate restrooms, locker rooms, shower rooms or other private spaces for each sex. Like with competitive sports, these spaces were created intentionally with the goal of protecting females.

I sympathize with members of our state’s transgender community. I believe they should be able to participate and compete with their classmates. This legislation addresses that concern by allowing for co-ed sports and participation on teams that recognize the biological reality of sex.

Thank you for the opportunity to testify in support of this legislation.

*Veterans and Legal Affairs Committee \* Government Oversight Committee  
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