**Commentary on Gov. Wolf’s most recent restaurant order**

**and How we can get restaurants opened again**

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Dominating headlines recently in Pennsylvania is Gov. Wolf’s post-Labor Day announcement that restaurants would be allowed to return to 50% fire code capacity, starting September 21. On the surface, the Governor’s team might be thinking they gave the industry what it’s been demanding since July 15—a return to 50% occupancy. Rather than being warmly received, this new order has been met with near universal distaste and outright anger because of the ludicrous strings attached.

The nearly 2-week delay between the announcement and the implementation is incomprehensible. The Gov.’s team gave the industry a full eight-and-a-half-hour window to abruptly pivot from 50% occupancy to the disastrous 25% occupancy. If we can shut down the industry that quickly, why the lengthy delay to boot it back up?

Ending alcoholic beverage service at 11 p.m. is the nail in the coffin for many operations. Many of you have reached out to us. The Secretary of Health says its to curtail congregating by college students at local bars, never mind the consequences to the majority of restaurants who don’t attract that crowd. Taking away bar service for the college kids will not stop them from congregating at private residences.

Bar seating is still prohibited. With social distancing, most restaurants cannot get to 50%.

Most egregious to many restauranteurs is the requirement to go through a state certification process to allow for 50% seating. In his announcement, the Governor said this provision was modeled after a program used by the state of Connecticut but failed to mention that Connecticut’s program applies to all retail businesses and, unlike Pennsylvania, does not unfairly discriminate against one business group – in this case restaurants.

PRLA was not consulted in advance of the release of Tuesday’s order. We do not support it. I point this out because Gov. Wolf touted the collaborative relationship between his administration and PRLA during Thursday’s press conference. However, our collaboration had effectively ended when his office released the July 15 order behind our back.

It is true that PRLA was the driving force with the administration to bring outdoor dining to the yellow phase, a move that provided a lifeline to 1000s of restaurants. PRLA spearheaded the drinks to go bill and collaborated with the PLCB to expedite the expansion of premises provision. PRLA also collaborated with the Governor’s Office to meticulously develop safe and sensible green restaurant reopening guidance. Why the administration threw out these safe and sensible guidelines with the surprise July 15 order still cannot be answered.

Had the Governor’s team consulted PRLA in advance of the July 15 or the September 8 order, it’s quite likely, many of the disastrous outcomes could have been avoided. PRLA has been available literally at a moment’s notice to assist the Governor and his team in making sound, practical decisions.

I spoke directly with the Governor earlier this week. He said that he has always wanted his team to work with us. As I pointed out to Gov. Wolf, that collaborative effort ended on July 15 when his team turned their backs on us. We did not walk away from the process.

Since July 15, we’ve turned our focus on legislative fixes to this mess. It’s a slower process than working directly with the Administration but our efforts are gaining traction.

PRLA endorsed PA house bill 2513 is on the move. This bill would essentially return restaurants and private event venues back guidelines that were in place prior to the disastrous and ill-conceived July 15 order. That means restaurants and private events could operate at 50%, bar seating would be restored, and the meal requirement to purchase alcohol would no longer be in place. Because of the PRLA legislative roundtables and the mobilization of the industry, 2513 passed with broad bipartisan support. The Governor immediately announced he would veto the bill. Though it passed with a vetoproof majority, we saw that with the school sports bill, 25 Democratic representatives flipped their vote thus sustaining Governor Wolf’s veto. I am repeatedly asked by frustrated and desperate restaurateurs, “What can I do to help?” At this moment our best hope lies in House Bill 2513.

It is critical that we reach out to all Democratic Reps that voted FOR 2513 and implore them to continue to stand with restaurants and private event venues. The role call list, contact info and talking points can be found at prla.org/hb2513.

It’s been a grueling 6 months, especially since July 15, and I know as an industry we’re losing hope. The overwhelming bipartisan support we’ve received for HB 2513 during the 13 roundtables we’ve held across the state in the last two weeks have begun to restore my faith. More than 200 legislators participated in our roundtables and not one has indicated that they did not support restaurants.