

**Facsimile Cover Sheet**  
**Fax 608-266-0423**



***Carol Roessler***

STATE SENATOR • 18TH SENATE DISTRICT

Number of pages attached, including cover page: 2

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please call 1-888-736-8720

Please deliver this fax to:

Silene Platutz

Fax number of addressee: 241-1034

Message: FYI - letter from Rep Wood

What is the answer?

Thankyou!  
- Sara J

**WAYNE W. WOOD**

**State Representative**

44th Assembly District

COMMITTEE ASSIGNMENTS

Member:

*Rules*

*Criminal Justice*

Ranking Minority Member:

*State Affairs*

*Ways and Means*



**Wisconsin Legislature  
Assembly**

February 4, 2003

Home:

2429 Rockport Road

Janesville, WI 53545

(608) 752-5485

Office:

104 North, State Capitol

P.O. Box 8953

Madison, WI 53708

(608) 266-7503

Toll-free 1-888-947-0044

Senator Carol Roessler  
Room 8 South – State Capitol  
Madison, WI 53702

Dear Senator Roessler:

I have a copy of your legislative draft regarding an exception to the discrimination law in public places of accommodation to permit a fitness center whose facilities and services are intended for exclusive use of persons of the same sex and to provide those facilities and services exclusively to persons of that sex.

In preparing your draft, was consideration given to whether or not the employees of these facilities would also have to be of that sex?

Sincerely,

*Wayne*  
WAYNE W. WOOD  
State Representative  
44th Assembly District

cc: Rep. Glenn Grothman

*Can't discriminate  
male owners &  
employees  
clients fir*

TO: All Legislators

FROM: Senator Carol Roessler  
Representative Glenn Grothman

DATE: January 8, 2003

RE: Co-sponsorship of LRB-0631 Granting a limited public accommodations exception to certain health clubs

---

We are introducing legislation that will allow certain health clubs to limit their membership to a single sex.

This proposal mirrors changes successfully integrated in other states, including Massachusetts.

The Legislative Reference Bureau analysis is printed below. If you have any questions or would like to co-sponsor the legislation, please contact either Senator Roessler's office at 266-5300 or Representative Grothman's office at 264-8486 no later than **February 1, 2003**.

---

***Analysis by the Legislative Reference Bureau***

Under current law, no person may deny to another the full and equal enjoyment of any public place of accommodation because of sex, race, color, creed, disability, sexual orientation, national origin, or ancestry. Current law, however, does not prohibit separate public toilets, showers, saunas, or dressing rooms for persons of different sexes and does not prohibit a domestic abuse services organizations from providing separate facilities, care, treatment, or services for persons of different sexes.

This bill permits a fitness center, which is defined under current law 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, whose services or facilities are intended for the exclusive use of persons of the same sex, to provide the use of those services or facilities exclusively to the persons of that sex, to deny the use of those services or facilities to persons of the

opposite sex, and to communicate that the use of those services or facilities will be provided exclusively to persons of the same sex and will be denied to persons of the opposite sex.

Grothman-Magpie  
until Feb 1 - deadline

**Vance, Vaughn**

---

**Subject:** LRB-0631/Health Club Membership (Curves for Women)/01/27/03

January 7, 2003

TO: All legislators  
FR: Senator xxx  
RE: LRB-0631/1 *Granting a limited public accomodations exception to certain health clubs.*

I am proposing legislation that would permit health clubs to offer a single-sex environment for clients.

This legisaltion mirrors similar changes made in other states, including Massachusetts. This modification is also consistent with other exceptions that are already part of Wisconsin's public accomodations law.

Below is a summary prepared by the Legislative Reference Bureau of the legislation. If you would like to cosponsor this legislation, please contact my office at 266-xxxx before January 27th.

Feb 1, 2003.

**Facsimile Cover Sheet**  
**Fax 608-266-0423**



***Carol Roessler***

STATE SENATOR • 18TH SENATE DISTRICT

Number of pages attached, including cover page: \_\_\_\_\_

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Please deliver this fax to:

Trisha Conner in Waurokee +

Fond du Lac

Fax number of addressee: 608 850 6998

Message:

Received

1-6-03

1-7-03





# Jolene Plautz & Associates

4741 Hayes Rd. #14

Jolene Plautz - Government Relations Specialist  
608/241-1208

Madison, WI 53704

## FAX COVER SHEET

TO: Julie / Sen. Roesler

FAX: 266 0423

FROM: Jolene

REGARDING: Draft - Curves Bill

MESSAGE: I would be happy to discuss the bill with the Senator. Thank you.

NUMBER OF PAGES INCLUDING THIS COVER SHEET: 3

# Committee Meeting Attendance Sheet

## Committee on Health, Children, Families, Aging and Long Term Care

Date: 2/13/03

Meeting Type: Public Hearing

Location: 411 South

<u>Committee Member</u>	<sup>PH</sup> <u>Present</u>	<sup>-EXC</sup> <u>Absent</u>	<u>Excused</u>
Senator Carol Roessler	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Ted Kanavas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Ronald Brown	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Robert Welch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Dale Schultz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Judith Robson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Charles Chvala	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Senator Robert Jauch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Tim Carpenter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: \_\_\_\_\_ 1 \_\_\_\_\_

# Committee Meeting Attendance Sheet

## Committee on Health, Children, Families, Aging and Long Term Care

Date: 3/6/03

Meeting Type: Executive Session

Location: 411 South

<u>Committee Member</u>	<u>Present</u>	<u>Absent</u>	<u>Excused</u>
Senator Carol Roessler	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Ted Kanavas	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Senator Ronald Brown	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Robert Welch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Dale Schultz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Senator Judith Robson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Charles Chvala	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Robert Jauch	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Senator Tim Carpenter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: 7 0 2

**Vote Record**

**Committee on Health, Children, Families, Aging and Long Term Care**

Date: 3/6/03

Moved by: Brown

Seconded by: Welch

AB 87

SB 24

Clearinghouse Rule \_\_\_\_\_

AJR \_\_\_\_\_

SJR \_\_\_\_\_

Appointment \_\_\_\_\_

AR \_\_\_\_\_

SR \_\_\_\_\_

Other \_\_\_\_\_

A/S Amdt a 01107/1 Cmte Amend

A/S Amdt \_\_\_\_\_ to A/S Amdt \_\_\_\_\_

A/S Sub Amdt \_\_\_\_\_

A/S Amdt \_\_\_\_\_ to A/S Sub Amdt \_\_\_\_\_

A/S Amdt \_\_\_\_\_ to A/S Amdt \_\_\_\_\_ to A/S Sub Amdt \_\_\_\_\_

Be recommended for:

- |   |                                    |                                       |   |  |
|---|------------------------------------|---------------------------------------|---|--|
| <input checked="" type="checkbox"/> Passage | <input type="checkbox"/> Adoption  | <input type="checkbox"/> Confirmation | <input type="checkbox"/> Concurrence    | <input type="checkbox"/> Indefinite Postponement |
| <input type="checkbox"/> Introduction       | <input type="checkbox"/> Rejection | <input type="checkbox"/> Tabling      | <input type="checkbox"/> Nonconcurrence |  |

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Senator Carol Roessler	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Ted Kanavas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Ronald Brown	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Robert Welch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Dale Schultz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Judith Robson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Charles Chvala	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Robert Jauch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Tim Carpenter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: 5 2 \_\_\_\_\_

## Vote Record

# Committee on Health, Children, Families, Aging and Long Term Care

Date: 3/6/03

Moved by: Roessler

Seconded by: Welch

AB \_\_\_\_\_

SB \_\_\_\_\_

Clearinghouse Rule \_\_\_\_\_

AJR \_\_\_\_\_

SJR \_\_\_\_\_

Appointment Helene Nelson

AR \_\_\_\_\_

SR \_\_\_\_\_

Other \_\_\_\_\_

A/S Amdt \_\_\_\_\_

A/S Amdt \_\_\_\_\_ to A/S Amdt \_\_\_\_\_

A/S Sub Amdt \_\_\_\_\_

A/S Amdt \_\_\_\_\_ to A/S Sub Amdt \_\_\_\_\_

A/S Amdt \_\_\_\_\_ to A/S Amdt \_\_\_\_\_ to A/S Sub Amdt \_\_\_\_\_

Be recommended for:

- Passage    
  Adoption    
  Confirmation    
  Concurrence    
  Indefinite Postponement  
 Introduction    
  Rejection    
  Tabling    
  Nonconcurrence

Committee Member

	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Senator Carol Roessler	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Ted Kanavas <i>noting</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Ronald Brown	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Robert Welch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Dale Schultz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Judith Robson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Charles Chvala	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Robert Jauch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Tim Carpenter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals:     8     0     \_\_\_\_\_     \_\_\_\_\_

**Vote Record**

**Committee on Health, Children, Families, Aging and Long Term Care**

Date: 3/16/03

Moved by: Welch

Seconded by: Brown

AB \_\_\_\_\_ SB 24 \_\_\_\_\_ Clearinghouse Rule \_\_\_\_\_  
 AJR \_\_\_\_\_ SJR \_\_\_\_\_ Appointment \_\_\_\_\_  
 AR \_\_\_\_\_ SR \_\_\_\_\_ Other \_\_\_\_\_

A/S Amdt \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_ to A/S Amdt \_\_\_\_\_  
 A/S Sub Amdt \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_ to A/S Sub Amdt \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_ to A/S Amdt \_\_\_\_\_ to A/S Sub Amdt \_\_\_\_\_

Be recommended for:  
 Passage     Adoption     Confirmation     Concurrence     Indefinite Postponement  
 Introduction     Rejection     Tabling     Nonconcurrence

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Senator Carol Roessler	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Ted Kanavas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Ronald Brown	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Robert Welch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Dale Schultz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Judith Robson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Charles Chvala	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Robert Jauch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Tim Carpenter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Totals:</b>	<u>5</u>	<u>2</u>	_____	_____

**Vote Record**

**Committee on Health, Children, Families, Aging and Long Term Care**

Date: 3/6/03

Moved by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

AB 5 SB 24 Clearinghouse Rule \_\_\_\_\_  
 AJR \_\_\_\_\_ SJR \_\_\_\_\_ Appointment \_\_\_\_\_  
 AR \_\_\_\_\_ SR \_\_\_\_\_ Other \_\_\_\_\_

A/S Amdt 2009113 - not introduced in cmte  
 A/S Amdt \_\_\_\_\_ to A/S Amdt \_\_\_\_\_  
 A/S Sub Amdt \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_ to A/S Sub Amdt \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_ to A/S Amdt \_\_\_\_\_ to A/S Sub Amdt \_\_\_\_\_

- Be recommended for:
- Passage       Adoption       Confirmation       Concurrence       Indefinite Postponement
  - Introduction       Rejection       Tabling       Nonconcurrence

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Senator Carol Roessler	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Ted Kanavas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Ronald Brown	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Robert Welch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Dale Schultz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Judith Robson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Charles Chvala	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Robert Jauch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Tim Carpenter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: \_\_\_\_\_



SB24

PLS  
Keep!!



Jennifer

Thanks for seeing

## Boomers Shape Up With Curves

Friday, November 07, 2003

By Kathleen Wereszynski

### FOX NEWS

NEW YORK — Fitness trends come and go, but millions of American women swear by **Curves** (search), a bare-bones gym that caters to those who are out of shape or don't feel comfortable in traditional health club settings.

"It's not intimidating," said Loraine Strombeck, a 56-year-old registered nurse from Saugerties, N.Y. "And people don't wear the jet-set exercise clothing that you see at other gyms."

Curves attracts women of the 76 million-strong baby boomer generation — the oldest of which are in their mid-to-late 50s — who want to try to prevent heart disease, diabetes and cancer, but might be intimidated by the hard bodies and complicated machinery found elsewhere.

The success of Curves, named the fastest growing franchise by **Entrepreneur Magazine** (search) in January, comes at a time when the number of obese adults has soared to 44 million, according to the Centers for Disease Control and Prevention, and while sales in exercise equipment and traditional health club memberships are reportedly lagging.

But Curves, with about 6,000 locations in the U.S., is different from other gyms, which thrive on tough classes like boot camp and cardio strip tease, aimed at young exercisers.

"We definitely spend our advertising money on the 30- to 60-year-old woman," said Gary Heavin, CEO and founder of Curves International. "We used real women in our ads. The average woman was a size 14."

Jennifer Gilbert, 34, said the gym has transformed her body.

"Since January, I've lost 24 inches, dropped from a size 22 to a size 18 and lost 26 pounds," said the hairdresser from Kingston, N.Y. "My butt is smaller and flatter and that saddle-bag area is gone."

Gilbert, who has tried step aerobics classes and nautilus, said she's never stuck with a gym routine this long.

The first Curves gyms were opened in small Texas towns in the 1990s and gained momentum in the suburbs. Major cities were the last frontier.

"We had 50 locations within 10 miles of Houston, but not one inside Houston," Heavin said, adding now there are 50 Curves in Houston.

Until 2003, there was no national ad campaign for the women-only gyms, but members spread the Curves story like gospel; some even became franchise owners.

"We've created a culture of women helping women," said Heavin, whose new book, "Curves: Permanent Results Without Permanent Dieting," includes eating plans. "About 90 percent of our franchise owners are women."

The gyms promise a complete workout in 30 minutes. Members move between strength-training "hydraulic-resistance" machines that are set in a circle and maintain a target heart rate by jogging in place between circuits.

Group fitness classes, treadmills and showers -- mainstays of traditional gyms -- are not offered at Curves.

**Dr. Cedric Bryant** ([search](#)), chief exercise physiologist for the American Council on Exercise, said the use of the specialized equipment "removes some of the intimidation factor" of strength training.

"The machines are smaller in size," said Bryant. "They appeal to the female population."

But Bryant said the machines only provide one of two phases of resistance training, which he illustrates as the raising and lowering of a bicep curl. "Because you don't have the negative portion of the exercise, you are going to limit skeletal muscle and bone development. I would say that Curves is giving the minimum effective dosage."

The Curves Web site includes testimonials of extremely overweight women who have lost more than 100 pounds. But the gyms seem to measure success more by inches lost than weight.

"I don't know about a change in my body, but I have more energy," said Strombeck, who added that the energy boost enables her to do other activities like bicycling.

Bryant recommends supplementing a Curves workout with cardio activity such as a 30-minute walk.

Strombeck, who joined Curves six months ago, inspired her daughter to join one in New York City.

"The best thing about it is I know the amount of time I'm going to spend," said Patricia Strombeck, a 29-year-old teacher from Staten Island, N.Y. "And I did lose a half-inch from my waist."

But Patricia, who enjoys running and yoga, is already fit and said she hasn't met her goals of flatter abs and stronger arms with Curves' regimen.

"I don't like the fact that you can't stay on one machine for a longer time," she said.

Bryant said women like Patricia probably need more of a challenge.

But perhaps it's the Curves atmosphere that's lost on younger people.

"The music is pretty bad," Patricia said. "The songs are cheesy and they play them pretty loud."

Her mother, however, said the tunes keep her moving.

"I like the music," said Loraine. "Sometimes they'll play oldies, sometimes they'll play country. It's very upbeat and gets you going."

**SEARCH****GO**

*Search sources include Google, Ask Jeeves, WebCrawler*

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All market data delayed 20 minutes.

WISCONSIN STATE SENATE



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**Carol Roessler**  
STATE SENATOR

To: Members of the Senate Committee on Health, Children, Families, Aging  
and Long Term Care

From: Senator Carol Roessler

Date: March 4, 2003

Re: Amendment to Senate Bill 24

---

Earlier today you received a copy of an amendment Senator Carpenter has indicated he would be introducing during executive session on Senate Bill 24.

Attached you will find a response my office received from Tom Kieffer, an attorney for Curves for Women, regarding Senator Carpenter's amendment. Curves for Women asked that I distribute the response to your office for your review.

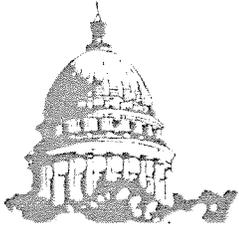
If you have any questions or concerns, please feel free to contact my office.

## **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 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 to 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.



WISCONSIN STATE SENATE  
**TIM CARPENTER**  
SENATOR – 3RD DISTRICT

State Capitol \* P.O. Box 7882 \* Madison, Wisconsin 53707-7882 \* Phone: (608) 266-8535

To: Members of the Senate Committee on Health, Children, Families, Aging  
and Long Term Care:

From: Senator Tim Carpenter

Date: March 5, 2003

Re: Senate Bill 24

---

You will now have received two memorandums Senator Roessler, which state that I intend to introduce a particular amendment at the executive session Senator Roessler has called for March 6, 2003. For the record, at no time have I stated that I was going to introduce any amendment at the executive session.

In good faith, I have diligently attempted to work with Senator Roessler to craft legislation that resolves the legal issues facing Curves for Women, and yet avoid SB 24's attempted reintroduction of sexual discrimination in Wisconsin fitness centers. In conjunction with Legislative Council, I have drafted several amendments, specifically tracking and protecting fitness centers like Curves from the statutes used against Curves in its recent litigation. Despite my sending these amendments to Senator Roessler and asking for her comment, Senator Roessler unfortunately never responded to my overtures.

On March 4, 2003, hearing no response from Senator Roessler to my efforts, my office personally contacted Curve's attorney, Tom Keiffer. I tried to try to find out why an amendment that would allow Curves to continue to operate its business as it had, and take care of its legal issues against it, would not be acceptable. I am informed that Tom Keiffer was candid and courteous in his conversation. After that conversation, Senator Roessler's distributed her March 4, 2003 statement from Curves' attorney.

We all understand that Curves hired its lawyers not to craft good legislation, but to aggressively represent its interests. In its hard-line attempt to get what is best for its business, Curves has no need to care for the unintended consequences of its actions. While the over-breadth of the Curves' corporate reintroduction of discrimination inoculates Curves' business from present litigation, SB 24 will have unintended consequences that thoughtful legislators must consider – consequences that those hired to pursue Curves' business interest may ignore or freely pass on to future legislatures. Discrimination is not to be lightly reintroduced into society to serve business interests.

It is an old saw that "good cases make bad law," meaning that an emotional issue can initiate a poor law of general application. And while we can agree that Curves should be able to continue its business as it has in the past, legislative overkill is not a result we can be proud of, when less-restrictive measures will suffice. What an attorney believes is best for his own client may not make for the best legislation. As legislators, we have a duty to do more than co-opt the arguments of corporate litigation counsel, and a duty to make sure legislation is good for the citizens of Wisconsin, not just the business interests of one company.

I respectfully submit to the committee chair and members that the merits of my amendment will make SB 24 more appropriate for the people of Wisconsin, and I intend to raise the amendment for discussion the executive session.

WISCONSIN STATE SENATE



**Carol Roessler**  
STATE SENATOR

To: Members of the Senate Committee on Health, Children, Families, Aging  
and Long Term Care

From: Senator Carol Roessler

Date: March 4, 2003

Re: Amendments to Senate Bill 24

---

As you know, the Senate Committee on Health, Children, Families, Aging and Long Term Care will be holding an executive session on Thursday, March 6 at 8:30am.

Attached are two amendments that members have indicated they will be offering during the executive session on Senate Bill 24. Senator Roessler will be offering LRBa0107/1. Senator Carpenter will be offering LRBa0091/3.

If you have any questions or concerns, please feel free to contact my office or Laura Rose at Legislative Council.

WISCONSIN STATE SENATE



---

**Carol Roessler**  
STATE SENATOR

To: Members of the Senate Committee on Health, Children, Families, Aging  
and Long Term Care

From: Senator Carol Roessler

Date: March 4, 2003

Re: Amendment to Senate Bill 24

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If you have any questions or concerns, please feel free to contact my office.



---

State Senator  
**Chuck Chvala**

February 11, 2003

To: Senate Committee on Health, Children, Families and Long-Term Care  
Senator Roessler, Chair  
Senator Kanavas  
Senator Brown  
Senator Welch  
Senator Schultz  
Senator Robson  
Senator Jauch  
Senator Carpenter

From: Senator Chuck Chvala

Re: Senate Bill 24

At the request of my constituent David Meldman, please accept his written testimony in opposition to Senate Bill 24. Mr. Meldman is unable to testify at the public hearing on Thursday, February 13, 2003, but he would like to have his concerns included in the record of proceedings.

## McGuire, Paula

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**From:** Meldman@aol.com  
**Sent:** Monday, February 10, 2003 10:15 AM  
**To:** chuck.chvala@legis.state.wi.us  
**Subject:** re: single sexism (attn Paula)

re: the single sexism bill scheduled for hearing thursday. Please submit my comments/thanks:

I would like to share some of my experiences as a stay at home father and ask you to consider whether civil rights laws should protect the prejudices of our time against the individual or whether they should protect the individual against the prejudices of our time.

while living in another state and staying home with two year old triplets i encountered many obstacles, two of which were: denial of admission to library programs and denial of admission to municipal recreation programs. The stated reason was that those programs were for moms and children not dads and children.

The proposal you are considering is based on the same idea. You will be confronted with a number of stereotypes and you will be asked to support them, so long as they are favorable to women and unfavorable to men. You will be asked, in short, to support the prejudice of our time. As with all prejudice in its time, it is a disease like high blood pressure: the people that have it feel great.

If you make this new rule it will welcome its own bending in ways you cannot control. Clancy knows men want to drink in peace. Did you know a few brews a day are good for you? Clancey has a mens health club. And if the only health club in Monroe is female only, what will you tell your son, when he has no place to excersize?

Children are not stupid, they are just inexperienced. They see how difficult institutions in our society make it for men to provide care for them. Not wishing to be a burden they ask mom for care. If you have single sexism gyms, which ones do you think will have the day care? Who do you think will have no choice but to take the kids with them when mom and dad go to seperate gyms?

Please give the individual a chance and say no to this proposal.

david meldman

I am writing to you about the bill for same sex fitness centers.

Three years ago I was termed obese. I had had enough of my weight problem and myself. My sister who is thin and in good physical shape offered to take me to a few of those "trendy" fitness centers in the twin cities area. I was a walking spectacle! I have never felt so out of place and intimidated as I did there. Everyone was in pretty good if not great shape. They obviously weren't there to get into shape; they were there to show off their shapes. I was stared at and felt very uncomfortable. This was defiantly not the place for me to get my life back in order.

I started walking and cutting back on meal portions; the weight was slowly coming off. With winter soon approaching I knew it would be hard if not impossible to keep up the exercise that I had started and to not back track. In September my prayers were answered. There was an ad in the shopper for Curves opening in River Falls. This has turned out to be a dream come true.

I had gained some weight during pregnancy, but after a serious leg injury and having to sit around for months with my leg in the air to heal I had bulked up to almost 250 lbs. I am now down to a comfortable 135 lbs. and in better shape than I have ever been. I feel comfortable at Curves. There are ladies there from 15 to late 80's, and sizes from 2-? (Very large). It is a very relaxed atmosphere. In fact I believe in it so much that I started working there after my full-time job 1 night a week.

I am not anti-man. In fact I work with all men and get along with men generally better than women in a working relationship. It's just that to feel comfortable in a workout type setting this is the best for me, and obviously by the popularity of these types of centers for a lot of other women.

If there is anything that I can do to help out PLEASE let me know. Sorry this is coming in so late but I was off work with surgery for the past few days and didn't get the email back.

Thanks again for your help in this matter.

Lurene Johnson

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## **Fitness Centers In Sex-bias Dispute**

**Curves Is Being Sued, And A Bill Would Exempt Fitness Centers From The Gender-bias Rule.**

**Wisconsin State Journal :: FRONT :: A1**

**Sunday, February 9, 2003**

**Tom Sheehan State government reporter**

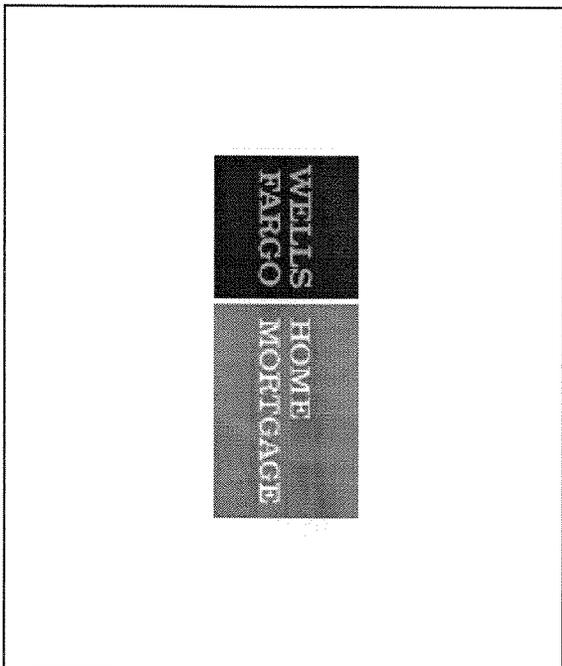
Curves fitness centers are as popular with some women as roses on Valentine's Day. More than 5,000 of the franchises have been sold in the United States since 1995.

"Women just want to have their privacy when they work out," said Casey Schroeder, who owns five Curves centers in western Wisconsin and eastern Minnesota. Curves markets fitness and weight loss programs to primarily women.

But Charles Swayne of La Crosse has a problem with what he calls the exclusive nature of Curves. He's giving Schroeder and Curves corporate headquarters in Waco, Texas, a legal workout.

Swayne, who has owned fitness centers in La Crosse, has filed claims against 173 Curves franchises in Wisconsin, saying they violate state anti-discrimination laws for public accommodations. That law prohibits discrimination in public accommodations based on sex, race, color, creed,

disability, sexual orientation, national origin or ancestry.



In addition to fighting Swayne's gender discrimination claims, Curves owners in the state are supporting a bill that would create an exception to the discrimination law for fitness centers. A legislative hearing is scheduled on that proposal this week.

In the early '90s, Swayne wanted to open his own female-only fitness center but state regulators said that would be illegal, said Swayne's attorney, Dawn Marie Harris. Swayne was not allowed to hold aerobics classes exclusively for women.

Now, Swayne's legal battles are coming to a head. An administrative law judge found Curves violated the law in one of those 173 claims, but the company has appealed that decision. A ruling has not been issued in the appeal. But a ruling is expected soon on another claim, and those two

cases could serve as test cases for the remaining 171 claims, Harris said.

Curves will continue to appeal Swayne's cases, if necessary, said Roger Schmidt, general counsel for Curves International in Waco.

Wisconsin's law is more restrictive than that of any other state, he added. "This is not about discrimination, it's about privacy. I do not want women working out where I work out, and in Texas, we don't have that (law) here," Schmidt said.

Wisconsin is the only state in which Curves faces discrimination claims or lawsuits, Schmidt said. Men are welcomed to join, but nationwide none currently belong, he said.

Swayne's claims were filed with the state's Equal Rights Division. Curves owners from across the state have joined forces, hiring an attorney and a lobbyist, Schroeder said.

Some states, including Massachusetts and Illinois, have created exceptions to their discrimination laws for fitness centers, said Gordon Malaise, an attorney for the Legislative Reference Bureau.

The Curves bill, introduced last week by Sen. Carol Roessler, R-Oshkosh, would create a narrow exception in Wisconsin, he said.

Roessler said she was asked to introduce the legislation by the owner of Curves in Fond du Lac and West Bend. Fitness centers should be able to decide who they want to cater to, she said. "This would give those facilities a choice to provide for particular gender-only times," Roessler said.

Although some women don't mind exercising in a co-ed environment, others want privacy, Roessler said.

"They can come as they are, without feeling they have to dress up and wear makeup," Roessler.

Women should not support Roessler's bill, however, Harris said.

"Are we (women) going to go back to the dark ages and not be able to compete on golf courses and that sort of thing?" asked Harris, suggesting the term "fitness center" could be loosely interpreted.

If you go

\* What: Public hearing on bill introduced by Sen. Carol Roessler, R-Oshkosh, that would allow fitness centers to decide who they want to cater to. It is being heard by the Senate Committee on Health, Children, Families, Aging and Long Term Care.

\* When: 10 a.m. Thursday.

\* Where: Room 201 Southeast at the Capitol.