

Approved 3/3/83
Date

MINUTES OF THE SENATE COMMITTEE ON FEDERAL AND STATE AFFAIRS

The meeting was called to order by Senator Edward F. Reilly, Jr. at
Chairperson

11:00 a.m. ~~xxxx~~ on March 2, 1983 in room 254-E of the Capitol.

All members were present ~~except~~

Committee staff present: Emalene Correll, Legislative Research
June Windscheffel, Committee Secretary

Conferees appearing before the committee: Senator Jack Steineger
Jack Milligan, Kansas Association of Private Clubs
Myrna Preisner, Topeka Convention and Visitors' Bureau
Tom Green, Kansas Retail Liquor Dealers Association
Jim Edwards, Kansas Association of Commerce and Industry
F. L. Wasserman, K. U. Student
The Reverend Richard Taylor, Kansas for Life at its Best
Lester Holloway, Attorney-at-Law, Wichita, Kansas
Karl Gaston, Ellsworth, Kansas

SCR1606 - relating to a constitutional amendment to allow sale of liquor-
by-the-drink .

The Chairman recognized Senator Jack Steineger who appeared as author of SCR1606. Senator Steineger spoke in favor of the proposed legislation, and copies of his remarks are attached. (Attachment #1)

Jack Milligan was the next to appear as a proponent of SCR1606. Copy of his testimony is attached. (Attachment #2)

Myrna Preisner appeared as a proponent to read a letter which she had received from a Californian who had been quite disenchanted with the inability to find a suitable dining place while in Kansas. A copy of the letter is attached. (Attachment #3)

Tom Green spoke to SCR1606. He said that the organization he represents supports the position of moderate consumption and education in the use of alcohol. The decision of whether to partake of a recreational beverage is an individual choice which each individual should be free to make. They have never and will never support legislation which at best would tend to encourage the irresponsible use of the products sold by the industry they represent. The people ought to be given the opportunity to decide once again whether the ban on the "open saloon" should continue.

F. L. Wasserman, a student who has done quite a bit of research in the area of alcoholic beverage control, especially in the area of the legislation in Kansas, appeared as a proponent of SCR1606.

Jim Edwards presented the statement as representative of KACI. It is attached as the remarks of a proponent of SCR1606. (Attachment #4)

A statement from John A. Myers, President, Travel Industry Association of Kansas, is attached. They requested it be a part of the record. (Attachment #5)

The Reverend Richard Taylor appeared in opposition to SCR1606. Copies of his prepared statement and other printed material is attached. (Attachment #6, #7, and #8)

Lester Holloway was introduced as the next opponent to SCR1606. Mr. Holloway said that he does not represent any particular group. He said that

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON FEDERAL AND STATE AFFAIRS,
room 254-E, Statehouse, at 11:00 a.m. ~~pm~~ on March 2, 1983.

he had practiced law for 30 years: the first 16 years he spent building up a law practice. Then 14 years ago he hit rock bottom with the terminal illness of alcoholism. He spent 30 days in Valley Hope at Norton, and has spend the years since then in rebuilding his law practice and in rebuilding his life. He spends much of his time in volunteer work for alcoholism.

Karl Gaston said that he would like to go on record as being opposed to this legislation. He has been opposed for a long time and said he does not feel the need to make alcohol more accessible. "If it ain't broke, don't fix it," he said. He said that he thought maybe our alcoholic beverage control legislation has been bent, but it isn't broken and he does not think it needs any change at this time. He said that he has two organizations who belong to KACI and the KACI does not represent him in being for this legislation.

General Kennedy presented a memorandum for the record, which is attached. (Attachment #9) It said that a vote for the proposed amendment would permit the sale of liquor by the drink in any county where the voters approve its sale in their county, and a vote against the proposed amendment would continue the current prohibition against the sale of liquor by the drink. The Director of the Alcoholic Beverage Control Division is neither a proponent nor an opponent of this bill and feels it is purely a legislative matter.

Senator Morris moved that the Minutes of February 22, 1983, be approved. 2d by Senator Meyers. Motion carried.

The meeting adjourned at 12:00 noon.

*March 2, 1983
Attachment #1*

REMARKS OF SENATE MINORITY LEADER JACK STEINEGER
FEDERAL AND STATE AFFAIRS COMMITTEE
SCR 1606
MARCH 2, 1983

MR. CHAIRMAN, MEMBERS OF THE COMMITTEE, I APPRECIATE THE OPPORTUNITY TO VISIT WITH YOU AGAIN TODAY CONCERNING A SENATE CONCURRENT RESOLUTION WHICH WOULD ALLOW THE PEOPLE OF KANSAS TO DECIDE THE RULES IN THEIR COMMUNITIES. WHILE I HAVEN'T NECESSARILY BEEN THE BIGGEST FAN OF PRESIDENT REAGAN'S POLICIES, I SOMEWHAT AGREE WITH THE PRESIDENT THAT THE PEOPLE HAVE A RIGHT TO MAKE LOCAL DECISIONS AFFECTING LOCAL MATTERS. JUST AS THE UNITED STATES CONGRESS MAY NOT BE IN THE BEST POSITION TO MAKE SPECIFIC DECISIONS AFFECTING ALL 200 MILLION AMERICANS, THE KANSAS LEGISLATURE---OR A COMMITTEE OF THE LEGISLATURE---MAY NOT BE IN THE BEST POSITION TO DECIDE WHETHER WYANDOTTE COUNTIANS OR CRAWFORD COUNTIANS SHOULD PERMIT THE SALE OF LIQUOR-BY-THE-DRINK IN THEIR COMMUNITIES.

LIQUOR-BY-THE-DRINK ISN'T A NEW ISSUE FOR KANSAS OR THE KANSAS LEGISLATURE, AND IT HAS PRODUCED SOME OF THE MORE COLORFUL CHARACTERS IN KANSAS HISTORY, SUCH AS CARRIE NATION. IN FACT, THE FIRST CONSTITUTIONAL PROHIBITION ON DRINKING WASN'T ADOPTED UNTIL 1880---17 YEARS AFTER STATEHOOD.

STEINEGER/SCR 1606/2

MARCH 2, 1983

OUR CURRENT PROVISION WAS ADOPTED IN 1947---WHEN THOUSANDS OF GI'S RETURNED HOME FROM OTHER LESS-ARID PARTS OF THE WORLD. THE QUESTION WAS SUBMITTED TO THE KANSAS VOTERS 13 YEARS AGO, JUST AS WE PROPOSE IT BE SUBMITTED AGAIN. IN THAT ELECTION, THE PUBLIC SPOKE, AND THE AMENDMENT WAS DEFEATED BY LESS THAN 12,000 VOTES---ONLY 1.6 PER CENT OF THE VOTES CAST.

YESTERDAY, WHEN I APPEARED BEFORE THIS COMMITTEE, I ASKED EACH OF YOU TO PLACE YOUR TRUST IN THE VOTERS AND GIVE THEM THE OPPORTUNITY TO MAKE "THEIR" DECISION ABOUT HORSERACING IN KANSAS. TODAY, I'M MAKING AN IDENTICAL REQUEST. LET THE VOTERS MAKE "THEIR" DECISION ABOUT WHETHER THEY WANT TO ALLOW LIQUOR-BY-THE-DRINK AFTER A LOCAL VOTE. IS ANY ONE OF US SO ALL-KNOWING THAT WE'RE THE BEST JUDGE OF WHETHER A RESTAURANT IN KANSAS CITY SHOULD SERVE WINE WITH A MEAL? WHAT IS THE ECONOMIC LOGIC OF FORCING PEOPLE IN BORDER COUNTIES, SUCH AS JOHNSON AND WYANDOTTE, TO TAKE THEIR MONEY TO MISSOURI, WHEN THEY WANT TO GO TO DINNER AND HAVE A DRINK?

THE CHOICE FOR THIS COMMITTEE IS CLEAR. SIX OF YOU CAN SUBSTITUTE YOUR JUDGMENT FOR THE JUDGMENT OF THE PEOPLE. YOU CAN VOTE TO DENY THE PEOPLE THE OPPORTUNITY TO DECIDE WHETHER THEY WANT THE QUESTION OF LIQUOR-BY-THE-DRINK PUT BACK AT THE LOCAL LEVEL--WHERE IT BELONGS--OR HELD HOSTAGE BY A CONSTITUTIONAL STRAIGHTJACKET ORIGINALLY CONSTRUCTED BY 1880 TEETOTALERS.

STEINEGER/SCR 1606/3

MARCH 2, 1983

IF WE READ THE KANSAS CONSTITUTION, WE SEE THAT THE "OPEN SALOON" IS FOREVER PROHIBITED. THAT'S WHAT THE CONSTITUTION SAYS, BUT WHAT IT MEANS IS SOMETHING ENTIRELY DIFFERENT. IN PLAIN LANGUAGE, IT MEANS THAT "OPEN HYPOCRISY" IS FOREVER ALLOWED.

LET'S LOOK AT THE FACTS. AT THE END OF 1982 THERE WERE 411 CLASS A CLUBS AND 799 CLASS B CLUBS IN KANSAS---A TOTAL OF ONE THOUSAND TWO HUNDRED AND TEN PLACES WHERE A DRINK OF LIQUOR COULD BE OBTAINED. THAT'S NEARLY 500 MORE CLUBS THAN KANSAS HAD IN 1970, WHEN THE LAST CONSTITUTIONAL AMENDMENT WAS NARROWLY DEFEATED. OF COURSE, YOU MUST BE A MEMBER TO GET THAT DRINK, BUT HOW ABOUT RECIPROCAL MEMBERSHIP CARDS? JOIN ONE CLUB---GET A DRINK IN 150---OR MAYBE MORE.

I THINK THE STATISTICS MAKE IT CLEAR. KANSAS DOESN'T HAVE A SINGLE OPEN SALOON WHERE YOU CAN WALK THROUGH THE FRONT DOOR AND GET A DRINK. INSTEAD, WE HAVE "CLUBS" WHERE ONLY "MEMBERS" FROM AROUND THE STATE CAN GET A DRINK. TWELVE HUNDRED AND TEN CLUBS, IN FACT.

I ASK THE COMMITTEE, ISN'T IT ABOUT TIME TO END THIS KIND OF HYPOCRISY? ISN'T IT ABOUT TIME FOR KANSANS TO BE HONEST ABOUT 1983 REALITY AND QUIT PRETENDING WE OBSERVE 1880 MORALITY? ISN'T IT ABOUT TIME TO ALLOW THE PEOPLE OF KANSAS TO BRING THEIR CONSTITUTION INTO THE 20TH CENTURY?

STEINEGER/SCR 1606/4

MARCH 2, 1983

IN CLOSING, I WANT TO EMPHASIZE ONE VERY IMPORTANT FEATURE OF THIS CONCURRENT RESOLUTION. IT PROVIDES FOR A COUNTY OPTION ON LIQUOR-BY-THE-DRINK. THAT MEANS THAT A MAJORITY OF THE PEOPLE IN WYANDOTTE COUNTY, OR SALINE COUNTY, OR CRAWFORD COUNTY WOULD HAVE TO VOTE TO ALLOW LIQUOR-BY-THE-DRINK AFTER THE CONSTITUTION HAD BEEN CHANGED. THAT MEANS THE DECISION WOULD BE MADE LOCALLY, NOT IN TOPEKA, AND I SUBMIT TO YOU THAT THAT'S GOOD GOVERNMENT.

THANK YOU VERY MUCH.



Kansas Association of Private Clubs

(913) 357-7642 • 117 W. 10TH ST. • TOPEKA, KS 66612

3/2/83
Attachment #2

TESTIMONY ON SCR 1606
March 2, 1983
SENATE FEDERAL AND STATE AFFAIRS

Mr. Chairman, Members of the Committee. My name is Jack Milligan. I appear this morning in behalf of the Kansas Association of Private Clubs, and in support of SCR 1606.

The Kansas Association of Private Clubs feels SCR 1606 supports two very important points:

1. At issue in SCR 1606 is the basic right to vote on a matter currently inaccessible to the voters in our state. Surely, there can never be any harm to Kansas citizens as the result of a well publicized and accurately discussed statewide vote on any issue.
2. SCR 1606 would provide each of our 105 Kansas counties with the opportunity to decide via majority vote of it's qualified voters whether the sale of liquor by the drink should be permitted.

Thank you for the opportunity to visit with you this morning!

Respectfully submitted,
Jack Milligan, Exec. Director
Kansas Association of Private Clubs

Minutes of March 3, 1983

Attachment #3
**RODEWAY
INN**

9-13-82

Topeka Convention +
Visitors Bureau.

722 S. Kansas Ave.

Topeka, Kansas 66603

Dear Sir

While traveling through your city last weekend, we stopped at a Motel 6. At the desk was a pamphlet "For a Breath of Fresh Air Try Topeka". In it, you list #11 Show case Dinner Theatre, 417 W. 37th. This sounded like a nice place to dine but we were turned away because we did not have a membership & we did not stay at the right motel. It was to say the least quite embarrassing. We then

drove up Topeka Ave + found
a nice steak + ~~all~~ place +
found the same thing. No notice
outside or any thing. Not wanting
this to happen again we ate
at a fast food place. We
never want to go through Topeka
again. No nice places to dine
unless you have a membership?
How terrible. If you put out
pamphlets you should not list
places that are closed to
tourists.

a Unhappy Mother

Mrs Don Smedes

125 Hall St

Sevensville Calif

96130



Legislative Testimony

Kansas Association of Commerce and Industry

500 First National Tower, One Townsite Plaza

Topeka, Kansas 66603

A/C 913 357-6321

*Attachment #4
March 2, 1983*

KANSAS ASSOCIATION OF COMMERCE AND INDUSTRY

Testimony Before the

SENATE FEDERAL AND STATE AFFAIRS COMMITTEE

SCR 1606

March 2, 1983

Mr. Chairman and Members of the Committee:

My name is Jim Edwards, Director of Public Affairs for the Kansas Association of Commerce and Industry, and I am here today to review KACI's policy position on SCR 1606.

The Kansas Association of Commerce and Industry (KACI) is a statewide organization dedicated to the promotion of economic growth and job creation within Kansas, and to the protection and support of the private competitive enterprise system.

KACI is comprised of more than 3,000 businesses which includes 200 local and regional chambers of commerce and trade organizations which represent over 161,000 business men and women. The organization represents both large and small employers in Kansas, with 55% of KACI's members having less than 25 employees, and 86% having less than 100 employees.

The KACI Board of Directors establishes policies through the work of hundreds of the organization's members who make up its various committees. These policies are the guiding principles of the organization and translate into views such as those expressed here.

The Kansas Constitution has a section prohibiting the open saloon, or as we know it, the ability to buy liquor by the individual drink for public consumption.

KACI has taken the position for the past 10 years that the voters of the state should have the opportunity to repeal this section of the constitution. This issue has received statewide publicity during this same period of time, so the voters are well informed and would vote responsibly on this issue when allowed to do so.

We urge you to pass this resolution from this Committee with a favorable recommendation.

Thank you for the opportunity to appear before you today.



Travel
Industry
Association of
Kansas

Crosby Place, 717 Kansas Avenue
Topeka, Kansas 66603 913/233-9465

March 2, 1983

*Minutes of March 2, 1983
Attachment #5*

The Honorable Edward Reilly
Chairman
Senate Federal and State Affairs Committee
State Capitol Building
Topeka, Kansas 66612

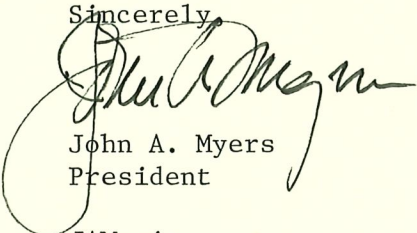
Dear Senator Reilly:

The Travel Industry Association of Kansas is a statewide organization dedicated to the promotion and development of travel and tourism in Kansas. One of our primary objectives is to promote a better understanding of the positive impact travel and tourism has on the economic well-being of individual communities, and the state as a whole. A measure under consideration by your committee, SCR 1606, relating to liquor by the drink, has significant potential for enhancing travel and tourism business in Kansas.

At its meeting February 28, the TIAK Board of Directors adopted a policy which supports the right of Kansans to have an opportunity to vote on the issue of liquor by the drink.

We would appreciate it if you could enter these comments in the record as your committee continues its deliberation of SCR 1606. Thank you.

Sincerely,


John A. Myers
President

JAM:mjp

Attachment #6
March 2, 1983

Hearing on SCR 1606, March 2, 1983
Senate Federal and State Affairs Committee

Richard Taylor
KANSANS FOR LIFE AT ITS BEST!

Mr. Chairman, sometimes it seems I am in an adversary relationship with the legislature. That bothers me. My adversary is human suffering, not any lawmaker. All across Kansas I tell people we are fortunate to have what I believe is the finest legislature of any state. When someone claims you waste time in Topeka, I tell them they ought to visit the statehouse, see you grab a sandwich and milk, take it to your desk or committee room, follow you from committee to committee to general orders debate on the floor. Every citizen has the right to differ with you on how you vote, but no one has the right to say you do not work hard. When you vote for less alcohol and gambling suffering, we are grateful. When you vote otherwise, we are disappointed, but we respect your right to vote as you think best for Kansas.

The Kansas Supreme Court is the interpreter and guardian of our Constitution. Do six members of the committee and fourteen Senators have the right to reject a constitutional change that is not truly good for Kansas? In Moore V. Shanahan, Volume 207, Kansas Reports, you not only have that right, you have a constitutional responsibility to do so. (All words in capital letters to follow are from that decision.)

THE RIGHT TO VOTE IN ANY ELECTION IS A PERSONAL AND INDIVIDUAL RIGHT, TO BE EXERCISED IN A FREE AND UNIMPAIRED MANNER, IN ACCORDANCE WITH OUR CONSTITUTION AND LAWS. . .IT IS EVERY ELECTOR'S PORTION OF SOVEREIGN POWER TO VOTE ON QUESTIONS SUBMITTED. . .THE KANSAS CONSTITUTION WAS ADOPTED IN 1859, AND IS THE SUPREME AND PARAMOUNT LAW, RECEIVING ITS FORCE FROM THE EXPRESS WILL OF THE PEOPLE. . .THOSE WISE MEN SAW THAT. . .RESTRICTION WITH RESPECT TO AMENDMENT AND REVISION WAS THE POLICY OF THE CONSTITUTIONS OF THE STATES THAT WERE SELECTED AS MODELS. . .THE IDEA OF THE KANSAS PEOPLE THUS RESTRICTING THEMSELVES WAS A PART OF THE AMERICAN SYSTEM OF WRITTEN CONSTITUTIONS.

The Kansas people restricted themselves to their right to vote on constitutional changes which receive the approval of the legislature. This Supreme Court decision goes on to explain that it must be possible to amend our Constitution, but it should not be easy. Therefore the two steps. If the legislature approves a change the change shall be submitted to the electors for their approval or rejection.

The Legislature has the POWER TO INITIATE ANY CHANGE IN THE CONSTITUTION. The LEGISLATURE, IN PROPOSING AND AGREEING TO AMENDMENTS AND SUBMITTING THEM TO THE PEOPLE, IS ACTING UNDER LIMITED AUTHORITY. . .AND the approved Resolution SHOULD BE TAKEN AS A REQUEST FOR A CHANGE. The legislature PRESENTS, IT RECOMMENDS, BUT IT DOES NOT DECIDE.

We agree with the Kansas Supreme Court. You not only have the right to vote on the merits of any constitutional change, you are required to do so.

Lawmakers who believe the sale of liquor by the drink to the public is truly good for Kansas will want to vote for SCR 1606. Legislators who believe increased alcohol consumption and suffering is a step in the wrong direction will want to vote NO.

Respectfully,

Richard Taylor

Hearing on SCR 1606, March 2, 1983
Senate Federal and State Affairs Committee

Richard Taylor
KANSANS FOR LIFE AT ITS BEST!

For the November election of 1978, every county had the right to petition for a vote of the people on the public sale of our most abused drug by the drink. Out of 105 counties in Kansas, only 45 thought it important enough to obtain petitions for the vote. The public sale of liquor by the drink carried in 15 counties, including the big four.

It is interesting to note the 1978 vote in Ellis County found 46% of the voters voting NO. That is an increase of 10% over the 1970 vote. Some leading Roman Catholics in that county came out publically against increased alcohol consumption and suffering.

Mr. Chairman, in your county only 32% of the voters said NO to the public sale of this dangerous drug by the drink in 1978, but that is a 4% increase over the 1970 vote.

Kansas laws that tend to reduce the consumption of alcohol and related suffering are called "hypocritical" by promoters of this sneaky, deceptive, powerful social drug. If they are genuine in their concern, they would wipe from our law books KSA 65-4102(e). That is hypocrisy in print.

Alcohol passes the test to be applied in determining a controlled substance. If we do not control this substance with KSA 65 laws, it must be controlled with other laws.

The 1981 National Research Council report Alcohol and Public Policy found that "the more drinking there is in the general population, the greater the number of people chronically dependent on alcohol and the greater the extent, therefore, of serious alcohol-related health effects".

Every state has a private drug club problem. The public sale of liquor by the drink will not put out of business our private drinking clubs. As in other states, public liquor by the drink outlets are in addition to private drinking clubs.

Increased total social consumption results in more alcoholics per 100 people, more alcohol-drugged killers on our highways, increased job absenteeism, lower worker productivity, increased wife and child abuse and more birth defects.

Concerned drinkers and non-drinkers ask one question of every proposed change in alcohol control laws. "Will the proposed change tend to encourage Kansans to drink more alcohol than they are currently consuming?"

PREVENTION OF ALCOHOL PROBLEMS IS POLITICAL ISSUE

David Robinson, senior lecturer in sociology at London's Institute of Psychiatry, said in a paper published by the London Council of Alcoholism: "The time is well past to expect research or sweet reason to make any impression on the problem. They have, of course, provided us with the facts and suggested the goals, but to use the former to reach the latter requires action. It requires coordinated political action, because the prevention of alcohol problems is, at heart, a political issue."

"The fact that alcohol is still getting cheaper year by year is a scandal of political irresponsibility, as is the fact that European Economic Community policies on production, distribution, and taxation of alcohol have been pursued without any consideration of their effects on health and welfare," Dr. Robinson said.

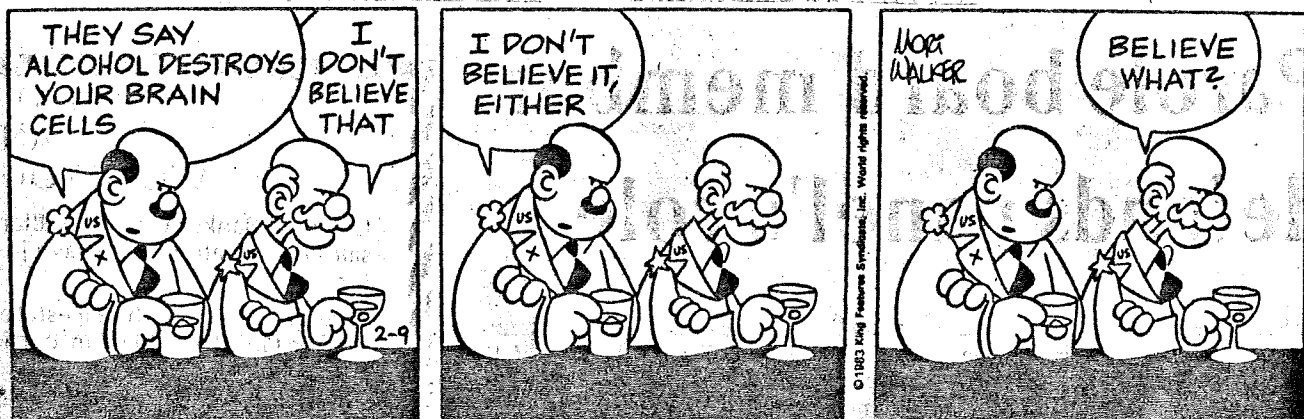
The Journal, November 1, 1980
Addiction Research Foundation
Toronto, Ontario, Canada

Abraham Lincoln, speaking for freedom from slavery of one human being to another and for freedom from slavery of society to alcohol said, "how proud the title of that land, which may truly claim to be the birthplace and the cradle of both those revolutions that shall have ended in that victory." (February 22, 1842)

The civil war was fought and freedom won in Kansas before the great armies of north and south met on fields of battle. The battle for freedom from personal or social slavery to alcohol is still being fought in Kansas.

Beetle Bailey

12 Topeka Capital-Journal, Wednesday, February 9, 1983



A recent Salina concert, John Denver talked about a friend with an alcohol problem. He used this old poem, A FENCE OR AN AMBULANCE

A FENCE OR AN AMBULANCE

By Joseph Malins

Slightly amended by Rev. Richard Taylor

ALCOHOLISM TREATMENT AND PREVENTION

When most people hear the word alcoholism, they think of treatment, not prevention. This was true 100 years ago so Joseph Malins wrote his poem "A Fence or An Ambulance." I have revised it to a fence PLUS an ambulance.

My revision recognizes the success of Valley Hope facilities in Kansas with their "ambulance of hope in the valley." We acknowledge the effectiveness of Alcoholics Anonymous where drinkers are honest and admit they have "hit bottom." We support treatment efforts, but an ounce of prevention is still worth a pound of cure.

We call upon persons involved in treatment to support prevention. It seems some are concerned that "if the cliff we will fence we might almost dispense with the ambulance down in the valley." Why do treatment people refuse to promote the basic truth that alcoholism is prevented and arrested when one not-needed drug is omitted from the diet?

We are pushing prevention - we are fence builders. We inform you of candidates who are fence builders. They deserve the support of concerned drinkers and non-drinkers who want to "prevent other people from falling" victim to alcoholism, to alcohol-drugged highway killers, to child and wife abuse.

The cliff has so little fence today because voters have voted for candidates concerned only with the ambulance. Will you help change things by voting for fence builders?

We do not have funds to make contributions to any candidate. Drug dealers who want to make more money selling more beer, wine, and spirits are rich and make generous contributions to candidates. Our only strength is your concern.

Joseph Malins (1844-1926), an International Order of Good Templar (IOGT) leader in England, spent a lifetime working for less alcohol consumption and suffering. I have revised his poem in the hope that the picture it paints will encourage others to see the importance of prevention.

Rev. Dick Taylor

'Twas a dangerous cliff, as they freely confessed,
Though to walk near its crest was so pleasant;
But over its terrible edge there had slipped
A duke and full many a peasant.
So the people said something would have to be done,
But their projects did not at all tally;
Some said, "Put a fence around the edge of the cliff,"
Some, "An ambulance down in the valley."

The cry for the ambulance carried the day,
For it spread from city to city;
A fence may be useful or not, it is true,
But each heart became brimful of pity
For those who slipped over that dangerous cliff;
And the dwellers in highway and alley
Gave pounds or gave pence, not to put up a fence,
But an ambulance of hope in the valley.

"The cliff is all right if you're careful," brewers said,
"And, if folks even slip and are dropping,
It isn't the slipping that hurts them so much,
As the shock down below when they're stopping."
So day after day, as they dropped and hit bottom,
Quick forth would these rescuers sally
To pick up the victims who fell off the cliff,
With their ambulance down in the valley.

But Taylor remarked: "It's a marvel to me
That people give far more attention
To repairing results than to stopping the cause,
When they'd much better aim at prevention.
Let us stop at its source this drug suffering," cried he,
"Come, Kansans and friends, let us rally;
If the cliff we will fence we might almost dispense
With the ambulance down in the valley."

"Oh, he's a fanatic," drug dealers declared,
"A strong fence is not of our making,
It's hypocritical, dark ages, archaic, a nuisance,
It will only encourage law breaking.
Aren't they picking up folk just as fast as they fall?
Some dead and others much injury.
Should alcohol profiteers permit a strong fence,
While an ambulance works in the valley?"

But a sensible few, who are practical too,
Will not bear with such nonsense much longer;
They believe that prevention is better than cure,
And their party will soon be the stronger.
Encourage them then, with your purse, voice, and pen,
And while other lawmakers dally,
They will scorn all pretense and put up a stout fence
On the cliff that hangs over the valley.

Don't drink or drink less, then become drug dependent,
For the voice of true wisdom is calling.
"To rescue the fallen is good, but 'tis best
To prevent other people from falling."
Better place firm controls on the drug that enslaves,
Than deliver from dungeon or galley,
Better put a strong fence round the top of the cliff,
Plus an ambulance down in the valley.

Introduced by Senators Dills and Gregorio

February 22, 1977

Senate Concurrent Resolution No. 25—Relative to alcoholic beverage club licenses.

LEGISLATIVE COUNSEL'S DIGEST

SCR 25, as introduced, Dills. Alcoholic beverage club licenses.

This measure resolves that the Legislature withhold passage of legislation dealing with the creation of new categories of alcoholic beverage club licenses during the 1977-78 Session of the Legislature.

Fiscal committee: no.

1 WHEREAS, There are currently more than 25
2 different authorized categories of private club alcoholic
3 beverage licenses which can be issued in the State of
4 California; and

5 WHEREAS, These categories range from national
6 fraternal orders, tennis clubs, press clubs, peace officer
7 clubs, National Guard clubs, to religious clubs; and

8 WHEREAS, A survey conducted by a legislative
9 committee in 1974 indicated that the Department of
10 Alcoholic Beverage Control had issued what amounted to
11 almost a 100 percent increase in the number of such
12 licenses in a 10 year period; and

13 WHEREAS, The Senate Governmental Organization
14 Committee has recently concluded an interim study
15 relative to the entire subject of alcoholic beverage club
16 licenses and has concluded that much reform is needed
17 in the area; and

18 WHEREAS, There is legislation currently pending
19 which would result in a major revision of statutes dealing
1 with alcoholic beverage club licenses; now therefore, be
2 it

3 *Resolved by the Senate of the State of California, the*
4 *Assembly thereof concurring,* That passage of legislation
5 dealing with the creation of new categories of alcoholic
6 beverage club licenses be withheld during the 1977-78
7 Session of the Legislature.

Cirrhosis Deaths and Absolute Alcohol Consumption in the United States

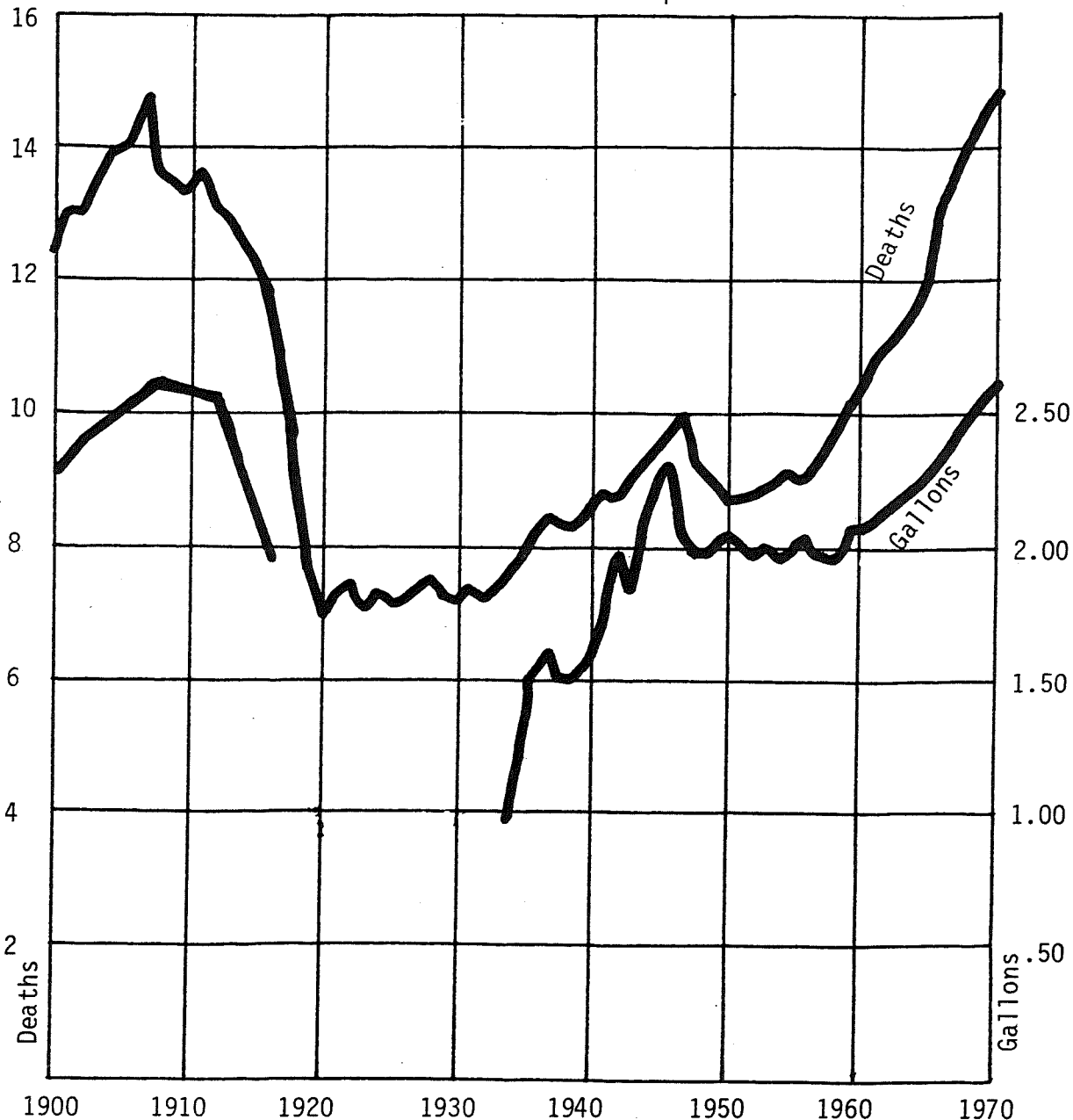
Cirrhosis Deaths per 100,000 population. (Age Adjusted)

National Center for Health Statistics. (Source)

The Jellinek Estimation Formula bases cases of alcoholism in direct proportion to deaths from cirrhosis.

Note the close relationship of consumption to deaths.

Cirrhosis deaths reached a high of 14.8 in 1907, dropped to an all time low of 7.1 in 1920 and 1923. During 1970 cirrhosis deaths were 14.7 and in 1973 reached an all time high in our nation's history.



Annual Consumption of Absolute Alcohol from Beer, Wine, & Spirits.

Gallons per person. Age 15 and older.

ALCOHOL & HEALTH
Third Special Report to U. S. Congress (Source)

After 1910 a number of states adopted prohibition. This caused the national average per person consumption rate and cirrhosis deaths to drop sharply before nationwide prohibition.

Consumption reached a high of 2.60 during 1906-10. It was at an all time low of .97 following national Prohibition. In 1970 it hit 2.61, a new high in our nation's history.

Social drinkers who hate hypocrisy will not be offended with this simple statement of fact. Prohibition of heroin and marijuana is opposed by those who like the way it makes them feel and by those who profit from pushing the drug. Prohibition of alcohol is opposed by those who like the way it makes them feel and by those who profit from pushing the drug, but there is little doubt that from 1920 to 1933, per person consumption and alcoholism was at the lowest level in our nation's history.

Attachment #7
Mar 2, 1983

THE KANSAS ISSUE

Volume 27 July August September 1978 Number 3

"Among the prevention strategies that have been advanced by the NIAAA's Division of prevention. . . reducing overall amounts of drinking. . . total consumption is the common denominator for alcohol problems. . . if per capita consumption increases, alcohol problems increase." - National Institute on Alcohol Abuse & Alcoholism

	When more persons choose to take a drink;
THE	When alcohol is served in more homes;
PROBLEM	When alcohol is sold at lower prices;
IN THE	When alcohol is available in more places;
U. S.	When drinkers drink on more occasions;
	When drinkers drink more when they drink;
	Total consumption and suffering increases.

People drink alcohol because they like the way it makes them feel. This drug, when consumed, passes immediately into the blood stream and impairs the highest qualities of the human brain. The delicate capacities of intellectual decision, choice, discretion, will power, judgment, and self-control are first dulled and then wiped out by alcohol. Alcohol does this to the brain of a bum drinking in a back alley and to the brain of a community leader drinking in a plush restaurant. Increased social consumption produces these results:

	More alcohol-impaired drivers on our highways,	
	More new cases of alcoholism in our state,	
ALCOHOL	More victims of violent crime on our streets,	"Alcohol. . . causes more human trouble than all other drugs combined." CBS NEWS
IS A	More birth defects in our hospitals,	
DRUG	More child and wife abuse in our homes,	
PROBLEM	More job absenteeism, more spoiled production, more work accidents, more bad management decisions in our factories,	
	More consumer dollars wasted on alcohol,	
	More Americans drinking themselves to death.	

	When fewer persons choose to take a drink;	
KANSAS	When alcohol is served in fewer homes;	Save money
HAS	When alcohol is sold at higher prices;	Save lives
THE	When alcohol is available in fewer places;	Vote NO
ANSWER	When drinkers drink on fewer occasions;	in NOVember
	When drinkers drink less when they drink;	
	Total consumption and suffering decreases.	

I'LL VOTE NO! contains basic reasons for voting NO on restaurant liquor by the drink in Kansas. All pastors and persons who will debate or speak to groups on this issue need facts to present when supporters of liquor by the drink say:

- "It will reduce our taxes" - This Kansas Issue
- "It is good for business and industry" - This Kansas Issue
- "Alcohol laws don't make any difference" - This Kansas Issue
- "We need it for conventions and tourists" - Write for special pamphlet.
- "Liquor by the drink gets rid of private clubs" - Write for clippings.
- "I don't look upon alcohol as a drug" - DRINKERS ARE ON DRUGS flyer.

IF RESTAURANT LIQUOR BY THE DRINK IS ON YOUR COUNTY BALLOT, READ CAREFULLY EVERY PAGE OF THIS KANSAS ISSUE. IT WILL HELP YOU WIN A NO VOTE IN NOVEMBER. WE ARE NOT FIGHTING AGAINST LIQUOR BY THE DRINK. WE ARE FIGHTING FOR LESS DRUG SUFFERING IN KANSAS.

THE ALCOHOLIC BEVERAGE INDUSTRY'S CONTRIBUTION TO THE U.S. ECONOMY IN 1975

\$32.5 Billion consumer dollars spent for beer, wine, and distilled spirits.

Out of this \$32.5 Billion:

\$9.5 Billion in excise, license, and other alcoholic beverage taxes and fees were received by federal, state, and local governmental units on beer, wine, and distilled spirits.

\$11.1 Billion in wages and earnings for alcoholic beverage employees and owners.

Source - Public Attitudes and Economic Progress

DISCUS Facts Book 1975

Distilled Spirits Council of the United States, Inc.

Economic Loss Resulting from Alcohol Consumption

\$19.7 Lost Production

12.7 Health & Medical

5.1 Auto Accidents

2.9 Violent Crime

1.9 Social Responses

.4 Fire Losses

\$42.7 Billion

This \$42.7 billion was taken from the public in:

Higher prices for goods and services because of alcohol-impaired personnel.

Higher premiums for hospital-medical-auto-fire insurance to cover alcohol-related losses.

Higher taxes to pay costs of welfare, criminal justice, research, and needed social services resulting from alcohol consumption.

Source - Department of Health, Education, and Welfare. Conservative cost estimates prepared for the National Institute on Alcohol Abuse and Alcoholism. By researchers Berry, Boland, Smart and Kovak.

Drinkers paid \$9.5 billion in alcoholic revenue. The nation suffered a \$42.7 billion economic loss because drinkers drink. The economic track record of liquor by the drink and other relaxed control laws is that for each additional \$1.00 in taxes, over \$4.00 is taken from the pocket of all Americans, non-drinkers included.

\$42.7 Billion cost to society because some people drink.

9.5 Billion taxes received from the sale of alcoholic beverages.

\$33.2 Billion net loss paid by the public.

\$32.5 Billion paid by drinkers for alcoholic beverages in the U.S.

Because the amount drinkers paid for alcoholic beverages at retail is nearly equal to the amount paid by the public for alcohol-related economic loss, we can say: Based on experience of all 50 states, when those in the check-out line at your friendly grocery store purchase \$10.00 worth of beer, you (the public) will pay an additional \$10.00 to cover the cost of problems caused by that drinking.

Based on the experience of all 50 states, if restaurant liquor by the drink comes to Kansas, each time some owner walks to the bank with \$1,000.00 from the sale of liquor, you (the public) will pay an additional \$1,000.00 in higher prices, higher insurance premiums, and higher taxes because that liquor was sold and consumed.

If every drinker quit, alcohol-related suffering would be wiped out and the American public would have billions of dollars to spend on better things. But what would it do to unemployment and taxes if every drinker quit?

\$42.7 Billion available for redistribution.

\$11.1 Billion given to employees and owners to do nothing.

\$ 9.5 Billion given to governmental units in lieu of taxes.

\$20.6 \$20.6 Billion total

\$22.1 Billion additional consumer dollars would be in the pockets of non-drinkers and drinkers, no one in the alcoholic beverage industry would miss a pay check, no governmental unit would lose any tax dollars, and drinkers would have another \$32.5 billion consumer dollars to spend for better things.

\$20 billion in lost production

Alcohol/Health Report estimate for 1975

FOCUS Magazine, Feb-Mar 1978

Lost production due to alcohol abuse cost Americans more than \$20 billion in 1975 says a special report prepared for Congress by the National Institute on Alcohol Abuse and Alcoholism.

The Alcohol and Health Report is now in draft stage reportedly undergoing a sharp editorial condensation ordered by HEW Secretary Joseph Califano.

The draft, obtained by Focus, shows lost market production among males to exceed \$15 billion, lost military production at \$411 million, and lost future production due to excess mortality among alcohol abusers to stand at \$3.77 billion.

Because of many costs that simply could not be computed but which impact on lost production, these estimates must all be considered

conservative, says the HEW task force headed by Dr. Ernest Noble, Director of NIAAA.

"For example, it is virtually impossible to put a dollar value on the lost domestic services of an alcohol-abusing housewife, and so any estimate of the economic cost of lost production in the no-market sector will be significantly underestimated," says the report.

In addition, the estimate for lost production included data only on alcohol abusing males between the ages of 20 and 59 and did not include amounts lost by working women alcohol abusers.

The report estimated that 7.4 million households in the United States included male alcohol abusers.

Firms with alcohol-troubled

employees suffer economic losses because of lateness, absenteeism, worker friction and lowered productivity, says the report. There is also considerable evidence of a long term decline in the earnings of people under treatment for alcoholism.

"The data generally indicate that their earnings decrease steadily in the years before admission to a mental health center, but the problem of determining what part of the reduction is caused by alcohol abuse is unresolved."

The task force pegs military losses at 2% of the total productivity. Military payroll for all services in 1975 was just over \$21 billion.

The report also estimates that alcohol abuse accounted for approximately 8.6% of all deaths among men between 20 and 59. The value of this foregone production is estimated at \$3.36 billion. By adding foregone production of men over 60 (approximately \$84 million) and that of employed women (about \$328 million), the total estimate of lost production climbs to \$3.77 billion.

Confronting problem drinkers on the job is challenge facing modern management

Confronting the problem drinker on the job has become one of the most challenging tasks of modern management. It has also become one of its highest priorities.

The reasons for this concern are obvious.

Of the estimated 10 million alcoholics and problem drinkers in America nearly half are employed. And whether in manufacturing, commerce, the military services, or agriculture, the pervasiveness of this problem is becoming recognized.

The National Institute on Alcohol Abuse and Alcoholism notes that of those problem drinkers who are on someone's payroll, 25% are white collar workers, 30% are manual workers, and 45% are in the professional and management ranks.

The National Council on Alcoholism estimates that industry pays out the equivalent of 25% of annual wages for each problem employee on its payroll to cover off lateness and absenteeism; judgement errors; recruiting, placement and training; experience, skills and knowledge loss; spoilage of materials; group dissension; additional time and effort by management; clerical and medical involvement; increased accidents and overtime replacement.



Hutchinson News, December 20, 1977

"People must know the consequences they will face in terms of economic, health, and social costs if we continue on our present course to make alcohol an essential component of our everyday lives." - Addiction Research Foundation of Ontario

Every state and city should proudly print total social (per capita) consumption rates as a leading indicator of economic, social, and personal health. Alcohol consumption in Kansas is approximately half the national average. Less drinking is a contributing factor for many benefits enjoyed by Kansans.

FEWER ALCOHOLICS

Reports from SINGLE STATE ALCOHOLISM AUTHORITIES in 1977 indicate this number of alcoholics per 100 persons in the total population age 15 and older:

District of Columbia	18
United States Average	7
Kansas	3

Based on this national average, 4 out of every 100 persons age 15 and older in Kansas have escaped the hell of alcoholism because of our low consumption rate.

Apparent consumption of wine and distilled spirits in U.S. gallons per 100 persons in total population age 15 and older for 1972 (ALCOHOL & HEALTH, Second Special Report to the U.S. Congress from the Secretary of Health, Education, and Welfare)

	Wine	Distilled Spirits	Total Gallons Consumed per 100 persons
District of Columbia	631	991	1622
U. S. Average	216	260	476
Kansas	57	159	216

(With such low wine consumption in Kansas you can understand why the wine people alone had six highly paid lobbyists working in the Kansas Legislature during 1978. Restaurant sales of wine by the drink was one of their goals. All together some 21 lobbyists were working for those seeking profits from alcoholic beverages.)

HIGHER WORKER PRODUCTIVITY

The Kansas Department of Economic Development is rightly proud of our high worker productivity. In speeches across the state during 1978, they reported that workers in West Germany gave 7.9 more days of productive labor than the U.S. Average. Workers in Japan gave 8.3 more days of productive labor than the U.S. Average. Workers in Kansas gave 8.6 more days of productive labor than the U.S. Average. Our Kansas work force leads the nation and the free world!

High worker productivity means products produced in Kansas have a competitive advantage over the remainder of the nation. This is a contributing factor in helping Kansas enjoy the lowest unemployment rate in the nation.

Kansas leaders in business, industry, and labor acknowledge that low alcohol consumption is a contributing factor toward higher worker productivity. As stated in THE LION MAGAZINE for February, 1977, "ALCOHOL ABUSE: INDUSTRY'S BILLION DOLLAR HEADACHE. Companies around the world are facing a major problem. It's not competition; it's not inflation. It's not government policy. It's alcohol. . . The total cost to business and industry in terms of lost production, absenteeism, insurance payments, etc., is in the billions."

LOWER AUTO INSURANCE RATES

Low alcohol consumption is a contributing factor for low auto insurance rates. According to research compiled by the Kansas Department of Insurance, we enjoy the lowest auto rates in the nation relative to population density. Only Nebraska and North Dakota rank below Kansas in dollars paid for like policies, and both those states have a much lower population density. With more miles of highway and fewer cars, they just don't meet as often and risk of accident is less. Here is a letter from a concerned Kansan. "I don't write very many letters. I used to live in Missouri and I paid car insurance that was twice as high as here because they had saloons. I had my insurance agent tell me that if we got that stuff here we would have Mo. rates. If that's the thing that will happen shouldn't you let the public know they will have to pay more car ins. it's too high now."

MORE CONSUMER DOLLARS SPENT FOR BETTER THINGS

For fiscal year 1978, Kansas retail liquor stores took in \$148 million. To equal the national average, consumption in Kansas would need to double. If purchased at liquor stores, this would mean an additional \$148 million consumer dollars spent for alcoholic liquor. But this increased consumption would come with sales by the drink to the public. Liquor purchased by the drink in other states costs 4 or 5 times more than when purchased by the bottle. \$148 million times 4 or 5 indicates \$600 to \$750 million consumer dollars now spent for better items would be spent on alcoholic liquor if sales by the drink would bring consumption in Kansas up to the national average.

Consumer dollars spent for alcoholic liquor in Iowa nearly doubled during the first year of legal sales by the drink to the public. These consumer dollars came from the people of Iowa because records indicate liquor by the drink had little if any impact on convention and tourist business.

LIQUOR BILL PROMOTES HIGH SPIRITS - RESTAURANTEURS HAPPY, headlines from the Johnson County Sun of April 14, 1978. This story reported that Gary Schanzer who runs a restaurant there, upon hearing the Kansas Legislature passed liquor by the drink, said "I thought I died and went to heaven." His heavenly joy was over the prospects of increased profits pushing alcohol. The news story went on to say "Although Schanzer is not sure a change in the liquor laws would bring him more customers, he feels certain it would produce more revenue. 'All the profit in the restaurant business is in liquor. It will increase the ticket average whether we get more business or not. Even if we don't have more customers, if a customer buys just one drink it increases our profit because he couldn't have bought any drink before,' Schanzer said."

If more consumer dollars from residents of Johnson County or any other Kansas county are spent for alcoholic liquor, fewer consumer dollars will be spent in other business houses. If consumer dollars spent for Fords in your town should double in one year, will the Chevy dealer rejoice?

Kansas has 1% of the nation's population. Our fair share of the \$42.7 billion economic loss during 1975 is \$427 million. But per person consumption in Kansas is approximately half the nation's average. This should have cut our loss in half, saving us \$213 million consumer dollars to spend for better things. With our loss cut in half, we still lost \$213 million because some Kansans drink. Kansas collected only \$19 million on beer, wine, and distilled spirits taxes during 1975. For every \$1.00 of alcoholic beverage revenue, it cost Kansans some eleven consumer dollars in economic loss. The largest share of alcoholic beverage revenue is collected at the federal level. If Kansans want to send fewer tax dollars to Washington - drink less!

SAFER HIGHWAYS

Mr. Claude McCammet in The Topeka Capitol-Journal Midway section of Sunday, January 16, 1972, said "he believes one reason the percentage of fatal accidents involving alcohol is lower in Kansas than in other states is the stricter controls in liquor sales in Kansas." He also indicated 22% of fatal accidents in Kansas involved an alcohol-impaired driver while the national average is 50%.

The Wichita Beacon of November 22, 1971, carried the report of a drinking driver survey conducted there. The surprising results were that "about 1 to 2 percent of the 650 drivers surveyed so far were above the .10 percent legal blood alcohol concentration (BAC) limit. Dr. John Hartman, Wichita State University sociology professor and chairman of the ASAP's evaluation section, said the national average is about 3 to 4 percent."

There is too much bloodshed on Kansas highways now, but with percentage of alcohol-impaired drivers cut to half the national average, we are thankful for thousands of Kansans who have escaped disfiguration, disability, and death caused by drivers with brains drugged on alcohol.

GO TO THE HEART OF THE ISSUE! ASK EVERYONE THESE QUESTIONS: *Do you want people in Kansas to drink more alcohol?*

Do you want more alcohol-impaired drivers on our streets and highways? Do you want more persons to become alcoholic?

Do you want more consumer dollars spent for liquor?

Do you want to lose \$4 for each new \$1 of alcohol tax?

If YES, then vote YES.

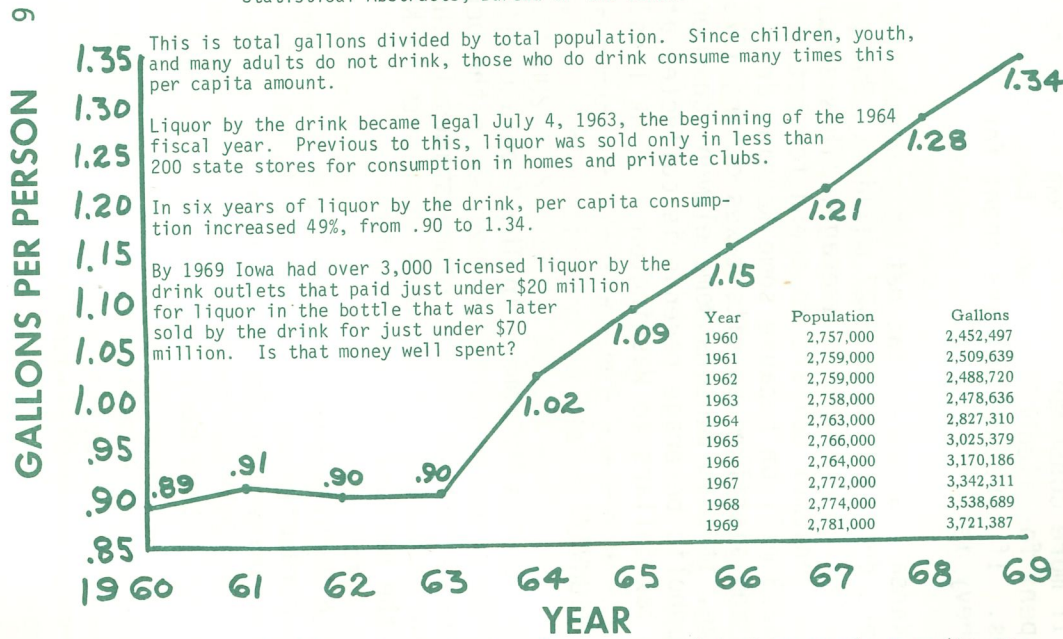
If NO, vote NO on restaurant liquor by the drink. \$114.6

Uninformed persons often say Kansas drinkers would drink less if they could buy a drink rather than buy a bottle. The first year of liquor by the drink in Iowa cities and counties indicates state-wide sales by the bottle dropped very little and sales by the drink caused consumer dollars spent for alcoholic liquor to nearly double. Per person consumption rose sharply.

This reinforces what Norman Manha, Western Director of the National License Beverage Association, said in an A. P. story out of New York in May of 1976 - "motorists stop for a drink in a tavern, then buy a bottle at a package liquor store." Liquor by the drink consumption is in addition to liquor by the bottle consumption.

PER CAPITA CONSUMPTION OF DISTILLED SPIRITS AND WINES IN IOWA

Source: Iowa State Liquor Control Commission
Statistical Abstracts, Bureau of the Census



This is total gallons divided by total population. Since children, youth, and many adults do not drink, those who do drink consume many times this per capita amount.

Liquor by the drink became legal July 4, 1963, the beginning of the 1964 fiscal year. Previous to this, liquor was sold only in less than 200 state stores for consumption in homes and private clubs.

In six years of liquor by the drink, per capita consumption increased 49%, from .90 to 1.34.

By 1969 Iowa had over 3,000 licensed liquor by the drink outlets that paid just under \$20 million for liquor in the bottle that was later sold by the drink for just under \$70 million. Is that money well spent?

Those pushing for liquor by the drink in Kansas have explained increased per capita consumption by saying that persons in Iowa started buying all their alcohol at home instead of going out of state to get it. This could account for some of the FIRST year increase, but would have no bearing on later years.

MILLIONS OF CONSUMER DOLLARS SPENT FOR ALCOHOLIC LIQUOR

(SOURCE: Iowa State Liquor Control Commission, year ends June 30)

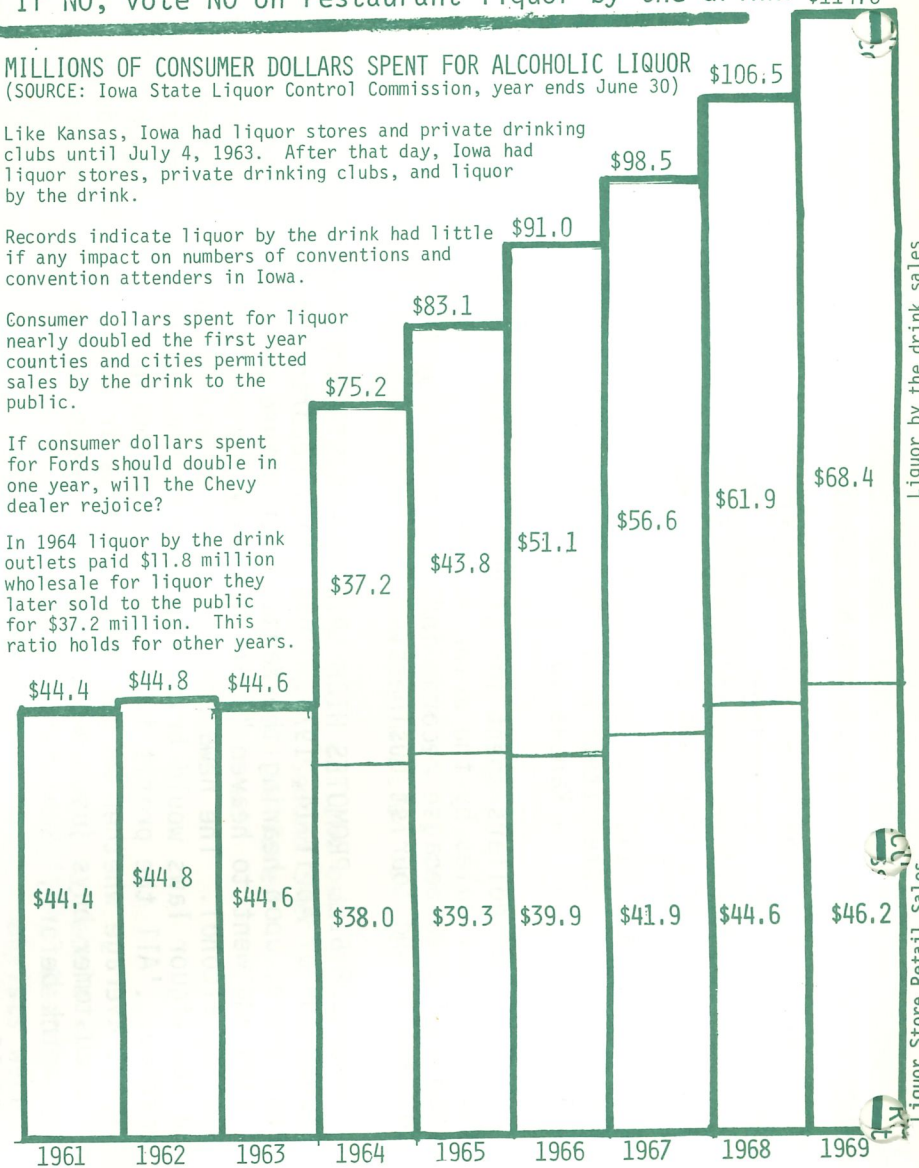
Like Kansas, Iowa had liquor stores and private drinking clubs until July 4, 1963. After that day, Iowa had liquor stores, private drinking clubs, and liquor by the drink.

Records indicate liquor by the drink had little if any impact on numbers of conventions and convention attenders in Iowa.

Consumer dollars spent for liquor nearly doubled the first year counties and cities permitted sales by the drink to the public.

If consumer dollars spent for Fords should double in one year, will the Chevy dealer rejoice?

In 1964 liquor by the drink outlets paid \$11.8 million wholesale for liquor they later sold to the public for \$37.2 million. This ratio holds for other years.



The Distilled Spirits Institute, the trade association of the liquor industry, publishes an annual report. On page 12 of their 1968 Annual Report appears the following:

"The Field Activities Division is the Institute's first line of offense and its defense in depth in the 50 states and the District of Columbia. It is composed of 10 regional supervisors whose operations are guided from headquarters in Washington by the director of the division and an assistant who currently serves also as director of the integral Local Option Division.

"These articulate and highly experienced emissaries are located strategically in key centers of operation and communication throughout the nation."

On page 13 of their report appears the following:

"The Local Option Division established three new 10-year records in 1968. First it assisted in planning and conducting elections which resulted in legalization of package sales in 88 local jurisdictions with a combined population of 497,590—the greatest gain in a decade except for the Oklahoma and Mississippi repeal years of 1959 and 1966, respectively. Second, it served as the guiding beacon behind the scenes in voting which brought legal sales by the drink to more than 70 areas in six states with a composite population in excess of 2.5 million persons. Third, it furnished publicity and advertising material, combined with technical advice, which enabled more than 80 counties and cities, populated by in excess of 7.7 million residents, to repeal obsolete Sunday sales prohibition in four states."

Finally, the Institute claims that its leadership was effective. Note its comment on page 16:

"The Local Option Division, throughout the year, furnished material and advice to legal control organizations conducting local option campaigns in more than 1,000 jurisdictions. Numerous campaign leaders, especially in Alabama, Georgia, North Carolina, Tennessee, and Virginia, stated that their multiple local option victories could not have been achieved without the cooperation and the assistance of the Institute."

HEROIN, MARIJUANA, AND ALCOHOL CAUSE SOCIAL AND ECONOMIC DAMAGE.
SOCIETY HAS THE RIGHT TO REGULATE THEIR USE.
CONTROL LAWS REDUCE ALCOHOL CONSUMPTION AND SUFFERING.

"It is therefore important to observe that, in the long run, education, treatment, and deterrence are all of secondary importance compared to the central task of cutting down the general level of consumption by regulating the price and controlling the availability of alcoholic beverages."

-Dr. Klaus Makela, Finnish Alcohol Foundation, Research Director

If relaxed control laws did not increase consumption, would the distilled spirits industry work for package sales, sales by the drink, and Sunday sales? (See clipping at left)

Alcohol promoters often say Washington and Oregon went to liquor by the drink and per capita consumption decreased. They do not tell you these two states passed liquor by the drink at a time when the national average per capita consumption rate was decreasing.

Following World War II, apparent per capita consumption of distilled spirits reached a peak in 1946 and then dropped sharply. The national average per capita consumption of distilled spirits did not exceed the 1946 high until 1965 - 19 years later! With the help of increased availability and consumption that comes with liquor by the drink, Oregon exceeded their previous high consumption level 17 years later and Washington did it in only 13 years.

Kansas law does not permit pushing liquor by the drink to the public, pushing liquor to those under 21, pushing this drug on credit, pushing wine and spirits in grocery stores, pushing alcohol on Sundays-holidays-election days, pushing liquor with cut-rate prices, pushing and consumption of alcoholic liquor in most public places.

Per person consumption of cigarettes in Kansas nearly equals the national average. Per person consumption of alcohol in Kansas is approximately half the national average. Cigarettes are pushed in Kansas the same as in other states. Kansas law does not permit alcohol pushers to operate as they do in other states. Consumption is cut in half.

Kansas is a leader with drug control laws that keep down the economic, social, and personal suffering resulting from alcohol. Persons who push and defend the drug ridicule us because they are fearful the remainder of the nation will learn of the effective way we are preventing and reducing alcoholism and other alcohol-related misery.

We want to mail a Kansas Issue to you before the November election, giving information on candidates. It costs around \$1200.00 to print 33,000 copies and another \$2400.00 for postage. Some churches and individuals have given generously, but additional funds are needed for another mailing of The Kansas Issue, to purchase bumper stickers, printing I'LL VOTE NO! flyers, radio and TV time, etc. Will you mail your gift today? Your envelope and stamp add to your contribution.

If you want less drug suffering in Kansas, you must work hard for a NO vote in November. Concerned citizens hope the Kansas Supreme Court rules restaurant liquor by the drink is unconstitutional for the sake of less consumption and suffering. If the court rules the sale of liquor by the drink to the public is constitutional, every county that votes YES will have it. Once voted in, the legislature made no provision for later voting it out.

LIQUOR BY THE DRINK can be defeated in every county if concerned citizens get the facts to their friends. Usually it costs money to reduce human misery. A NO vote in November means an economic saving for you and less suffering in your county. It all depends on YOU. YOU must meet with your friends, organize committees (the more the better), get material to your newspaper and radio, raise money to promote the truth. Which will it be? More money in the pockets of liquor dealers and more alcoholism, or less alcohol consumption and fewer new alcoholics?

The little flyer I'LL VOTE NO! is available for wide distribution. Give one to every person at worship, Sunday School, in men's, women's and youth groups, mail to every church family, place them next to the cash register or somewhere in business houses, get them to civic clubs, social clubs, business clubs, hand them out house to house, include one with every letter you mail, keep some in your pocket and give to people you meet, etc. We hope one local church in every county will have on hand a large supply of all our material for you to pick up and use.

Kansas tax burden one of the lightest

Kansas is among 17 states where state and local tax burdens have been determined to be low and falling.

HIGH AND FALLING — Wisconsin, Arizona, New Mexico, Louisiana, Wyoming, Montana, Oregon, Washington, Mississippi.

HIGH AND RISING — New York, Vermont, Massachusetts, California, Hawaii, Minnesota, Maine, Nevada, Maryland, Rhode Island, West Virginia, Michigan, New Jersey, Illinois, Delaware, Pennsylvania.

LOW AND FALLING — South Dakota, Iowa, Colorado, Utah, North Dakota, Indiana, Idaho, Kansas, North Carolina, Nebraska, South Carolina, Texas, Oklahoma, Florida, Tennessee, Alabama, Arkansas.

LOW AND RISING — Kentucky, Connecticut, Alaska, Georgia, New Hampshire, District of Columbia, Virginia, Missouri, Ohio.

The Advisory Commission on Intergovernmental Relations made a study of state and local tax burdens and divided all states into four groups, based on their tax burden and rate of change for 1964-1975. The study defined tax burden as the ratio of state-local tax collections to resident personal income. (Topeka Daily Capital, April 9, 1977, page 3)

Kansans enjoy the highest per-person income of all Plains States and percentage of that income for state and local taxes is **LOW AND FALLING!**

ADDRESS CORRECTION REQUESTED

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HIGH AND RISING
All have liquor by the drink.

HIGH AND FALLING
All have liquor by the drink.

LOW AND RISING
All have liquor by the drink.

LOW AND FALLING
All non-liquor-by-the-drink states: Utah, North Carolina, Oklahoma, and Kansas.

WHY DO PEOPLE SAY WE NEED LIQUOR BY THE DRINK SO IT WILL LOWER OUR TAXES?

Topeka Daily Capital
Saturday, April 9, 1977

Attachment #8 JW

March 2, 1985

Kansas

100 years ago

Kansas State Historical Society

Kansas with prohibition in effect could be for the immigrant the next best thing to going to heaven, said the Cimarron New West, June 4, 1881, quoting an Ohio exchange. In an article headed "The Ruin of Prohibition," the newspaper argued that the state would attract more, not less, immigrants and they would be of the high caliber, enterprising sort:

"Here and there are people whose sensitive souls are harrowed with the fear that immigration to Kansas will cease, and the best of people now here go elsewhere because the traffic in liquors has been prohibited. Others think that for every whiskyite who leaves there will come a score of clean sober people, glad to cast their lot where drunkenness and rum are discountenanced by law. The Dayton O. Telescope puts it this way: "No state in the American Union ever had before it such prospects as are now before Kansas. With its vast area of splendid lands, with its admirable public school system it invites immigration with splendid enticements. Its prohibition of the liquor traffic, if faithfully adhered to, will cause the vicious, the drunken and the leeches of society to go from it. The same prohibition will draw to Kansas the best, the most frugal and enterprising citizenship known in America.

1881 - 1981

In 1880 Kansas became the first state in the Union to adopt a constitutional amendment which ended the sale in 1881 of our most abused drug by the bottle and by the drink. Half of that restriction is still in force. For 100 years Kansans have enjoyed the personal, social, and economic benefits of less alcohol consumption.

The prohibition philosophy is not that it will make others good, but that it will make life in a complex civilization safer and simpler and more profitable.

"It was economic wisdom of the law which gradually converted public senti-

ment. When it was demonstrated that prohibition saved taxes, increased the labor efficiency of men, piled up bank savings and made life safer, Kansas got behind the law.

(2)

alcohol — it continues to be the drug most associated with crime, violence, auto accidents, marital problems and child abuse. Dr. Walt Menninger
Hutchinson News Sun., Nov. 7, 1976

William Allen White
Editor of The Emporia Gazette
Comments made in New York City
Statehouse Library Clipping of
December 11, 1927

Kansas law today tends to reduce per-person consumption by keeping the price up and availability down. The public sale of liquor by the drink is not permitted. Liquor by the bottle can not be sold at cut rate prices or on Sunday. It can not be sold on credit or in grocery stores. Liquor can not be consumed on public streets or in most public places. The legal age for liquor is 21. The Third Special Report to the U.S. Congress on ALCOHOL & HEALTH from the Secretary of Health, Education, and Welfare indicates per-person consumption of wine and distilled spirits in Kansas for 1976 was 2.37 gallons, the lowest in the nation.

This low per-person consumption rate in Kansas contributes toward many personal, social, and economic benefits:

FEWER ALCOHOLICS - Reports from Single State Alcoholism Authorities in 1977 indicated Kansas had 2,591 alcoholics per 100,000 persons age 15 and older, while the national average was 6,919.

LOWER TAXES - On October 30, 1980, Professor Glenn W. Fisher of Wichita State University spoke to Downtown Topeka Rotary Club concerning taxes. He presented material that said, "Kansas state and local general revenues as a percent of personal income are well below the U. S. average and the average of neighboring states...Only Kansas has had a negative growth rate in taxes as a percent of income."

HIGHER WORKER PRODUCTIVITY- The Kansas Department of Economic Development in 1978 reported that workers in West Germany gave 7.9 more days of productive labor than the U. S. average. Workers in Japan gave 8.3 more days of productive labor than the U. S. average. Workers in Kansas gave 8.6 more days of productive labor than the U. S. average, the highest in the nation and in the free world!

FEWER ALCOHOL DRUGGED KILLERS ON OUR HIGHWAYS - The Wichita Beacon of November 22, 1971, carried the report of a drinking driver survey conducted there. The surprising results were that "about 1 to 2 percent of the 650 drivers surveyed so far were above the .10 percent legal blood alcohol concentration (BAC) limit. Dr. John Hartman, Wichita State University sociology professor and chairman of the ASAP's evaluation section, said the national average is about 3 to 4 percent."

LOWER AUTO INSURANCE RATES - According to research received from the Kansas Department of Insurance in 1978, Kansas had the lowest auto insurance rates in the nation based on population density. Only Nebraska and North Dakota ranked below us in actual dollars paid for like policies, but those states have a lower population density so the risk of accident is less.

BETTER PUBLIC HEALTH - Using death rates, deaths due to motor vehicle accidents, and from a combined group of heart disease, cancer and stroke, the Kansas Medical Society found Hawaii was the healthiest state in the Union in 1973, followed closely by Kansas.

FEWER CIRRHOSIS DEATHS - Kansas had 8.8 cirrhosis deaths per 100,000 population in 1975. The national average was 15.0.

HIGHER PER-PERSON INCOME - In 1978 Kansans enjoyed the highest per-person income of all Plains States and the percentage of that income for state and local taxes was low and falling!

Alcoholics are not weak people. Alcohol is a powerful drug. It deceives the mind. Alcoholism sneaks up on the finest people. Drinkers who do not stop with 2 in 24 hours may have a problem.

In addition to good soil, a good supply of water and timber, and prospective railroad privileges, we may add also that the proprietors of Attwood have informed us that in no case will they allow the traffic in alcoholic liquors to enter the town, and there will be no trouble, under Kansas laws, in keeping it out of the county. This will lighten the taxes at least 50 per cent., as it has done wherever prohibition has been established.

Attwood Pioneer Rawlins County Oct. 23, 1879 from KANSAS IN NEWSPAPERS Published by Kansas State Historical Society

THE STORY OF KANSAS CITY AND ITS LESSONS.

While I have always personally believed in total abstinence and in the prohibitory law, I never felt very strongly about it, nor absolutely sure that there was not some merit to the other side of this question, until Attorney General Coleman started to abolish the license-fining system in Kansas City. You will understand that there are two cities there—one on each side of the state line between Kansas and Missouri. And there is considerable rivalry between the two municipalities which comprise that great metropolis.

In the Missouri town the liquor business has the sanction of law; in the Kansas town it had, until 1906, the sanction of the county and city governments and the toleration of the state government. High license was in vogue in both towns, in the Missouri town by law, in the Kansas town by

The story of Kansas City is from THE KANSAS WAY, a 16 page address of John S. Dawson, Attorney General of Kansas, delivered at the BANQUET OF BAPTISTS' SOCIAL UNION, Auditorium Hotel, Chicago, April 2, 1912. This 16 page booklet was mailed to us by someone who intended to throw it away and then thought we might like to see it.

Years ago another person mailed us a 20 page booklet of an address given over 80 times in England during 1907 by Charles M. Sheldon, the author of HIS STEPS. He detailed the benefits enjoyed by Kansans because the manufacture and sale of alcohol was not permitted. We have a copy of WHO IS STABBING PROHIBITION IN KANSAS by John B. Madden, Assistant Federal Prohibition Administrator, who reports in detail the problems with federal law enforcement in Kansas for 1928-1932.

As we celebrate a century of restricted sales by constitutional amendment, we want to provide a copy of all booklets and other material to the Kansas State Historical Library. If funds were available, we would reprint one or more of these booklets in full and present it to every library in Kansas.

Do you have personal letters written by early Kansans on the benefits of prohibition? Do you know of other pamphlets, booklets, speeches, newspaper clippings, etc.? Use a copy machine in your town and send us a copy. How wonderful it would be if we had the original. Did your great-grandparents come to Kansas because of prohibition? Let us know. Students need access to primary material.

(This flyer is available for distribution. You may want to place copies next to your cash register, include it in mailings, and hand it to friends in church or at other times. Prevention of alcoholism, prevention of highway tragedy, prevention of job absenteeism, prevention of child and wife abuse, prevention of birth defects - prevention of alcohol related suffering is everybody's business.)

the system of monthly fines. In 1906 there were in Kansas City, Kansas, two hundred and fifty open saloons when the law enforcement campaign began. Within a few days, a large delegation of Kansas City politicians came to Topeka to persuade the attorney general to drop that project, because the city could not live without the saloon revenue. It was urged that the closing of the saloons was driving all sorts of business over to Kansas City, Missouri; that store buildings, vacated by the saloons, were standing empty, and that his policy was ruining and would inevitably ruin the town. Politically it would bring defeat and disaster to the party in November; and you must consider that Kansas City and Wyandotte county bear somewhat the same relation to Kansas politics which Chicago and Cook county do to Illinois. And there in the attorney general's office were the most powerful and determined politicians in Kansas City,—bankers, lawyers, real estate dealers, merchants, manufacturers and others. Their portrayal of the impending ruin of their town made a strong impression on me. I wondered if we ought not to have exceptions to our state-wide prohibitory law, and permit local conditions to control. Attorney General Coleman listened patiently to what they had to say, expressed his sympathy with their predicament, but firmly informed them that there could be no retreat—the law would be enforced. An angrier bunch of politicians and business men you never saw. One year later, my fellow assistant in the office, Mr. Jackson, succeeded Mr. Coleman, and as the wish is the father to the thought, the sympathizers with the liquor traffic circulated the idea that the new attorney general would not continue Mr. Coleman's vigorous policy of law enforcement in Kansas City. So industriously and persistently was this notion pushed that again a delegation of Kansas City politicians came to Topeka to see Attorney General Jackson—the same old bunch! But on how different a mission! They came to say to the Attorney General, "For God's sake! Don't let the old rotten order of things return to Kansas City. We have got away from it and are well rid of it, and the town never was so prosperous as now." There were Ben Schnerle and Myron A. Waterman, the leading bankers, who said that the closing of the saloons had marvellously increased their bank deposits; that formerly the saloons had cashed the workingmen's pay checks, and that now the workingmen deposited their pay checks and kept accounts with the banks. There were the real estate dealers who said that property values had increased enormously and that thousands of workingmen were buying lots and building homes on the installment plan. The school teachers had representatives there to say that the school enrollment had likewise jumped, and that the children of the poor wore good shoes, warm clothes, and carried lunches to school with them, and that the old order of things when the schools had their quota of starving, ragged, dirty children from drunkards' homes had absolutely disappeared. There were the grocers and drygoods merchants and the people who sell furniture and such stuff on the installment plan—all testifying that business was better and that people were paying their bills better than they had ever done before.

It was a revelation to me. Those were the very men who had gone out of our office just a year before with maledictions upon the prohibitory law, and upon a meddling, puritanical attorney general, whom neither threats

Concerned Kansans agree that alcoholic beverages are not needed at business and social functions. Alcohol causes more human misery than all other drugs combined.

Alcohol is ingested, not digested. When consumed, it immediately passes through the stomach wall, enters the blood stream, and impairs brain function. It brings temporary relief from fears, frustrations, worry, anxiety, and tension. It deadens feelings of inferiority and insecurity.

The price paid for these pleasurable drug feelings is loss of self-control, loss of self-discipline, loss of self-restraint. Judgment and reasoning are impaired. Many become dependent on or addicted to the drug.

Persons shoot heroin, smoke marijuana, or drink alcohol because they like the way the drug makes them feel. No one drinks because it is less filling or has fewer calories, or because it tastes good. Alcohol is packed with calories and is tasteless. Take the alcohol out of beer-wine-spirits and the drinks will taste exactly the same. But as Donahue said on national television, "Take the alcohol out of beer and you couldn't give it away!"

Promotion of responsible drinking in moderation during the past 50 years has resulted in more alcoholics per 100,000 population than at any time in our nation's history. The reason is simple. When a drinker has consumed enough for the time being and should make a responsible decision to quit drinking in order to avoid excessive consumption, the ability of the brain to make that decision has been wiped out by alcohol. Lincoln explained this when he quoted Shakespeare to a young friend who traveled with him to Kansas in 1859, "Do not put an enemy in your mouth to steal away your brains."

Promotion of responsible drinking in moderation has failed to reduce the problem. Non-drinking prevents and arrests alcoholism. Limited drinking reduces the risk of alcoholism. Because of what the drug does to others, concerned persons refuse to drink. Because of what it may do to them, concerned drinkers refuse to drink daily, and when they drink, they limit their drinking to one or two drinks in 24 hours and wait one hour per drink before driving.

"Alcohol consumption is the largest single controllable cause of human suffering," according to Dr. John Hartman, Professor of Sociology at Wichita State University. Less drug use brings less drug abuse. Per-person consumption of cigarettes in Kansas equals the national average. Per-person consumption of alcohol in Kansas is approximately half the national average. Cigarettes are available in Kansas the same as in other states. Alcohol is not. For 100 years, Kansas law has made a difference.

Non-drinkers and those who take a drink at times are united in this effort to prevent alcoholism and other alcohol-related tragedy. Please write and say you want to join in making life safer and more profitable. (Words of William Allen White)

Richard Taylor

KANSANS FOR LIFE AT ITS BEST!
218½ West Sixth Avenue
Topeka, Kansas 66603
Phone 913-235-1866

MEMORANDUM

TO: Honorable Edward F. Reilly, Jr.
Chairman, Senate Federal and State Affairs

FROM: THOMAS J. KENNEDY, Director, ABC Division

RE: Senate Concurrent Resolution 1606

DATE: March 2, 1983

PURPOSE

Senate Concurrent Resolution 1606, if enacted in its present form, is a proposition to amend Section 10 of Article 15 of the Constitution of the State of Kansas, relating to intoxicating liquors; authorizing the legislature to permit and provide for county option in the sale of liquor by the individual drink.

PERSPECTIVE

Senate Concurrent Resolution 1606, if approved by two-thirds of the members of the Kansas Senate and two-thirds of the members of the Kansas House of Representatives, would set before the electorate at the general election in 1984, unless a special election is called at a sooner date, a constitutional amendment which would strike down the prohibition against an "open saloon" as currently set forth in the Kansas Constitution and add the following language: "The sale of intoxicating liquor by the individual drink is prohibited except that the legislature may permit, regulate, license and tax the sale of liquor by the drink in any county in which the qualified electors of the county have determined, by a majority vote of those voting thereon, to permit the sale of intoxicating liquor by the drink within the boundaries of such county".

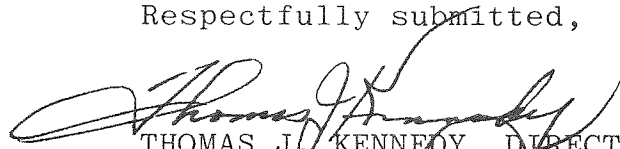
A vote for the proposed amendment would permit the sale of liquor by the drink in any county where the voters approve its sale in their county.

A vote against the proposed amendment would continue the current prohibition against the sale of liquor by the drink.

COMMENTS AND/OR RECOMMENDATIONS

The Director of the Alcoholic Beverage Control Division is neither a proponent nor an opponent of this bill and feels this is purely a legislative matter.

Respectfully submitted,



THOMAS J. KENNEDY, DIRECTOR
Alcoholic Beverage Control Division