Government Relations Update  
Week of 4/27/2020

COVID-19 Developments:
PHTA began to see some positive sign for the industry in states that have issued strict Stay-At-Home Orders and have been creating barriers for essential industry services. States like Pennsylvania and Michigan have been the target of many PHTA efforts over the last few weeks.

- **Pennsylvania:**
  On April 23, Pennsylvania Governor Tom Wolf issued guidance for all construction businesses and employees, in response to announcing construction in the Commonwealth may resume May 1. This guidance for new construction, renovation and repair work, must be followed in accordance with the Secretary of Health’s Order issued on April 15. The guidance stemmed from an amendment to the Governor’s original Order, which allows for private and public construction to resume in the state on Friday, May 1. See the Governor’s Press Release here.

- **Michigan:**
  On April 24, 2020 Governor Whitmer issued a press release and a new Order that extended Michigan’s “Stay Home, Stay Safe” order through May 15. The new Order lifted some restrictions on outdoor activities and allows some workers who previously were not allowed to work, to resume activities. This order took effect immediately. Section 10 of the Order permits resumption of activity by:

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- (a) Workers who process or fulfill remote orders for goods for delivery or curbside pick-up.

- (d) Maintenance workers and groundskeepers who are necessary to maintain the safety and sanitation of places of outdoor recreation not otherwise closed under Executive Order 2020-43 or any order that may follow from it, provided that the places and their workers do not provide goods, equipment, supplies, or services to individuals, and subject to the enhanced social-distancing rules described in section 11(h) of this order.

PHTA has been working tirelessly with the PHTA Michigan Chapter and additional members. The combined efforts led to obtaining additional clarification from the Governor’s office in direct response to an inquiry concerning the pool and hot tub industry: “Pursuant to Executive Order 2020-42 the business is considered essential if the work is necessary to maintaining the safety, sanitation, and essential operation of residences.”

PHTA believes this order will:

1. Allow retail stores to operate via delivery or curbside pick-up, and

2. permit service companies to resume maintenance (and opening) of pools and hot tubs. All businesses must adhere Section 11(h) of the new Order. PHTA also recommends that members download a copy of the new Order and Press Release, as well as the blast email PHTA sent to Michigan members, to have at their place of business and in their trucks. Additional resources on why maintaining pools and hot tubs is essential can be found at https://www.phtacoronaupdate.com

To see reopening status, plans, and phases across the country, click here.

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Legislative, Regulatory, and Local Developments:

States throughout the country continue to cope with the impact of COVID-19. Many measures from this session have failed or have been suspended until next session due to the virus.

- **States that have adjourned sine die include:**
  WA, OR, ID, SD, NM, WY, IN, FL, WV, MD, CT, and ME.

- **States actively meeting include:**
  MO, AR, KY, MI, OH, PA, NJ, VT, and MA

- All other states are either in special session or have adjourned, suspended, or postponed their session due to COVID-19.

Legislation:

- **California SB 955:**
  This measure would impose specified requirements on specific camp activities including, among others, riflery, archery, horseback riding, climbing, swimming, and scuba diving. The bill would require each camp to obtain specified certifications before offering high-risk activities. This bill would require an organized camp and a recreational camp to obtain a license from the local agency of the jurisdiction where the camp is located before operating a camp. The bill would establish a procedure for a camp to apply to a local agency for a license and would authorize a local agency to charge an application fee in a specified amount. The bill would require the local agency to inspect a camp for compliance with these provisions before issuing a license to operate. The hearing on March 25 in the Senate Committee on Health chaired by Senator Richard Pan (D) has been postponed due to the COVID-19 outbreak. This measure awaits further committee consideration at the discretion of the Chair. All public testimony will be accepted and heard during the hearing. Written testimony should be submitted to the Committee in advance.

Regulation:

- **Utah:** UT Department of Health proposed rule: Design, Construction and Operation of Public Pools. The Department proposed amendments to the rule updating the design, construction, and operation standards for public pools and spas. The amendments clarify language concerning the interlocking of chemical feed pumps. Specifically, the...

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amendments add a requirement for chemical feed systems to include two layers of interlocking protection for a low or no flow condition, so that the operation of the feeders depends on the operational flow of the main circulation system. The interlocking must be accomplished through an electrical interlock interface, consisting of:

1. a flow meter or flow switch at the chemical controller and

2. chemical feeders wired electrically to the circulation system. Requests for a hearing are due 4/30/2020. Comments are due 7/1/2020.

PHTA is working with Utah members to inquire further about this and determine what steps are needed. If interested in getting involved, please contact Brendan Scanland.

Local:

- **Annapolis, Maryland:**
  The Annapolis City Council will meet on April 27th to consider a Resolution relating to Swimming Pool Fees - For the purpose of specifying the fees that will be charged for use of the new City of Annapolis swimming pool; and setting an effective date.

- **Alturas, California:**
  On April 21st, 2020, the City Council discussed if the City will be able to operate the swimming pool for the season due to COVID-19 safety procedures and restrictions.

Florida Session Adjourns:

- The 2020 Florida Legislative session was slated to end on Friday, March 13 but was extended a week to finalize the state budget as COVID-19 considerations required further deliberation. The Legislature ended all other work late on the 13th, with the budget the only item they would return for a week later, amid the growing pandemic. See our Florida recap from PHTA Director of Government Affairs, Jennifer Hatfield, here.