



February 7, 2011

Senator Pete Brungardt  
Chairman, Senate Committee on Federal & State Affairs  
Kansas Statehouse, Room: 136-E  
Topeka, Kansas 66612

**Re: Marin Institute Opposition to Kansas Senate Bill 54**

Dear Chairman Brungardt:

Founded in 1987, Marin Institute is a nonprofit organization whose mission is to protect the public from alcohol-related harm. We advance policies to reduce over-consumption and monitor alcohol industry practices that undermine public health and safety. Given this background, Marin Institute is uniquely qualified to comment on the legal issues concerning state alcohol regulation and to help ensure that any changes to the oversight of alcohol are made in the interest of public health and safety.

Marin Institute strongly opposes Senate Bill 54 (SB 54) due to concern over the increase in alcohol availability in Kansas that will inevitably result. The scientific literature is abundantly clear that the more access people (especially youth) have to alcohol, the greater the number of problems communities will suffer.

In addition to the individual challenges of alcohol dependence and addiction, broader societal problems include drunk driving, increased health care costs, violent crime, and child abuse and neglect, just to name a few.<sup>1</sup> The present structure regulating alcohol in Kansas protects the public. Loosening licensing requirements in the pursuit of theoretical job creation and consumer convenience is shortsighted and comes at the expense of both the public coffers and public health. In the long term, any alleged benefits will only be offset by increased financial and societal costs associated with unwarranted alcohol consumption both by youth and adults.

With looming budget deficits<sup>2</sup> and unemployment near seven percent,<sup>3</sup> it is only prudent that Kansas explore avenues that may provide economic relief for its citizens. Unfortunately, SB 54 is far from the silver bullet that its proponents claim it to be. Without a tax increase on alcoholic beverages, the only way for tax revenues to rise is for more alcohol to be sold. Increasing the number of retail licenses, lower prices, and questionable marketing practices will likely follow if consumption is to be increased.

Moreover, arguments suggesting that SB 54 will create new jobs are spurious at best. The only way SB 54 will create more jobs is if more alcohol is sold. What follows is a familiar pattern of lowered prices and increased availability, all of which will contribute negatively to health and safety of the people of Kansas. Moreover, SB 54 will likely do nothing with regard to employment other than reshuffle the deck such that big-box retailers, with their economies of scale, can out-compete in-state local retailers. While discussions about efficiency and innovation have their place, alcohol is no ordinary commodity and to treat it as such ignores our nation's troubled history with it.

Finally, the contention that SB 54 is about consumer convenience and will improve access to food is dubious at best. While improving access to healthy food is of importance to everyone, claiming that SB 54 about food access is shameless spin: the bill is "an act concerning alcoholic beverages." In reality, SB 54 directly seeks to expand where alcohol can be sold, so let's at least be honest about that. Because increased availability of alcohol directly correlates strongly with more harm, Marin Institute strongly opposes any measure that increases the number of outlets where alcohol can be sold.

To ensure the health and safety of its residents, the Kansas legislature must reject SB 54. Increasing availability of alcohol for short term economic gains will result in increased financial and societal costs due to increased alcohol consumption.

Thank you for your attention to this matter.

Sincerely,

(sent via email)

Michele Simon  
Research and Policy Director  
Marin Institute  
San Rafael, California

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<sup>1</sup> [http://www.cdc.gov/alcohol/quickstats/general\\_info.htm](http://www.cdc.gov/alcohol/quickstats/general_info.htm)

<sup>2</sup> [http://budget.ks.gov/publications/FY2012/Governors\\_Budget\\_Testimony\\_1-13-2011.pdf](http://budget.ks.gov/publications/FY2012/Governors_Budget_Testimony_1-13-2011.pdf)

<sup>3</sup> [http://data.bls.gov/pdq/SurveyOutputServlet?data\\_tool=latest\\_numbers&series\\_id=LASST20000003](http://data.bls.gov/pdq/SurveyOutputServlet?data_tool=latest_numbers&series_id=LASST20000003)