

HB 3177 – Covid Business Equity Act
House Committee on Economic Recovery and Prosperity
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Jim Zupancic Testimony

Chair Lively, Vice Chairs Cate and Kropft, Members of the Committee,

For the record, my name is Jim Zupancic and I am the owner of Stafford Hills Club, a full-service health and fitness club in Tualatin, Oregon. I also serve as the President of the Board of Directors for the Oregon Health & Fitness Alliance, which advocates on behalf of the more than 450 health and fitness clubs operating throughout the state, the vast majority of which are small, family-owned businesses. Thank you for the opportunity to testify today on HB 3177, the Covid Business Equity Act.

Over the last year, Oregon's health and fitness industry has been devastated by mandated closures and restrictions that have unfairly targeted our industry. While we recognize the need to implement proven tactics to protect the health and safety of our club members such as social distancing, the wearing of masks and face coverings, enhanced sanitation, and top-of-the-line ventilation and HVAC units, the Governor's arbitrary mandates related to COVID-19 failed our industry by picking winners and losers in the fight against this virus. Our industry is part of the solution – not part of the problem. We help people stay healthy so they can fight diseases like COVID with stronger and healthier bodies.

The health and fitness industry provides vital social, emotional and physical health benefits to all Oregonians. The benefits of physical movement go well beyond simply exercise and help ensure that some of our most vulnerable community members are able to maintain their mobility, manage chronic diseases, and sustain their psychological wellness during challenging times. Most importantly, these arbitrary closures have harmed the most vulnerable Oregonians by denying them access to critical lifesaving services, equipment and facilities.

Yet the restrictions and mandates under the Governor's COVID-19 executive orders unfairly targeted and put unrealistic restrictions on the health and fitness industry, without offering any scientific proof or data as to why. Our facilities continue to be subjected to some of the most stringent and unrealistic occupancy limitations of any industry, and Oregon remains among the most restrictive states against our industry in the nation. Our facilities are currently limited to a maximum of 24 individuals in extreme risk counties and 50 people in high risk counties, regardless of that facility's size. As you may know, many of Oregon's health and fitness clubs encompass 30,000, 100,000 or even 600,000 square feet. These facilities are all subject to the same unrealistic, arbitrary occupancy caps regardless of their size, while big box retail stores are permitted to operate at 50% occupancy in both extreme and high risk counties, with no maximum occupancy limitations.

The occupancy limitation for health and fitness clubs is only one example of the way that our industry has been unfairly targeted and discriminated against during this crisis. HB 3177 would ensure that the Governor would not be allowed to arbitrarily choose winners and losers in an emergency situation. It is going to take all of us working together to ultimately prevail against the COVID-19 virus. This bill would ensure that all of us shoulder the burden of these restrictions equally, and that we collectively work together to make the necessary sacrifices to slow the spread of the virus and protect our communities.

The Oregon Health and Fitness Alliance appreciates the intent of this bill to ensure that any decisions around mandated business closures or restrictions be based on irrefutable and compelling scientific evidence and data. It is vital that this evidence be established and thoroughly evaluated before placing arbitrary and unfair restrictions on businesses or other entities who serve Oregonians.

Thank you again for the opportunity to testify today.