

Testimony of Bob Young
Why I See
before the
Ohio House Commerce and Labor Committee
in opposition to the Sunday sales portion of Sub. Senate Bill 102

Thank you Chair Stein, Vice Chair Johnson, Ranking Member Lepore-Hagan and members of the Commerce and Labor Committee. My name is Bob Young, and this is my third time testifying before this committee against steps toward granting Sunday alcohol sales to all Ohio permit holders. While I am grateful for the opportunity to be heard today, I am dismayed to find myself here for the third time in three years fighting for my company's continued survival as well as for the coalition of faith leaders, advocates for social responsibility, and retail permit holders who have followed the rules and taken the steps to earn the privilege of selling alcoholic beverages on Sunday.

In my previous testimonies I've provided a much longer list of retailers like Clarence Cardwell, who owns three rural grocery stores, Discount Drug Mart, Kroger and other great Ohio retailers who have full Sunday licenses at most or all of their Ohio locations. Each of these circulated petitions to their local neighbors to get on the election ballot, and the majority of these neighbors voted Yes to support the Sunday sales. These are also among the stores that provide good jobs and benefits to their employees while best supporting their local food growers, little league teams and schools. They in turn have received the benefit of voter support for Sunday sales, which have given most Ohio companies a competitive advantage one day per week.

Thousands of other permit holders have not made the same efforts. Out of state retailers who haven't made the same investments in their communities include CVS, Walgreens, Family Dollar and Dollar General, and the majority of their stores don't have Sunday licenses as a result. Twice I've testified that only 2 Dollar General stores have Sunday licenses out of 361 Dollar Generals with beer and wine in Ohio. In preparing this testimony I was surprised to learn that it's now 2 Dollar Generals out of 390 with beer and wine sales.

Many Ohio retailers understand that if this legislature gives Sunday sales to 388 Dollar Generals, then every bottle of wine they sell is going to be one less bottle of wine sold at the nearby grocery. Clarence Cardwell talked about the food deserts created by these businesses whose model is to always do the minimum, often driving the good retailers, those doing more, out of business. It's said you can't rob Peter to pay Paul. In this case, Peter is more often than not the guy doing the best job, which is why he collected signatures and asked his neighbors to support the Sunday license. Paul more often than not hasn't bothered, and in some cases neighbors have chosen to support their local grocer or restaurant over the other business not doing as good a job.

That HB 219 did not pass, that Sunday sales in HB 674 did not pass, is a testament that legislators understand and have heard the concerns of Ohio businesses, health and faith organizations, and voter representatives regarding blanket Sunday sales. But here we are, still, as this body deliberates over new legislative aims affecting the Sunday sales vote. Senate Bill 102, affecting home brewers, received near unanimous support before the new Sunday-sales language was amended into the bill by this committee without public discussion. To my knowledge today is the only hearing the new Sunday-sales language will receive.

I sincerely hope the concerns of voters and the public generally will also factor into the committee's decision on this provision. When I spoke with one of the proponents two weeks ago, he said, "Why should there be a difference between wine and liquor? Why should Sunday be different than any other day?" The answers to those questions have bearing upon this deliberation.

The beer and wine versus liquor question is one reason this keeps coming up. The national liquor industry testified on HB 219 that their profits would increase by tens of millions if granted statewide Sunday sales. When pressed at the time by the committee chair as to whether there would be an increase in alcohol related crime, they testified that there would not be an increase in crime because alcohol sales would not increase overall. They just want to capture more market share from beer and wine makers and sellers, which are sometimes permitted on Sunday when liquor isn't. So is there a difference between liquor versus beer and wine? The legislators who created the Sunday sales options believed there is a difference, as do voters in many communities who have supported beer and wine but not liquor. We all know what that difference is, because alcohol is exactly the same now as it was then. It's the difference between a gun and a machine gun. The bullets of liquor come out faster and hit you harder. Liquor feeds addiction faster. I lost my best friend, Glenn Vanik, the property manager for Inn Town Homes here in Columbus, five years ago at the age of 51. By the end he would sit at the bar and pound shots of Jim Beam until he passed out, sometimes just an hour gone by. The alcohol killed him, as it has killed many others. You can get a DUI with beer and kill someone, but it takes a lot more time and effort. "Hey, you want a drink? Nah, I'll just have a beer." We all know what the difference is.

Similarly, Sunday is an exceptional day compared with other days of the week. Most Ohio restaurants and grocery stores choose to have reduced Sunday hours, even when they have alcohol sales. This is the case with some bars as well, but a bar is about selling as much alcohol as possible, while restaurants and grocery stores are more a reflection of our regular lives. And as statistics continue to demonstrate year after year, Sunday still has the lowest incidence of crime of any day of the week, year after year, while Saturday has the highest incidence of crime. Not having alcohol available on Sunday in some communities makes a measurable difference. And recognizing that Sunday is different does not make one a religious zealot. As one member of this committee commented on HB 219, some communities just want a break from it, just a day of rest one day per week. It is worth noting here that the current language doesn't grant Sunday sales to all permit holders but rather just makes it much easier for that to be accomplished. As the proponent I spoke with said, "A lot of us would like to go a whole lot farther." Opponents of this legislation believe Sunday alcohol proponents are just going to keep pushing this until they get seven day alcohol sales statewide, so we are going to have to just keep coming in and testifying and asking this committee to say No. Which is what we're doing today, for the third time in three years.

Everything with Sunday-sales licensing is already working exactly the way it was intended, and it is working well. Those willing to reach out to their neighbors are able to earn a benefit, bars, restaurants, liquor stores, strip clubs, every permit holder. Voters can say Yes, and voters can say No. Neighborhoods and small towns can have liquor served seven days per week, they can limit sales to six days per week, or they can say *not in my town*. The out of state liquor industry is asking for something the voters haven't granted them. They're asking the legislature to intervene to help them over Ohio grocers and beer and wine manufacturers. Chair Stein, Vice Chair Johnson, Ranking Member Lepore-Hagan and committee members, protect voter rights, protect Ohio communities and Ohio business sales by removing any elements affecting the integrity of the Sunday local-option process from Sub. Senate Bill 102. Thank you.