

March 17, 2003

Senator
, State Capitol
Madison, WI 53702

Dear Senator:

Thank you for co-sponsoring Senate Bill 24. Senate Bill 24, as amended by the Senate Committee on Health, Children, Families, Aging and Long Term Care, provides an exception to the public accommodation law for the purpose of fitness centers. The bill passed committee on a vote of 7-2.

During the executive session on Senate Bill 24, Senator Carpenter mentioned that he intends to introduce an amendment on the Senate floor. Should Senator Carpenter introduce his amendment, I ask for your support in voting to reject the amendment on the basis that it would not accomplish the purpose of the bill.

The purpose of Senate Bill 24 is to allow fitness centers to legally operate with the purpose of allowing women or men privacy and the ability to exercise freely without the influence of the gender, or to simply allow for separate "workout" times. During the hearing, the committee heard from younger adults, older adults, and those with a disability, all saying that if they are not able to exercise in a gender exclusive atmosphere, they will no longer continue to exercise. In today's society of wellness promotion, we should be helping to promote exercise, not inhibiting it.

Senate Bill 24 would allow the freedom of choice to exercise in gender exclusive facilities. Senator Carpenter's amendment would not allow fitness centers to provide services exclusively for either men or women; and therefore, deprives individuals of that freedom of choice. This exception has also been enacted in Illinois and Massachusetts.

Again, thank you for your indicated support of Senate Bill 24.

Sincerely,

CAROL ROESSLER

Response to Carpenter's Amendment to SB 24

- The amendment would allow fitness centers to ^{Pregnance} advertise and cater to one gender, but would not allow the facility to be gender exclusive.
- The amendment(s) offered by Senator Carpenter would not allow a fitness center to operate so as to ensure the reasonable privacy rights of females/males based on the physical differences between the sexes which is consistent with the already existing gender-based exemptions in the Public Accommodations Law, such as for dressing rooms, ~~toilets~~^{SQUAS}, showers and college dorm rooms.
- This amendment(s) would also still leave open to judicial interpretation whether advertising terms such as "Women's Fitness Center" or "Curves® for Women" would be allowed. It is possible that a party could argue that such terms are meant to "exclude" the other gender and not just intend to appeal primarily to one sex for use of the fitness center's services or facilities.
- The purpose of SB 24 is clearly set forth for all Wisconsinites that a fitness center can be operated for use by one gender if so offered by the operator of the fitness center. The original draft of SB 24 accomplishes that goal.



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VIEWS

Posted Mar. 27, 2003

Editorial: Senate's 'Curves bill' a fluffy assault on equity

Last week, the state Senate turned back the clock on gender equity, and a woman led the charge.

The so-called "Curves bill" allows fitness centers to offer their services exclusively to one sex or the other. It is an exemption to Wisconsin's law that says it is illegal to deny anyone the use of public accommodations because of their sex, race, color, creed, disability, sexual orientation, national origin or ancestry.

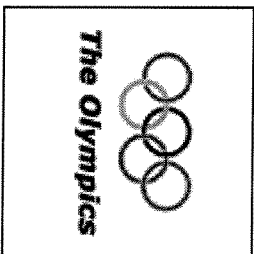
State Sen. Carol Roessler, R-Oshkosh, introduced the bill at the urging of a Curves fitness centers franchisee. Curves caters to female clients, and is the target of a competitor's sexual discrimination lawsuit. Roessler belongs to Curves.

This is her muscular argument for the legislation:

"The bill provides for freedom of choice ... for women to choose, if they choose to exercise, with their peers, with other women."

"What I like about it is you can come as you are, and feel

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like you are at a ladies luncheon that would be just for the girls."

"(Women) can come as they are, without feeling they have to dress up and wear makeup."

In other words, they want to be comfortable. As were men in the state Legislature before the likes of Roessler came along, and at the Citadel before Shannon Faulkner spoiled things.

What Roessler and the Senate have done, so frivolously, is to chip away at the anti-discrimination statute — at the guarantee of equal access — by resurrecting the tenet that it is acceptable to turn someone who is different away to ensure a group's comfort.

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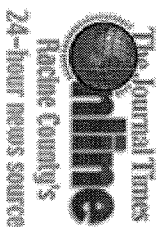


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Curves bill chisels away against good public policy

By *Journal Times staff*, 3/24/03

EDITORIAL -- Democrats in the state Legislature are winging their hands over a piece of legislation that would allow fitness centers to legally discriminate based on gender.

The bill -- known as the "Curves bill" because it was prompted by action taken with regard to Curves fitness centers -- a chain that caters to women, would create an exemption to a state law that prohibits discrimination in places of public accommodation.

The Senate adopted the measure this week on a 23-8 party-line vote with Democrats in opposition.

The notion behind the legislation is that some women are uncomfortable exercising in front of men -- whether it be out of a general sense of modesty or privacy, or because they're not particularly pleased with their physical shape (which they want to work on), or because they find working out in the presence of men intimidating or degrading -- or some combination of those reasons.

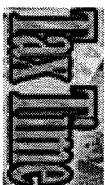
We have some sympathy with their arguments. Not all women share those concerns, however, as was evidenced by a check of local fitness centers here this week. Some women said they liked co-ed facilities for a variety of reasons --



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that it allowed families to work out together, that it added diversity to the mix or that it inspired them to work harder.

Democrats argue that allowing fitness centers to hang out "No Men Allowed" signs would lead to discrimination or erode civil rights. "If we allow men to be discriminated against, we are going to allow women to be discriminated against," warned state Sen. Judy Robson, D-Beloit.

Democrats argued further that discrimination in the South was justified by white people who didn't feel comfortable around black people.

Frankly, it doesn't seem likely to us that a few women-only fitness centers provide much of a threat to the fabric of the Republic.

But we can understand the argument. An exemption in one area -- however benign -- could lead to exemptions in others.

Women struggled for years to pry open the doors of men-only clubs that were bastions of power, centers of good ol' boy networking and business and political dealing in a venue that was closed off to women.

We would be loathe to return to such days or even to invite the possibility that it could happen by legislation that chisels away at what is good public policy. If the Assembly does not oppose this legislation we would urge Gov. Jim Doyle to veto it.

Fitness centers that want to draw their clientele from one gender can do so through marketing techniques without crossing the line to forbid membership by one sex or another.

If you'd like to respond to this editorial, e-mail us a Letter to the Editor. If you're not familiar with our letters policy, click here to read it.

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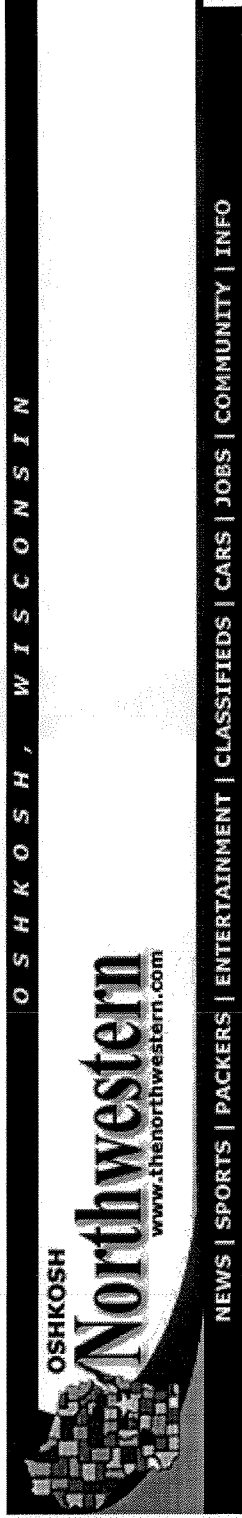
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Jermstad, Sara

From: Driedric, Michael
Sent: Tuesday, April 01, 2003 10:03 AM
To: Jermstad, Sara
Cc: Asbjornson, Karen; Seaquist, Sara
Subject: Oshkosh Northwestern - Editorial Frivolous lawsuit must not prompt frivolous la

CURVES



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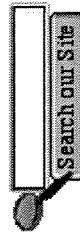
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OPINION

Posted Apr. 01, 2003



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Editorial: Frivolous lawsuit must not prompt frivolous law

A bill introduced in the state Legislature by Oshkosh's Sen. Carol Roessler shows how frivolous lawsuits can lead to frivolous laws.

Roessler has authored a bill that would exempt women's fitness clubs from the state anti-discrimination laws, which prohibits discrimination in places of public accommodation

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based on sex, race, color, creed, disability, sexual orientation, national origin or ancestry.

The genesis of the proposed law comes from a suit filed by La Crosse fitness center owner Charles Swayne against the 173 Wisconsin franchises of "Curves" for what he says are violations of the state's anti-discrimination laws.

Roessler, who also is a member of Curves, has entered dangerous territory. This legislation harkens back to "separate but equal" public facilities and is bad. Further it rarely is good public policy to author a law to protect a specific business or industry from lawsuits.

Through all of the arguments in this issue, perhaps the most interesting one is that Curves doesn't prevent men from joining. They may join. It's just that the company caters so strongly to women that no men - not even Swayne - have joined.

This, of course, unloads a lot of the pressure that Swayne has created. Without outright discrimination against men, it patently is difficult to argue otherwise.

It is ironic that women's groups are pressuring Augusta National Golf Course to accept women members but there still is a sentiment in Wisconsin that women's health clubs deserve special exemption from anti-discrimination laws. Can you imagine what would happen if the dowdy members of Augusta asked for a law to exempt the club from discrimination laws?

Regardless, there are two simple steps to avert frivolous legislation to solve frivolous lawsuits that wastes court time and legislative time.

First, Curves can go out and sign up male members to prove it does not discriminate. The lawsuit could be dismissed without long, protracted litigation.

Second, Roesler needs to withdraw her bill. Her legislation threatens to push back years of public progress. Its passage will re-open the way for real discrimination.

The Final Thought: Claims against the 173 Curves franchises in Wisconsin are a bad use of court time and legislative time. A bill by Sen. Carol Roesler to protect Curves heralds the way to reverse years of American social justice. Both should be dismissed.

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*Few Dish. but in
Sen. Judy Robson*

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The Capital Times March 12, 2003

AUTHORIZED BY SENATOR

ROBSON

SEN. JUDY ROBSON

'Curves' bill OKs sex bias



Robson

Senate Bill 24 is a solution in search of a problem. The bill would allow fitness centers that are designed for use by one sex to exclude the other sex. It is known as the "Curves" bill, after

the women's fitness center chain that is pushing for this legislation.

According to the testimony at the public hearing, very few men have joined women's fitness centers. Even so, the bill's supporters feel a pre-emptive strike is needed. Their rationale for keeping out men? Because women feel self-conscious working out in the presence of men. They don't want men looking at them when they might not look their best.

This is no reason to weaken our anti-discrimination laws.

I know that many women prefer to work out among women only. I have heard from dozens of happy members of women's fitness centers. Their stories of weight loss, strength gain and improved health are heartening. It is wonderful that they have a place to work out where they feel comfortable.

Even so, I do not believe state law should sanction women-only and men-only fitness centers. We cannot legislate away self-consciousness. We cannot legislate away ogling.

Senate Bill 24 is not, as its supporters contend, an innocuous extension of the law that allows separate bathrooms, showers, saunas and dressing rooms. In those venues, people are nude or partially nude. In a fitness center, they are clothed,

If we chip away at our public accommodations law, it will be that much harder to preserve our gains, such as Title IX for girls and women's sports, which the Bush administration would like to weaken. Using a woman's discomfort about exercising in the presence of men as a justification for chipping away at anti-discrimination laws makes as much sense as claiming that women are physiologically unable to run the Boston Marathon.

more so than at swimming pools, beaches and waterparks.

The danger of Senate Bill 24 is that it goes in the wrong direction. Men are not beating on the doors to get into fitness centers, where the equipment, atmosphere and regimen are geared toward women. But women have for decades been beating on the doors to get into male spheres. Private clubs like the Augusta National Golf Club are among the last bastions of gender discrimination. I hope that public pressure will soon force those private clubs to open their membership to women.

Meanwhile, I will fight to preserve Wisconsin's anti-discrimination laws. I have experienced discrimination due to my sex. I have witnessed the struggle to knock down barriers to equal opportunity. I have seen the progress women have made in the past half century. If we chip away at our public accommodations law, it

will be that much harder to preserve our gains, such as Title IX for girls and women's sports, which the Bush administration would like to weaken.

In 1966, women were not allowed to run in the Boston Marathon. They were told they were not physiologically able to run 26 miles. That year, Roberta Gibb passed herself off as a man in order to run. The next year, Katherine Switzer did the same thing. When Switzer was running, race officials tried to pull off her race number and throw her out of the race.

Those women had a lot of courage to do what they did. It took great courage on the part of many women over the years to gain equal access to public accommodations.

Using a woman's discomfort about exercising in the presence of men as a justification for chipping away at anti-discrimination laws makes as much sense as claiming that women are physiologically unable to run the Boston Marathon.

• • •

If all that the Curves corporation wants is to be able to advertise as a women's fitness center, then the law can be changed to let them do that. But Curves wants more than that. Curves wants to sanction sex discrimination at fitness centers.

Senate Bill 24 is a solution desperately in search of a problem. There is no compelling need to weaken our anti-discrimination laws.

Judy Robson, D-Beloit, represents most of Rock County and part of Walworth County in the state Senate.



*Not
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Sex Segreg*

LOCAL

Wisconsin State Journal

City Editor: Phil Glende, (608) 252-6117

B

ACLU wants Senate to drop 'Curves bill'

Group's spokesman says bill 'would put women in a cage'

By Tom Sheehan
State government reporter

A bill allowing fitness centers to discriminate based on gender would set the civil rights movement back years and perpetuate stereotypes about women, say opponents.

Senate Bill 24 — known as the "Curves bill," for a chain of fitness centers that market to women — is set for action today by the state Senate.

The American Civil Liberties Union of Wisconsin wants the Senate to drop consideration of the bill, which would exempt fitness centers from laws that prohibit discrimination in public accommodations, such as busi-

nesses and restaurants.

The bill may be well-intended but "would put women in a cage instead," said Chris Ahmury, executive director of the ACLU of Wisconsin.

"If you argue this is OK for some types of fitness centers or if it's OK for some public accommodations, why not all of them? It's sort of taking us back to the days where prejudice kept women out of some facilities," Ahmury said.

The owners of more than 170 Curves in Wisconsin face complaints filed with the state Equal Rights Division by a La Crosse man, Charles Swayne, a former health club operator, said he wanted to market programs to women in the 1990s but was told

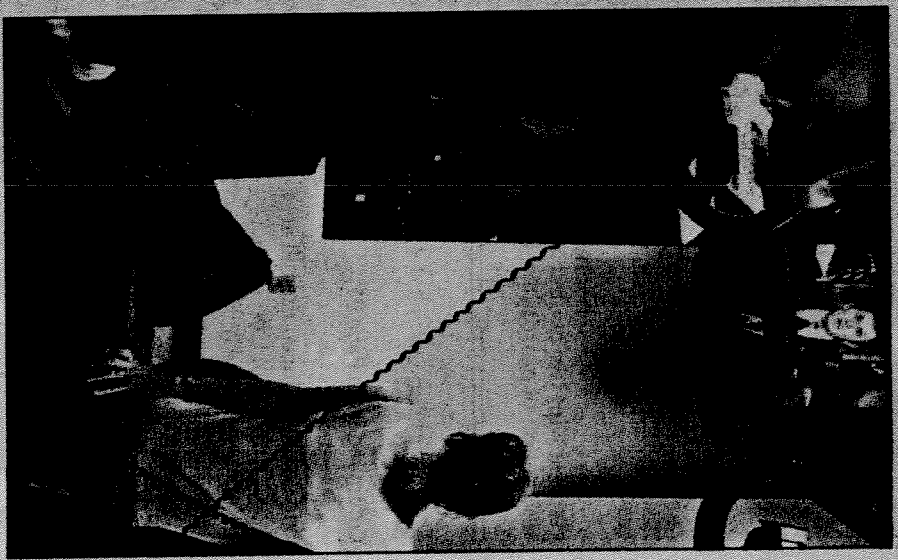
IF YOU GO

- ◆ What: Senate consideration of Senate Bill 24, also known as "the Curves bill."
- ◆ When: Tuesday sometime after 10 a.m., depending on how quickly the Senate acts on other matters on its agenda.
- ◆ Where: Senate chamber, state Capitol.

by state officials that he couldn't.

An administrative law judge ruled in Swayne's favor in one case, which has been appealed by Curves. The other cases are pending.

Sen. Carol Roessler, R-Oshkosh, Please see **CURVES**, Page B2



SARAH B. TEWS/WSJ

President Bush speaks to the nation Monday while patrons at the West Side Madison Princeton Club, 6680 Odana Road, listen and watch as they work out. In his address, Bush issued an ultimatum to Saddam Hussein, giving him 48 hours to get out of Iraq or face



both 17, to work for her as prostitutes, according to a criminal complaint.

Lentz
Angela D. Lentz, 34, of Fitchburg was charged with two counts of solicitation of prostitutes. One

sentence for child abuse. Bail was set at \$2,000 at a court appearance Monday before Dane County Court Commissioner Todd Meurer.

"This is really shocking to me," Lentz told Meurer. "I didn't expect it."
According to the complaint, Lentz told an inmate in February that there was a lot of

she wanted to work for her business, called Soft Touch Entertainment, performing topless massage and sex acts. Lentz, along with three other women, was arrested in October for allegedly operating Soft Touch Entertainment from her Crescent Drive home. No criminal charges have been filed related to that arrest.

Curves

Continued from Page B1

said she introduced the bill at the prompting of Curves owners, who want the bill to give them the option of offering single-sex exercise activities or memberships. Roesler said the bill's language is drafted narrowly enough to prevent discrimination in other accommodations.

"We want to encourage wellness, and we want to encourage women, as well as men, to

go to a facility to exercise," Roesler said.

The bill encourages exercise by allowing men or women to exercise in privacy, said Roesler, who heads the Senate Committee on Health, Children, Families, Aging and Long-Term Care. The committee approved the bill this month 7-2, with two Democrats opposed.

Sen. Tim Carpenter, D-Milwaukee, who voted against the bill in committee, said he will argue against the bill at length today on the Senate floor.

Members of one class of people, such as men or women, shouldn't be punished because certain members may feel "uncomfortable," Carpenter said. He suggested the bill could lead to discrimination against male employees at fitness centers.

Few men, if any, even want to join Curves centers, Carpenter said. The implication for potential discrimination based on other class categories, such as religion and race, is not worth the risk, Carpenter said. "This is like using a sledgehammer to kill a mosquito," Carpenter said.

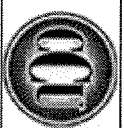
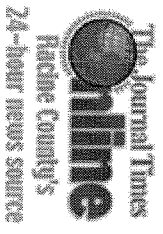
SON
WAGNER, Colette & Andrew, Middleton, daughter

March 16, 2003
BARTEL, Tina & Travis, Monona, daughter
JOHNSON, Karin & Michael, Madison, daughter
STATZ, Tammie & Mike, Oregon, twin daughter & son

March 17, 2003
GARTLAND, Julie & Bill, Dane, daughter
RYNES, Jamie F. & SWEENEY, John, Stoughton, daughter

St. Mary's Hospital
March 14, 2003
WENC, Christine & ROETZEL, Patrick, Spring Green, son

March 16, 2003
BASRA, Mrs. & Mr., Madison, daughter
HEINLEIN, Vidamor & Matthew, Sun Prairie, daughter
LEFFERTS, Jennifer & Raymond, Madison, daughter
TRUE, Meghan & Larry, Cottage Grove, daughter



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'Curves bill' passes in state Senate

BY TOM SHEEHAN, Lee Newspapers Madison Bureau, 3/19/03

MADISON -- Dismissing civil-rights arguments made by some Democrats, the Republican-controlled state Senate on Tuesday passed a bill that would allow fitness centers to legally discriminate based on gender.

Senate Bill 24, more commonly known as "the Curves bill," would create an exemption to a state law that prohibits discrimination in places of public accommodation. The bill passed by a 23-8 vote, with just Democrats opposed.

The bill was introduced by Sen. Carol Roessler, R-Oshkosh, at the prompting of owners of Curves fitness centers, which cater to women. The chain has centers in Racine, Burlington, Kenosha, Union Grove, Oak Creek, Salem, Wind Lake and Muskego.

The chain faces more than 170 sex-bias complaints in Wisconsin filed by a La Crosse man who says he wanted to open similar facilities but was told by state officials that the effort would violate anti-discrimination laws.

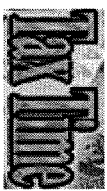
The bill will promote wellness by accommodating men or women who would feel more comfortable exercising in a single-sex environment, Roessler said. The bill originally would have applied to for-profit fitness centers, but Roessler successfully

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amended Tuesday to include non-profit fitness centers as well.

Democrats argued that the bill, which still must be approved by the Assembly and governor, would erode civil rights and lead eventually to discrimination based on race, religion and sexual orientation.

"If we allow men to be discriminated against, we are going to allow women to be discriminated against, and that's a huge step backward," said Sen. Judy Robson, D-Beloit.

Robson said she belongs to a Curves franchise and enjoys the workout environment. But civil rights shouldn't be jeopardized just because some women feel uncomfortable, Robson said.

Racial discrimination in the South was justified by white people who didn't feel comfortable around black people, Democrats said.

Democrats offered an amendment that Robson said would have allowed Curves to market to women without undoing anti-discrimination laws, but the proposal was rejected.

The bill will likely lead to "18-hole fitness centers" for men, said Senate Majority Leader Jon Erpenbach, D-Middleton. He predicted the Legislature would eventually have to bring up new legislation to counter the effects of the bill.

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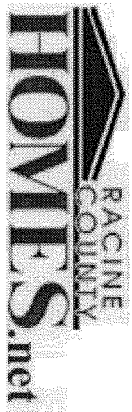
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ASSEMBLY COMMITTEE ACTION

Small Business

AB-81. Economic impact statements for bill and proposed rules that would have a direct economic impact on the private sector. **LRBa0396/1 adopted, 10-0. Passage as amended recommend, 10-0.**

SB-24. Exception to certain anti-discrimination laws for same sex fitness centers. **Passage recommended, 9-1.**



**WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO**

2003 Senate Bill 24

**Senate
Amendment 1**

Memo published: March 10, 2003

Contact: Laura Rose, Deputy Director (266-9791)

2003 Senate Bill 24 provides an exception to the law prohibiting discrimination in public places of accommodation to permit a fitness center whose facilities and services are intended for the exclusive use of persons of the same sex to provide the use of those facilities and services exclusively to persons of that sex.

Under the bill, “fitness center” is defined as:

An establishment that, *for profit*, provides as its primary purpose services or facilities that are purported to assist patrons in physical exercise, in weight control, or in figure development, including but not limited to a fitness center, studio, salon, or club. “Fitness center” does not include an organization solely offering training or facilities in an individual sport or a weight reduction center. [Emphasis added.]

Senate Amendment 1 changes the definition of fitness center in the original bill. Under Senate Amendment 1, “fitness center” is defined as:

An establishment, whether operated *for profit or not for profit*, that provides as its primary purpose services or facilities that are purported to assist patrons in physical exercise, in weight control, or in figure development. “Fitness center” does not include an organization solely offering training or facilities in an individual sport or a weight reduction center, as defined in s. 100.177 (1) (e). [Emphasis added.]

The effect of the amendment is to extend the exception created in Senate Bill 24 to not for profit fitness centers.

Legislative History

Senate Amendment 1, offered by Senator Roessler, was adopted by the Senate Committee on Health, Children, Families, Aging and Long-Term Care on March 6, 2003, on a vote of Ayes, 7; Noes, 2.

By a vote of Ayes, 7; Noes, 2, the committee recommended passage of Senate Bill 24, as amended, on that same date.

LR:rv;jal

Osh NW 3/31/03

Augusta tees up health

So if Annika Sorenstam is qualified enough to play with the guys at the PGA Colonial tournament, why isn't she good enough to join the Augusta National Golf Club, which sponsors the annual Masters tournament?

A better question: If you're a member of the club's board of directors, do you even bother trying to continue putting a good face on what amounts to sexism, pure and simple?

I mean, can you ever really spin misogyny into something stately and traditional?

C'mon. This is really about guys not wanting women around where guys just want to be guys, whatever that means. So pro teams have let women reporters into players' locker rooms but the Augusta National Golf Club may be a bit too much for them?

Oh, but wait a minute. These guys in Augusta can't be sexist. They're genteel golfers who likely have wives and daughters.

So how do you look that wife or daughter in the eye and say, "You know, you're OK to live with and I hope all the best for you, but you're not good enough to be in my club?"

I understand how some guys (but not me, honey) crave a place where they can "just be guys." Guys can talk to other guys about stuff that many don't feel secure enough to talk to women about or have women overhear. The same for women.

OK. I like to talk to my buddies, but we haven't formed any club.

Augusta's version, no matter how you spin it, says, "You're just not good enough."

If a club did this with minorities, it could legitimately be called racist. If someone were to ask if we cared to join a club that excluded



RICARDO PIMENTEL

minorities, most would quickly make the judgment about the person and that

All of which means we can legitimately value judgment. Augusta National Club. It is sexist.

Oh, but that's different between men and women. The sexual tension

allegedly going on all the time. For most of us have no problem handling this in our everyday lives. Besides, baseball crowd days, folks were talking about subtle differences, too. About "comfort

In reality, the Augusta club is meant to be an escape from the necessity of what? Being civil and courteous?

Without a doubt, a private club that accepts no government money has the absolute right to be as exclusive as it wants, any way it wants. That doesn't make it right.

In any case, wouldn't a major television network then have the prerogative not to support a sexist club by televising its tournament in April?

So far, pro male golfers have not demonstrated the proper use of prerogative in this case. If they did, they would choose not to participate, if invited, in the Masters in April.

So that leaves a prerogative far likelier to be exercised. Simply don't watch the tournament when it is televised.

Understand, I've never gotten any thrill from watching golf. This might have some-

Sara
S.
PLS in
Put in
Curves file
"Just in case" is
brush up!

golfers are invited to play in the Masters, a tribute to its amateur beginnings. Sorenstam and other LPGA leaders are likely far better than a lot, if not all, of these guys.

If Sorenstam is good enough for the Colonial in Fort Worth, she's good enough to play at the Masters if she wants. And if she can play in the masters - if she is at least as good as those male amateurs allowed to play - she is especially good enough to be part of the club if that's her wish. The fact is, any woman is.

What have the august gentlemen in Augusta got to lose other than their sexism?

RICARDO PIMENTEL is a columnist for the Arizona Republic. He may be reached c/o Tribune Media Services, 435 N. Michigan Avenue, Suite 1500, Chicago, Ill. 60611. or by email ricardo.pimentel@arizonarepublic.com

When it comes to the Curves bill, just pass it

The state Senate will consider this week the "Curves" bill, which would allow fitness centers to limit their memberships to women-only or men-only. It is a commonsense bill that deserves to sail through with a minimum of heavy lifting.

Some Democrats, of course, have already jumped on their rhetorical treadmills. They chug forth the overheated argument that allowing one tiny exception to civil rights laws will cause the whole anti-gender bias infrastructure to come crashing down. Allow women to sweat without men around, they warn, and you can kiss Title IX good-bye. It'll be a fast track back to the bad old days when women were prohibited from running in marathons, driving in the Indy 500, and golfing in PGA tournaments.

How silly.

The bill, sponsored by state Sen. Carol Roessler, R-

Oshkosh, was written in response to 173 complaints against the Curves fitness chain, all filed by a La Crosse health club owner whom the state previously barred from opening his own women-only fitness center. That decision may have been legally correct, but it wasn't right then — and still isn't.

For the record, Curves says it will accept male members — but none have applied. A corporate spokesman says Wisconsin is the only state in which the franchised fitness centers have faced discrimination claims. The Legislative Reference Bureau says several other states allow narrow exemptions for fitness centers in anti-bias laws.

Every health expert in the country says we ought to be getting more exercise. If that means offering places where women can exercise without men — and vice-versa — where's the harm? Just do it.

Wisconsin State Journal

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Opinions above are shaped by the board, independent of news coverage decisions elsewhere in the newspaper.

Monday, March 10, 2003

Folders [Add]

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Printable View - Full Hea

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From: "McBride, Robin" <RMcBride@estat.com> | [This is Spam](#) | [Add to Address Book](#)

To: "' cindyred99@yahoo.com" <cindyred99@yahoo.com>

Subject: Curves

Date: Fri, 21 Feb 2003 15:41:36 -0600

FEB 27 2003

Check Your Credit For Free!

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Plan to Sell

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Curves should remain open to women only. I've been a member of Curves for more than 1 year and I really enjoy the 'non' pressure of not having men there. There is a difference between men and women, and it's these differences that make a woman uncomfortable. I like to come to Curves as I am, work out without feeling self-conscious. Curves should remain for women only.
Cindy Redeker

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Reply All

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Save Message

Mail Upgrades - Search Mail - Mail Options

Mail - Address Book - Calendar - Notepad

SENATE BILL 24 (CURVES)

SA 1 (Committee amendment)

Defines fitness center to exclude facilities that solely offer training or facilities for an individual sport.

SA 2 (Carpenter)

Deletes most of language from original bill. The bill allows a fitness center to exclude one sex from the facility. This amendment would instead allow a fitness center to give preferential treatment to one sex and advertise in that manner, but would not allow a complete exclusion.

SENATE BILL 14 (PEEPING TOM)

SA 1 (as amended by SA 1 to SA 1 Carpenter)

Removes sex offender registry requirement if looking on private property but no one is present.

SA 2 (Roessler)

Adds language that clarifies it is not a crime to peep with the permission of every person present in the dwelling. Makes it clear that it is a crime to peep even if no one is home.

SENATE JOINT RESOLUTION 15 (2/3RDS FOR TAX INCREASES)

SA 1 (Carpenter)

Apply to all taxes

SA 2 (Carpenter)

Allows a tax increase on a simple majority vote if the revenues are used to lower property taxes

SA 3 (Carpenter)

Includes property taxes

SA 4(Carpenter)

Allows a tax increase on a simple majority vote if the revenue is used to increase the homestead credit.

SA 5 (Carpenter)

Includes gas tax

non profits who are not open to the public
(ie. country clubs) are exempt under current law

(ie. YMCA's) non profits who ~~are~~ allow the general public
(non-members) to participate in the org's activities
are not exempt under current law

See attached for your notes

Response to Carpenter's Amendment to SB 24

SB 24 should remain as originally drafted. The amendment(s) offered by Senator Carpenter would not allow a fitness center to operate so as to ensure the reasonable privacy rights of females/males based on the physical differences between the sexes which is consistent with the already existing gender-based exemptions in the Public Accommodations Law, such as for dressing rooms, toilets, showers and college dorm rooms.

This amendment(s) would also still leave open to judicial interpretation whether advertising terms such as "Women's Fitness Center" or "Curves® for Women" would be allowed. It is possible that a party could argue that such terms are meant to "exclude" the other gender and not just intend to appeal primarily to one sex for use of the fitness center's services or facilities.

The purpose of SB 24 is clearly set forth for all Wisconsinites that a fitness center can be operated for use by one gender if so offered by the operator of the fitness center. The original draft of SB 24 accomplishes that goal.

AMENDMENT TO SB 24

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Does not allow anyone to sue for money

Same

may

SCA

adv. Primarily for

services Primarily for

Exclusion

would not allow separate X

or separate sex only

to M or W

"freedom of choice to do so"

• Would allow facilities to advertise and cater to one gender, but would not allow the facility to be gender-exclusive

2003 - 2004 LEGISLATURE

LRBa0091/3
GMM:kjf:pg

• would not allow a fitness center to ensure privacy rights of females/males based on the physical differences between the sexes

SENATE AMENDMENT 2,

TO 2003 SENATE BILL 24

• unclear if "Women's Fitness Center" or "Curves for women" would be protected under this amendment

gender as advertising, or if using gender exclusive titles would be considered to be excluding rather than just appealing to ~~the~~ one gender

March 18, 2003 - Offered by Senators Carpenter and Robson.

*** AUTHORS SUBJECT TO CHANGE ***

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 4: delete lines 4 and 5 and substitute "intended to appeal
3 primarily to persons of the same sex to provide facilities and services that appeal
4 primarily to persons of that sex and to give preferential treatment in the use of those
5 services or facilities to persons of that sex."

6 **2.** Page 2, line 3: delete lines 3 to 9 and substitute "s. 100.177 (1) (c), whose
7 services or facilities are intended to appeal primarily to persons of the same sex from
8 providing services or facilities that appeal primarily to persons of that sex, from
9 giving preferential treatment in the use of those services or facilities to persons of the
10 same sex, or from directly or indirectly publishing, circulating, displaying, or mailing
11 any written communication to the effect that those services or facilities are intended
12 to appeal primarily to persons of the same sex."

13 (END)



State of Wisconsin
2003 - 2004 LEGISLATURE

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SENATE AMENDMENT , 2

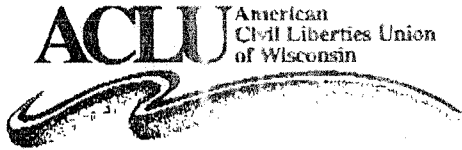
TO 2003 SENATE BILL 24

By Senators Carpenter and Gibson

More Rejection

*Get bill
Not allow freedom of choice to exercise with Peers Same Sex*

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- 12 to appeal primarily to persons of the same sex."
- 13 (END)



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CARPENTER

March 17, 2003

Senator Carol Roessler
Wisconsin State Senate
State Capitol -- Room 8 South
Madison, WI 53707-7882

Via Fax to 608.266.0423

Dear Senator Roessler:

I'm writing to ask you to reconsider your sponsorship of Senate Bill 24, the so-called Curves bill. Senate Bill 24 would allow fitness centers to operate and market themselves as exclusively for the use of women or men. While you may wish to address the concerns of some women, who may feel uncomfortable when men use the same fitness centers, this bill weakens the protections that women and men deserve under Wisconsin's anti-discrimination laws.

I'm sure that you know that in the past many laws were on the books that supposedly protected the "weaker sex," but these laws in reality denied women the right to manage their own money, to find family-sustaining employment, to belong to clubs where careers are advanced, to frequent businesses (such as restaurants) that preferred men, and to receive an equitable share of the benefits of government programs. While these laws purported to put women on a pedestal, they put women in a cage instead, as Justice Brennan noted.

The American Civil Liberties Union's Women's Rights Project under the leadership of Ruth Bader Ginsburg in the 1970s successfully argued that the Court should strike down many of these laws. The ACLU of Wisconsin in the 1972 had to go to federal court in Milwaukee to prevent Heinemann's restaurant on Wisconsin Avenue from excluding women from its "Men's Grill." The Court found that Heinemann's policy violated the equal protection of the laws as guaranteed by the Fourteenth Amendment.

To paraphrase just one of the ACLU's arguments in these cases: when women are excluded or discriminated against because of their gender, it not only hurts them, it hurts us all. When businesses discriminate on the basis of sex or race, they perpetuate harmful stereotypes that divide us and deny us the benefits of a diverse, vigorous and just society.

It has been suggested that perhaps, these discriminating fitness centers could advertise their suitability or preference for one sex over the other, but still admit the less favored sex. The ACLU of Wisconsin urges you not to allow advertisements that put off men or

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Milwaukee, WI 53202-5774
(414) 272-4032 • FAX (414) 272-0182
e-mail: Liberty@aclu-wi.org
<http://www.aclu-wi.org>

State Sen. Carol Roessler

March 17, 2003

page two.

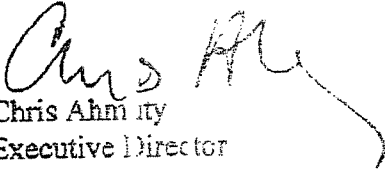
women from patronizing a center. Discrimination is not acceptable, just because the unwelcome party doesn't bother to present themselves where they are not welcome.

It may also be suggested that if this exception is appropriate for profit seeking businesses, then it is appropriate for non-profit organizations as well. This suggestion of course adds to harm that Senate Bill 24 already proposes. One doesn't have to raise the specter of a slippery slope, this is evidence of a further erosion of women's rights.

On behalf of ACLU members in Wisconsin, I ask you to reconsider your sponsorship of the ill-conceived bill and urge your Senate colleagues to drop this measure.

Thank you for your attention.

Sincerely yours


Chris Ahmity
Executive Director