



COMMONWEALTH OF PENNSYLVANIA
OFFICE OF THE GOVERNOR
HARRISBURG

THE GOVERNOR

October 16, 2020

TO THE HONORABLE HOUSE OF REPRESENTATIVES
OF THE COMMONWEALTH OF PENNSYLVANIA

Pursuant to Article IV, Section 15 of the Pennsylvania Constitution, I am returning herewith, without my approval, House Bill 2513, Printer's Number 4340.

This bill jeopardizes public health and safety as it permits eating establishments, including restaurants, bars, clubs and banquet halls, to operate, up to 100% capacity, without having to follow any mitigation guidelines of the Centers for Disease Control and Prevention (CDC) or the Commonwealth. These federal and state mitigation guidelines were established to reduce the risk of spreading COVID-19 because of the severity of this pandemic. These guidelines not only protect customers, they also protect employees and the community.

By eliminating these critical protections, in addition to removing certain limits related to bar service and purchasing of alcoholic beverages, this bill increases the likelihood of COVID-19 outbreaks. Currently, cases of COVID-19 have been rising, with 172,169 confirmed cases and 8,457 deaths to date. To the extent there is a resurgence of the virus this fall and winter, we need these critical mitigation guidelines to remain in place, and we need to retain the ability to implement further mitigation measures if necessary. As we learned this summer, the risk of spreading COVID-19 in restaurant settings is unique due to the length of interaction with others in proximity and the inability to utilize prevention practices such as wearing masks.

We have been able to re-open businesses and schools because of the success of our mitigation efforts. If we do not promote health and safety measures that reduce the spread of COVID-19, there will be a resurgence of COVID-19 cases, thereby ending our successes, and risking our health and our lives. Instead of removing mitigation guidelines and encouraging behaviors that increase the spread of COVID-19, we need to be focused on getting our children back to school, keeping our schools and businesses open, and taking precautions to keep our communities healthy. We also need legislation that: provides funding for small businesses and child care; adequately assists struggling renters and homeowners; and provides paid sick leave for employees.

Lastly, this bill contains constitutional infirmities, as it attempts to take away executive authority during the existing COVID-19 disaster emergency. The courts already have ruled that there is but one mechanism to alter the existing emergency proclamation—a concurrent resolution terminating it. This bill represents another meaningless attempt to change a necessary tool for fighting the pandemic. These bills that do nothing more than seek to distract from our focus on helping Pennsylvanians cope and recover from this emergency must stop.

For the reasons set forth above, I must withhold my signature from House Bill 2513, Printer's Number 4340.

Sincerely,

A handwritten signature in black ink that reads "Tom Wolf".

TOM WOLF
Governor