

**32ND SENATORIAL DISTRICT
FAYETTE, SOMERSET AND
WESTMORELAND COUNTIES**

- SENATE BOX 203032
HARRISBURG PA 17120-3032
(717) 787-7175
- 171 WEST CRAWFORD AVENUE
SUITE 2
CONNELLSVILLE PA 15425
(724) 626-1611
FAX (724) 626-1665
- 118 WEST MAIN STREET
SUITE 204
SOMERSET, PA 15501
(814) 443-2053
FAX (814) 443-2057

PAT STEFANO
STATE SENATOR



Senate of Pennsylvania

COMMITTEES

LAW & JUSTICE
CHAIR

COMMUNITY, ECONOMIC &
RECREATIONAL DEVELOPMENT
VICE CHAIR

RULES & EXECUTIVE NOMINATIONS

STATE GOVERNMENT

TRANSPORTATION

COMMUNICATIONS & TECHNOLOGY
POLICY COMMITTEE

JOINT LEGISLATIVE AIR &
WATER POLLUTION CONTROL
& CONSERVATION COMMITTEE

MINING RECLAMATION
ADVISORY BOARD

senatorstefano.com
www.facebook.com/SenatorStefano

May 6, 2020

Mr. Tim Holden
Chair
Pennsylvania Liquor Control Board
401 Northwest Office Building
Harrisburg, PA 17124

Chairman Holden,

Your testimony during the Senate Law and Justice Committee Hearing, held today, indicated that the closure of the Pennsylvania Fine Wine and Good Spirits stores due to the COVID-19 emergency, occurred without any official action by either the Pennsylvania Liquor Control Board (Board) or the Governor. This is deeply concerning for a number of reasons.

First, the expectation is that you oversee an independent agency with a board that makes significant decisions in a public forum. We consider a decision to shutter all of your physical locations a significant one. Your actions have consequences, affecting your employees and all other residents of Pennsylvania as taxpayers and customers. To learn that there was no official action in the decision to mandate closure of physical locations brings into question the role of the Board in overseeing the organization.

Second, in the absence of official action by the Board or Governor, as your testimony stated, we are left to question on what legal authority was the decision based to close the retail component of operations. You claimed that you have the authority to order the shut down, but to our knowledge, there was no transparent exercise of that perceived authority to issue the closures.

Third, without any official action taken by the Board or Governor, we can only surmise that staff of the Board must have ordered the closures. We can find no legal justification for any action to the level of closing the statewide system without formal Board action, executive order or legislative authorization.

Due to the severity of the consequences to the system and the Commonwealth, we request that you explain what authority ordered the closures, what measures did the Board take to ensure

transparency to the public, and what legal justification was used to make the decision to close the system.

Thank you for your time and attention to this request. We look forward to your prompt reply to our questions.



Senator Stefano
Chairman



Senator Scarnati
President Pro Tempore



Senator Corman
Majority Leader