



TO: Members, Assembly Committee on State Affairs
FROM: Maureen Busalacchi, Health First Wisconsin
RE: Assembly Bill 61
DATE: April 18, 2013

We are pleased that the Legislature is interested in preventing underage drinking in Wisconsin, but Assembly Bill 61 is heading down the wrong path.

We feel that the bill does not have all the aspects needed to effectively reduce underage drinking in the state of Wisconsin. Giving licensed premises the right to bring a civil action against an underage individual or their parent/guardian dilutes the responsibility of licensees to identify and refuse to serve underage individuals and creates troubling incentives for licensees.

First, under this bill the forfeited money would go right into the retailer's pocket, becoming a type of financial incentive to licensed premises owners, almost rewarding them for allowing underage drinking to occur at their establishment. If this money were instead put toward some type of prevention effort, there may be a better argument that this policy could over time reduce underage drinking in our state. Second, these civil actions brought by the licensee would be cases that could be very difficult to prove in the court of law and in turn waste valuable time, money and resources that municipalities throughout the state cannot afford. Finally, since the forfeiture does not incentivize bouncers and bartenders on the front line, it misses an opportunity to reward these workers for their part in reducing underage drinking.

In addition, many states with much lower rates of underage drinking hold licensees responsible when they serve a minor, or when patrons they serve harm others because of their intoxication. This is the direction we should be going if we're serious about reducing alcohol-related harms in Wisconsin. In Alaska, where this current legislation is modeled after, licensed establishments face possible license revocation for serving a minor and a \$5,000 fine. In Wisconsin, serving a minor is up to a mere \$500 fine to the licensee.

We need to hold person(s) who allow underage individuals into a licensed premises and serve them alcohol accountable for their actions. Having an alcohol license is a privilege, not a right. Operators should be doing their job responsibly to ensure that underage drinking is not occurring in the first place. For meaningful change to occur, licensees must strengthen their commitment to proactively identify underage individuals and refuse to serve them. Preventing initial access to alcohol will help reduce underage consumption in the state.

We ask this committee to oppose this legislation.