

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL & STATE AFFAIRSThe meeting was called to order by Representative Robert H. Miller at _____
Chairperson1:30 a.m./p.m. on ~~February 22~~ Jan. 22, 1985 in room 526S of the Capitol.

All members were present except:

Committee staff present:

Lynda Hutfles, Secretary
Mary Torrence, Revisor's Office
Russ Mills, Research Department

Conferees appearing before the committee:

Michael O'Keefe, Department of Transportation
Neal Whitaker, Kansas Beer Wholesalers
Darb Ratner, Kansas Retail Liquor Association
Mark Tallman, Associated Students for Kansas
John Allen, Associated Students for Kansas
Michael Birkley, Tavern Owners of Wisconsin
Chris Edmonds, Tavern League of Kansas
Tuck Duncan, Kansas Wine & Spirits Association
Reverend Richard Taylor, Kansans for Life at It's Best

The meeting was called to order by Chairman Miller.

Representative Long made a motion, seconded by Representative Peterson, to approve the minutes of the January 16 meeting. The motion carried.

The Chairman reminded the committee of it's consensus that since extensive hearings on raising the drinking age had been held last year and minutes of those hearings were available to new committee members, the hearings this year would concentrate on new changes at the federal level and those effects on Kansas.

Mary Torrence, Revisor's Office, explained to the committee that those states who did not raise the drinking age to twenty-one before October 1, 1986, would lose 5% of their federal highway funds. If by October 1, 1987, those states had not raised the age, 10% of the funds would be withheld. The legislation did provide that if subsequently a state adopts a twenty-one law, funds would be forthcoming. If a drinking age phase-in approach is used, 19 year olds in 1985, 20 year olds in 1986, and 21 year olds in 1987, this will not meet the requirements set forth in the federal legislation. The 10% penalty would be returned to the state at the end of the fiscal year 1987 in this case. There is only a two year penalty.

Michael O'Keefe, Department of Transportation, reiterated Mary Torrence' intrepertation of the federal legislation. He told the committee that Kansas is currently not in compliance. The funds that would be withheld are estimated to total \$6.1 million for FY 1987 and \$12.3 million for FY 1988. See attachment A.Neal Whitaker, Kansas Beer Wholesalers, told the committee that his association suggests that the most reasonable response to the Congressional mandate should include a phase-in or grandfathering of a particular age group. Several other changes should be made at this time and Mr. Whitaker explained these to the committee. He suggested the committee review the definition of beer, wholesaler licensing, taxation, sales by minors, Sunday sales, election day sales, hours of operation, and the enforcement agencies. Mr. Whitaker told the committee there would be a significant financial impact on the industry if the drinking age is raised to twenty-one. Phasing-in would lessen the impact somewhat and the industry would not be adversely effected if his proposals were met. See attachment B and C.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL & STATE AFFAIRS,
 room 526S, Statehouse, at 1:30 a.m./p.m. on January 23, 1985

Darb Ratner, Kansas Retail Liquor Association, told the committee to review SB46 which has been introduced in the Senate. This bill would amend 42 statutes and to repeal two. This bill would have an adverse impact on retail liquor stores in Kansas. Mr. Ratner told the committee they should address the beer drinking age and stay away from all other proposals. Of 1,076 stores, about 55% are members of the Wine & Spirits Association.

Mark Tallman, Associated Students for Kansas, gave testimony in raising the drinking age, but also recognize the federal mandate. He stated that since this seems inevitable, there should be three elements to any package of legislation; a phased-in period; protection of employment opportunities for young adults and a strong commitment by the state to alcohol education and prevention. See attachment D.

John Allen, Campus Director of ASK, Fort Hays State University, gave testimony in opposition to raising the drinking age. He shared with the committee the results of an ASK-sponsored survey of tavern and club owners in cities that accomodate universities in Kansas in regard to the question of student employment. He also discussed briefly the impact of these results. See attachment E.

Michael Birkley, Tavern owners of Wisconsin, gave testimony in opposition to raising the drinking age to twenty-one. He told the committee that researchers find no significant difference in the percent of young people who drink at any age due to different legal drinking ages. Young people who cannot drink legally in safe, supervised settings do so illegally in unsafe, unsupervised, and often remote settings. Mr. Birkley stated that alochol related crash rates did not decrease, but increased among those affected by raising the age in many states. He quoted statistics from the National Highway Traffic Safety Administration, Fatal Accident Reporting System, and the State Licensing Authority. See attachment F.

Chris Edmonds, Tavern League of Kansas, gave testimony in opposition to raising the drinking age. He expressed their concern for the real impact of the federal legislation that would raise the legal drinking age in Kansas to twenty-one or withdraw highway funds for two years. The league suggests that the proposal to be introduced in the Senate, which would double the cereal malt beverage tax, would be a better way to raise money in the state than buckling under to the federal blackmail which would result in the loss of highway revenue. See attachment G.

Tuck Duncan, Kansas Wine & Spirits Association, addressed a few of the issues raised by Mr. Whitaker. The proposal to redefine all beer as a cereal malt beverage would be unconstitutional. He also stated there could be hidden impacts on local governments if the tax on beer were changed. The association did not take a position on day of sales and sales by minors. Any change in enforcement means enforcement priorities must be established. There should not be any serious structural changes made in the statutes before the vote of people on liqor by the drink.

Reverend Taylor, Kansans for Life at It's Best, gave testimony in support of raising the drinking age. Alcohol is the number one drug problem and less use brings less abuse. Sunday sales is a step in the wrong direction. Reverend Taylor stated that the statistics given by Mr. Birkley were false and that he has documentation from Washington, D.C. and also Mr. Birkley's testimony in Washington which shows the fallacy of Mr. Birkley's statistics and told the committee he would make this available to them.

After no one else asked to be heard, the hearings were concluded.

Mary Torrence distributed copies of a proposed bill which was an updated version of the committee bill from 1984 with two changes. The bill grand-fathers in persons born after July 1, 1967 and allows eighteen year olds to be employed in a licensed business.

Representative Aylward made a motion, seconded by Representative Roenbaugh, to introduce the proposed bill as a committee bill and be referred to the
 Page ____ of ____

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL & STATE AFFAIRS,
room 526S, Statehouse, at 1:30 a.m./p.m. on January 23, 1985

full house.

After Committee discussion Representative Hensley made a substitute motion, seconded by Representative Peterson, to introduce the proposal as a committee bill. The motion carried.

Chairman Miller announced that the bill would be up for discussion on Wednesday. The meeting was adjourned.

GUEST LIST

FEDERAL & STATE AFFAIRS COMMITTEE

DATE: 1-22-85

(PLEASE PRINT)

NAME	ADDRESS	WHO YOU REPRESENT
Shawn Aday	3001 Main Ln #203 Topeka	Rep. Jessie Branson 44 Dist.
Tom Hamble		Governors Office
Denise Everhart		Governors Office
Frank Miller	Dodge City	Southwest Dist.
Ron Whitney	Emporia	DeRango Bros Inc
FAT SCHERZER	KANSAS CITY	SUPERIOR SALES
Casey Mussatto	Osage City	Mussatto Bros., Inc.
WARREN TRAYNOR	OSAGE CITY	MUSSATTO BROS INC
JOHN STEPHENS	HUTCHINSON	CITY BEVERAGE CO
Belva Pitt	Wichita KS	Self
Frances Kastner	Topeka	KS Fed. Reserve Bank
Tommy Pitt	Topeka, Mo	Self
Karen Johnson	Dodge City, KS	
W. Thomas Shereen	Dodge City, KS	Self
John Kammhuber	Dodge City, KS	Self
Chris Beaver	Topeka	ASK
Mike Miller	Topeka	ASK
John L. Allen Jr.	HAYS (FHSU)	ASK
SAUL RAY BINGON	LAWRENCE (KU)	ASK
Cecis Powers	Hays (FHSU)	ASK
Don Williams	Hays FHSU	ASK
Robert B. Schwan	WICHITA KANSAS	House of Schwan
BOB Anderson	TOPEKA	KBWA
Dick Edington	Topeka	Edington Dist.
Mike Slominski	Topeka	Slominski Beverage Co. Inc.
HENRY WASSERMAN	TOPEKA	MARSHALL SALES

GUEST LIST

FEDERAL & STATE AFFAIRS COMMITTEE

DATE: _____

(PLEASE PRINT)

NAME	ADDRESS	WHO YOU REPRESENT
Anne McNeill	5010 N. Lawrence, Lawrence, KS	Lawrence, KS
Judith Carver	2500 W. 6TH LAWRENCE	" " " "
Arnold Demo	14230 Country Club Blvd, Overland Park	Demo Sales Inc
John P. ...	309 S. 5th, Lawrence, KS	Rep. American ...
John ...	4018 H. ... Topeka, KS	Shatner ...
Dave ...	P.O. Box 2700 66501	Media
Pat ...	" " "	"
Nancy ...	R-3 ...	self
W. Hopkins	7561 E. 24 CT, Wichita	Standard ...
BV ...	Lawrence	Sen. Winter
Harley ...	Topeka, KS	KS Dept. of Revenue
KAREN FALL	Topeka, KS	AP
Michael M. Birkley	Madison, Wisconsin	Tavern League of Kansas
CHRISTOPHER S ...	Topeka	Tavern League of Kansas
James A. McHenry, Jr.	Topeka	SRS/Alcohol + Drug Abuse Serv.
John ...	Lawrence, KS	Progressive ...
T. ...	Topeka	Kansas

Kansas Department of Transportation

January 22, 1985

TO: HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

FROM: Michael F. O'Keefe
Department of Transportation

RE: Minimum Age 21 Drinking Law

During the past year the President signed PL 98-363, the Uniform Minimum Drinking Age Act of 1984. That law provides for the Secretary of Transportation to withhold five percent of certain construction funds to be apportioned to the states October 1, 1986 from those states that are not in compliance with the law by September 30, 1986. It further provides for a ten percent withholding for funds the following year for those states still not in compliance by September 30, 1987.

States to be penalized are those "in which the purchase or public possession in such states of any alcoholic beverage by a person who is less than 21 years of age is lawful". "Alcoholic beverage" is defined in the act and includes 3.2 beer (section 5052 of Internal Revenue Code of 1954). I have attached a copy of the law to this statement.

Kansas is currently not in compliance. The funds that would be withheld are estimated to total \$6.1 million for FY 1987 and \$12.3 million for FY 1988. These estimates are based upon the assumption that the apportionments for the years after 1986 will be at the same level as FY 1986. As most of you are aware, the last year of authorizations contained in the Surface Transportation Assistance Act in 1982 is FY 1986. The amounts estimated to be withheld consist of primary, secondary, interstate, Interstate 4R, and urban system funds.

USC 23 Section	System	Amount (Thousands)
104(b) (1)	Primary	\$ 34,959
104(b) (2)	Secondary	13,025
104(b) (5) (A)	Interstate	23,435
104(b) (5) (B)	Interstate 4-R	44,958
104(b) (6)	Urban	<u>6,600</u>
Total		\$122,977
5 percent		\$ 6,148
10 percent		12,297

The law provides that the Secretary must promptly apportion the withhold funds back to the state when a state comes into compliance. The law does not appear to have any provisions for a third or succeeding years after fiscal year 1986 and 1987. However, the United States Department of Transportation is currently engaged in a rule-making that would make definitive statements and definitions of the law. That rule-making is not yet currently available.

I would be pleased to answer any questions you might have.

98TH CONGRESS
2D SESSION

H. R. 5383

To amend title 23, United States Code, to direct the Secretary of Transportation to withhold a percentage of the apportionment of certain Federal-aid highway funds to be made to any State which does not establish a minimum drinking age of 21 years.

IN THE HOUSE OF REPRESENTATIVES

APRIL 5, 1984

Mr. HOWARD (for himself, Mr. ANDERSON, Mr. CLINGER, Mr. BARNES, Mr. GOODLING, Mr. LANTOS, and Mr. PORTER) introduced the following bill; which was referred to the Committee on Public Works and Transportation

A BILL

To amend title 23, United States Code, to direct the Secretary of Transportation to withhold a percentage of the apportionment of certain Federal-aid highway funds to be made to any State which does not establish a minimum drinking age of 21 years.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Uniform Minimum Drink-
4 ing Age Act of 1984".

5 SEC. 2. (a) Chapter 1 of title 23, United States Code, is
6 amended by adding at the end thereof the following new sec-
7 tion:

1 “§158. National minimum drinking age

2 “(a)(1) The Secretary shall withhold 5 percent of the
3 amount required to be apportioned to any State under each of
4 sections 104(b)(1), 104(b)(2), 104(b)(5), and 104(b)(6) of this
5 title on the first day of the fiscal year succeeding the first
6 fiscal year beginning after September 30, 1985, in which the
7 purchase or public possession in such State of any alcoholic
8 beverage by a person who is less than 21 years of age is
9 lawful.

10 “(2) The Secretary shall withhold 10 percent of the
11 amount required to be apportioned to any State under each of
12 sections 104(b)(1), 104(b)(2), 104(b)(5), and 104(b)(6) of this
13 title on the first day of the fiscal year succeeding the second
14 fiscal year beginning after September 30, 1985, in which the
15 purchase or public possession in such State of any alcoholic
16 beverage by a person who is less than 21 years of age is
17 lawful.

18 “(b) The Secretary shall promptly apportion to a State
19 any funds which have been withheld from apportionment
20 under subsection (a) of this section in a fiscal year if in any
21 succeeding fiscal year such State makes unlawful the pur-
22 chase or public possession of any alcoholic beverage by a
23 person who is less than 21 years of age.

24 “(c) As used in this section, the term ‘alcoholic bever-
25 age’ means—

1 “(1) beer as defined in section 5052(a) of the In-
2 ternal Revenue Code of 1954,

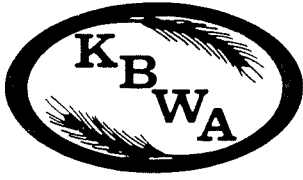
3 “(2) wine of not less than 5 percent alcohol by
4 volume, and

5 “(3) distilled spirits as defined in section
6 5002(a)(8) of such Code.”.

7 (b) The analysis for chapter 1 of title 28, United States
8 Code, is amended by adding at the end thereof the following:

“158. National minimum drinking age.”.

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KANSAS BEER WHOLESALERS ASSOCIATION

1017 Merchants National Bank • Topeka, Kansas 66612

POSITION PAPER

TO: Members of the 1985 Kansas Legislature

RE: Increase In The Drinking Age For 3.2% Beer To 21 In Kansas

Congressional action in the summer of 1984 placing highway fund limitations upon states that have not increased the drinking age for consumption of alcoholic beverages and beer to 21 makes it apparent that Kansas will ultimately raise its age for consumption of 3.2% beer. This action provides an opportunity for the legislature to review Kansas law regarding 3.2% beer sales.

Even though the difference is almost insignificant, Kansas law creates a distinction between beer that contains 3.2% alcohol by weight and "Kansas Strong" beer. The difference in most cases is 1/10th of 1 percent. Cereal malt beverage (3.2% beer) is sold in a variety of public outlets and the so-called strong beer is sold only in licensed retail liquor stores. As the age increases to 21 for consumption, the need for two different kinds of beer to be marketed in this state appears to be eliminated. Presently, beer wholesalers keep in their inventories identical packages of 3.2% and strong beer in every brand that it is available. Since Kansas is one of only five states that sells cereal malt beverage, there are occasions when breweries are unable to supply product to wholesalers in Kansas.

Present law requires that cereal malt beverage and strong beer be separated in the warehouse and practice dictates that it must be separated on the trucks, both requiring additional warehouse space, additional vehicles and additional personnel.

It is our contention that by eliminating the alcohol content requirement of 3.2% by weight and allowing all beer, regardless of strength, to be classified under Kansas law as cereal malt beverage and allowing cereal malt beverage to be sold everywhere beer is sold today, would allow for some economics in operation for beer wholesalers and increase the variety of products available to licensed liquor retailers and the present cereal malt beverage retailers.

The industry will lose approximately 300,000 potential customers. This loss will affect approximately 5,000 cereal malt beverage retailers in this state. Some businesses will no longer be able to operate as they have in the past and some young people who have depended on jobs in restaurants and taverns will no longer be allowed to be employed in those places unless changes are made.

Immediately after Congress passed the mandate we began to examine Kansas law with an eye toward modernization of statutes concerning beer and cereal malt beverage. This is an outline of a package we wish to present to the 1985 session of the Kansas Legislature for its consideration.

DRINKING AGE INCREASE

The drinking age for beer in Kansas will be raised to 21 through a series of steps beginning July 1, 1985 by going to 19, the following July, age 20 and a year later, 21.

EFFECTIVE DATE

While the bill provides that the drinking age increases will begin taking effect July 1, 1985, the rest of the provisions of the bill, such as Sunday sales, reclassification of beers and the like will take effect on the date the drinking age finally reaches 21.

*Attach B
1/22/85*

DEFINITION OF BEER

The committee changed the definition of beer to apply to all malt products presently sold in the state. Hereafter, all beer will be called Cereal Malt Beverage. This means that there will be no distinction in the statute books between strong beer and 3.2% beer products and that all beer products may be sold in any outlet they are currently being sold in. Those outlets having an equal status include taverns, grocery stores, liquor stores and any other establishment where beer is presently legal for sale today. If the statute is passed, all references to 3.2% beer will be removed from the statute book and beer will be CMB whether or not it is a low alcohol product or a standard strength product.

WHOLESALE LICENSING

The provisions prohibiting a CMB wholesaler from holding a wine and spirits license have been repealed under the proposed legislation. It should be remembered that this will also allow wine and spirits wholesalers to operate a CMB wholesale house within their operation. Beer wholesalers have an option of operating only as a CMB wholesaler and wine and spirits wholesalers have the option of operating only as a wine and spirits wholesaler. This is necessary because there are wine and spirits wholesalers who sell beer today.

TAXATION

Because CMB and strong beer are taxed at different rates at the point of sale, some adjustment needed to be made so that the state did not get shorted tax revenues it depended on. The committee decided to fix the tax rate at five percent (5%) of the retail selling price of beer and call it an enforcement tax. This percentage raises an identical amount of money that is raised today under the system where CMB is subject to sales tax of three percent (3%) or more and strong beer is subject to an eight percent (8%) enforcement tax. All beer sold in private clubs would fall under the ten percent (10%) excise tax on drinks.

SALES BY MINORS

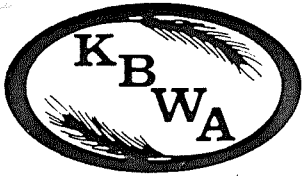
Provisions were made in the proposal to allow sales by minors in closed containers in licensed establishments if they are age eighteen (18), and in open containers in licensed establishments if the establishment has 50% of its gross sales in food.

SUNDAY SALES - ELECTION DAY SALES - HOURS OF OPERATION

The bill allows for sales on Sunday after 1:00 P.M. and until regular closing hours in any licensed outlet, except liquor retailers. It allows for sales on election day and it alters closing hours to 1:30 A.M. in all outlets, except liquor retailers.

ENFORCEMENT AGENCIES

Under the act, the Kansas ABC will continue to have licensing authority over beer wholesalers, wine and spirits wholesalers, liquor retailers and private club license holders just as they do today. Local units of government will continue to have their authority to license local establishments for the retail sale of CMB. Therefore, there is no change in the present licensing system or the responsibilities of enforcement agencies and municipalities.



KANSAS BEER WHOLESALERS ASSOCIATION

1017 Merchants National Bank • Topeka, Kansas 66612

TESTIMONY

by

NEAL WHITAKER, EXECUTIVE DIRECTOR,

KANSAS BEER WHOLESALERS ASSOCIATION

before

THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

TUESDAY, JANUARY 22, 1985

It became apparent to the members of the beer wholesaling industry in Kansas that passage of a Congressional mandate concerning the drinking age left very little for discussion regarding the issue of raising the age to 21. As a result, in July members of the industry began reviewing Kansas statutes and daily operations to determine how it could best deal with the change. Realizing that approximately 300,000 Kansans ages 18 through 20 would no longer be purchasers of cereal malt beverage meant that the industry must change. As a result the industry has chosen to propose progressive changes to the law rather than turn its back and shore up opposition.

We believe the most reasonable response to the Congressional mandate should include a phase-in or grandfathering of a particular age group. This way the age will increase on a preselected date annually until it reaches 21 without taking away the rights of some citizens. From an enforcement standpoint, we believe this to be the most desirable method and our suggestion would be to begin the grandfather clause with birthdates on or after July 1, 1966 which would effectively make the age for consumption of cereal malt beverage 19 years of age on July 1 of this year. We believe that several other changes should be made at the same time.

For sale today in Kansas in a variety of different locations are two legal classifications of beer, the first known as cereal malt beverage limited to beer that is not more than 3.2% alcohol by weight and repeal beer, or what is commonly called "Kansas Strong". Repeal beer is available for retail sale only in licensed liquor stores throughout the state. Cereal malt beverage, on the other hand, is available for sale in grocery stores, restaurants that do not have a private club license and other similar locations in Kansas. Once the age reaches 21, the members of the Kansas Beer Wholesalers Association see little reason to continue carrying the two types of beer. The benefit for the wholesaler is obvious. Wholesalers today must actually carry duplicate packages of almost every item in their inventory, one 3.2% and the other strong. While the alcohol content of strong beer in most of the major brands varies one, two or three tenths of a percent

Attach C, 1/22/85

more than the 3.2 breaking point. Additionally, care must be taken through the entire distribution process so that one variety of beer, even though the difference is almost insignificant, doesn't show up in the wrong retailer's case resulting in a citation from the enforcement agency. All of these precautions are taken for what amounts to an insignificant difference in products. We believe that beer should be classed under the Kansas statutes as cereal malt beverage that would include barley malt products containing one-half of one percent of alcohol or more and that this cereal malt beverage be sold in every outlet where either beer or cereal malt beverage is sold today. This has two benefits, first it reduces the cost of operation for beer wholesalers by simplifying their inventories and delivery methods; secondly, it allows licensed liquor retailers who today are prohibited from selling products that have less than 3.2% alcohol by weight to sell the new line of cereal malt beverages which contain less than 2% or in some cases 1/2 of 1%. Today, 3.2% beer is sold in five states and as a result is not a major production item for most of our suppliers which from time to time creates some supply problems that could be alleviated if we were allowed to sell the same beer that is sold throughout the rest of the country. We recommend that should the legislature decide to classify all beer as cereal malt beverage that this change made to become effective when the age reaches 21 for consumption.

Changing all beer to cereal malt beverage requires several other amendments to the liquor control act to insure a smooth operation. The first is taxation. Today liquor stores are taxed on their beer sales at a rate of 8%. Grocery stores, on the other hand, pay only the state sales tax. By designating repeal beer as cereal malt beverage, it would be exempted from the enforcement tax. Therefore, we propose a flat beer enforcement tax of 5% be placed on beer regardless of where it is sold. This 5% tax raises an amount of money equal to the two taxes it replaces. In addition, private clubs today pay a 10% tax on drinks. However, cereal malt beverage sold in some private clubs today is exempt from that tax. The change making all beer cereal malt beverage requires that an adjustment be made. We believe that the 10% drink tax should cover all cereal malt beverage sold in private clubs, raising approximately \$1.8 million in new revenue.

Today in Kansas several wine and spirits wholesalers have some brands of beer in their inventories. These are only strong beers because they are prohibited from holding a cereal malt beverage wholesalers license. As a result of the previous changes we must allow wine and spirits wholesalers to hold a cereal malt beverage license so that they may continue operating in their present manner.

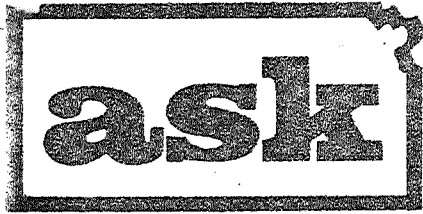
From the customers point of view we believe it is time for the legislature to seriously consider the allowance of sales of cereal malt beverage on Sunday afternoon and extending the

hours of operation to 1:30 A.M. Additionally, we have an interest in allowing election day sales from a suppliers standpoint. Every beer wholesaler operates with regular routes and stops. On election day liquor stores on those routes will be closed requiring that the wholesaler return to town the following day at a considerable expense to make the other half of his deliveries.

Raising the age to 21 creates some employment problems for a number of young people in Kansas. We encourage the legislature to allow minors 18 years of age and older to sell cereal malt beverage in closed containers wherever it is sold and in open containers in those establishments licensed as food service establishments in this state.

Finally, we believe that the enforcement agency, the Alcoholic Beverage Control Division, should continue to have the same enforcement powers it has today with the addition, perhaps, of some knowledge of who holds a cereal malt beverage license. They will need this information because the state has an interest in collecting the enforcement tax as well as enforcing the legal age of consumption.

You have an opportunity to take a progressive step by modernizing our cereal malt beverage laws and raising the age without increasing consumption. Last week the basic elements that I have outlined here were introduced in bill form by the Senate Federal and State Affairs Committee. I urge you to give these recommendations serious consideration as you study the issue of raising the legal drinking age in Kansas.



ASSOCIATED STUDENTS OF KANSAS

1700 College
Topeka, Kansas 66621
(913) 354-1394

STATEMENT BY

MARK TALLMAN

ASSOCIATED STUDENTS OF KANSAS

(ASK)

BEFORE THE

HOUSE FEDERAL & STATE AFFAIRS COMMITTEE

ON

RAISING THE DRINKING AGE IN KANSAS

January 22, 1985

Representing the Students of:

Emporia State • Fort Hays State • Kansas State • Pittsburg State • University of Kansas • Washburn University • Wichita State

1/22/85 Attach D.

Mr. Chairman, Members of the Federal and State Affairs Committee:

The Associated Students of Kansas appreciates this opportunity to address the issue of raising the legal drinking age in Kansas. To begin with, we want to extend to returning committee members our thanks for your willingness to address this issue with facts, not with emotions; with comprehensive solutions, not with the quick fix. Through your open minds and open doors, we have worked together on the problem of youth alcohol abuse the past two years. Hopefully, we can proceed the same way this session.

We all know the merits of a higher drinking age are not the real issue here today. Congress and the President have leveled a gun at the heads of state legislatures and given you a choice: maintain your laws as you see fit and lose millions of federal dollars, or accept a Washington, D.C. mandate and pick up the tab for enforcement, loss of tax revenue and unemployment. The irony of the situation is that this flexing of federal muscle was championed by a President who came into office promising to return power to the states and the people.

ASK continues to oppose a higher drinking age for the reasons we always have: it is unfair to tell young persons 18 to 20 years of age, who have been given the rights and responsibilities of adulthood in our society, to give up their beer when those persons, 21 years and over, have no intention of doing so; it will be extremely difficult, if not impossible, to enforce and will only lead to flouting of the law through false IDs; those that ignore the law will "go underground" to uncontrolled settings and illicit sources and may actually increase alcohol-related crashes and fatalities; and, most important, it does nothing to address the far larger problems of youth alcohol abuse.

We can support each of these claims. The statistical evidence on raising the drinking age is unquestionably mixed: some states have raised the age and seen fewer fatalities; some have raised the age and seen more deaths; some have done nothing and seen improvement; some have acted and seen no change. The state of the economy probably has as much to do with highway safety as any state's legal system. But that doesn't change political realities. We would be in serious trouble if Kansas' students couldn't count votes or read the writing on the wall. If we must raise the age, let's try to make the best of a truly unfortunate situation.

Delegates to the ASK assembly voted to continue our strong philosophical opposition to an age increase. But if this is inevitable there should be three elements to any package of legislation: 1.) a phased-in period or "grandfather clause"; 2.) protection of employment opportunities for young adults, and 3.) a strong commitment by the state to alcohol education and prevention.

I. "Grandfather Clause"

This may seem obvious, and even proponents of a higher age have been willing to accept this. But there are reasons beyond simple fairness. First, the best enforcement is self-enforcement. Few people of any age who have been given a privilege will accept having it taken away all at once. The best chance of winning some acceptance for a higher drinking age is to change the expectations of those who have not yet begun to drink.

Second, a higher drinking age will have a significant impact on social patterns of 18-20-years-olds. That group of the population is simply not going to start going to bed at nightfall every weekend night if the age is raised. The best chance of minimizing "underground drinking" and false IDs is to give communities a chance to develop social alternatives such as "dry" bars and

coffee-houses. This is an area ASK has begun to work in through organizations such as Students Against Drunk Driving and BACCHUS.

II. Employment Opportunities

A high percentage of jobs for students and other young people are in establishments that serve alcoholic beverages. A higher drinking age may cause a serious employment problem for young people, especially in college communities. To deal with this, we propose the following:

A. Eighteen-year-olds should be able to sell beer in closed containers for off-premise consumption.

B. Eighteen-year-olds should be able to sell and serve beer in restaurants, as provided for by last year's so-called "Pizza Hut" amendment to the conference committee report that was never adopted. These two provisions are included in the package supported by the Beer Wholesalers Association.

C. A higher drinking age will eliminate the legality of the "18 bar," and the number of bars serving only beer will certainly drop sharply, if not die out altogether, with a major loss of student jobs. They will likely be replaced by establishments serving liquor, which ABC director John Lamb stated last week are expanding rapidly.

To make up for lost jobs in "18 bars", we propose that 18-year-olds be allowed to work as waiters, waitresses, bartenders and other positions to serve or sell any alcoholic beverage for on-premise consumption. We would accept a requirement that a person 21 years or older be present as a supervisor.

Because proponents of a higher age frequently use examples of other states as justification, we have conducted a study of other states to see what types of employment provisions are the most common by contacting their ABC boards or the equivalent. Thirty-four states responded. We have attached a list of all those

responding. The highlights are:

Of 18 states with a drinking age of 21, only five (Delaware, North Dakota, Utah and Alaska) require persons to be 21 to serve all alcoholic beverages. One other allows 18-year-olds to sell beer only (Oklahoma).

On the other hand, five states (Illinois, New Jersey, Pennsylvania, Rhode Island and Tennessee) allow all 18-year-olds to sell and serve with no restrictions. Maryland allows this in Carroll County.

In addition, three states allow 18-year-olds to sell and serve in restaurants, although Missouri and Oregon require 21-year-olds to draw or mix drinks for service over a bar or away from the table. Three other states allow those under 21 to sell or serve liquor with restrictions; Washington allows this if a 21-year-old supervisor is present; Kentucky allows 20-year-olds to sell and serve liquor, and Nebraska, 19-year-olds.

In other words, of 18 "21" states, 11 allow those under 21 to sell or serve liquor under some circumstances.

In states with lower drinking ages, this pattern continues. Of three states with a drinking age of 20, two have provisions for those under 20 to sell in some circumstances; a third mentioned no special provisions.

Of 10 states with a 19 drinking age, seven allow 18-year-olds to sell all alcoholic beverages. One allows 18-year-olds to sell beer but not liquor; only one requires employees to be 19 for all beverages. One has no special provisions.

The laws of other states, including those who have a 21 drinking age, seem to support our point that the age for selling beer has nothing to do with drunk driving among young people, which is what a higher age is supposed to address.

III. Education and Abuse Prevention

Aside from the issues of fairness, enforcement, and the risk of even greater alcohol abuse due to illegal drinking, we have opposed past age increases, even to 19, because we feel it does little or nothing to address the real causes of youth alcohol abuse.

Raising the age to deal with this problem is a little like standing in the basement of a house with a leaking roof during a downpour, and raising an umbrella. It might keep the water off your head for a while, but you haven't fixed the real problem and the house is still going to flood.

If the age must be raised, this may be the last, best chance to take important steps to combat alcohol abuse by dealing with ATTITUDES, not just accessibility. Raising the age might be described as a "supply-side" strategy, because it seeks to limit the availability of alcohol beverages. But the unfortunate experience of illegal drugs, which are prohibited to every age group, but still a serious problem, shows the ineffectiveness of these efforts. The most effective way to stop alcohol/drug abuse is to reduce the number of people WANTING illegal items, or MISUSING legal ones; or what we might call "demand-side" approaches.

How do we change attitudes? First, by the peer-based efforts of groups like Students Against Drunk Driving, which has expanded tremendously in the past year alone; and by organizations like BACCHUS at the college level, which ASK took the lead in organizing in Kansas. Second, by EDUCATING young people about the consequences of drug and alcohol abuse at each level of schooling, so their sources of information are not "trial and error" experimentation with glamorized, but forbidden temptations.

Clearly, we do not have time for a detailed discussion of educational programs today, but we can quickly describe two ways to bring about the two

solutions described above.

First, the legislature should provide expanded funding and support for the "school team training" method being developed by the Kansas Alcohol/Drug Abuse Division. This technique brings "teams" of students, faculty, parents and community leaders to training sessions where strategies for fighting alcohol and drug abuse are developed. ADAS only has funding for one or two sessions this year, yet could do as many as four sessions each year if adequate resources were provided.

Because of the shortage of funds, training has only been provided at the high school level, although training SHOULD begin in the elementary grades. And, despite the fact that there are over 300 school districts across the state, school team training has only been completed in 12 school districts. As you can see, ADAS has only begun to scratch the surface. The cost of training a group of 20 teams per session is between \$45,000 and \$60,000. A ready source of funding would be a tax on beer sold in private clubs, which is included in the beer wholesalers proposal and would generate about \$1.8 million a year.

Second, the recommendations of the Governor's Committee on Drunk Driving for mandatory education in schools should be adopted as follows:

A. The Legislature should urge the implementation of mandatory programs of drug/alcohol abuse education in elementary, junior high and high school, through a resolution to the Board of Education.

B. A phase-in period should be provided to allow schools to develop appropriate curriculums for various levels. A number of fine programs have already been developed by the industry and other groups, and are readily available at very modest costs.

C. Where possible, these programs should be incorporated into existing

courses, such as junior high health courses and high school physical education courses.

D. Units on the effects of alcohol and drug use should also be integrated into Driver's Education courses.

E. Finally, we also suggest a resolution to Teacher Education Programs in the state to encourage the training of teachers in alcohol/drug issues and education.

F. The modest costs of such a program, if they did exceed resources currently available, could also be taken from the proposed tax on beer, and from funding currently provided from alcohol beverage taxes.

Mr. Chairman, we encourage the committee to introduce such resolutions, and for hearings to be held on the issue of drug/alcohol education as a vital part of any increase in the drinking age.

Thank you Mr. Chairman and members of the Committee for this opportunity to appear before you today. I will be happy to respond to any questions.

Survey of State Liquor Laws in Regards to Employment of Minors and Underaged Persons

ALASKA -- Drinking age: 21

Employment Provisions: Persons who could drink and/or work prior to the enactment of the law (last year whereby the age to drink and/or work was raised from 19 to 21) were allowed to continue to do so. Those who were not old enough to legally drink or be employed prior to the effective date of the law may not do so until they reach the age of 21.

ARKANSAS -- Drinking age: 21

Employment Provisions: Persons must be 21 years of age to sell alcohol unless they are employed in a supermarket whose gross sales are at least \$2 million per year.

COLORADO -- Drinking age: 18 for 3.2 beer; 21 for wine, malt beer, liquor

Employment Provisions: any age may handle empty alcoholic beverage containers; under 18 may handle 3.2% beer if acting as an employee for a 3.2 beer licensee and is supervised by someone at least 18 years of age; wine and malt liquor may be handled, dispensed or sold by anyone at least 18 years of age; must be 21 years old to handle, dispense, or sell all types of spirituous liquor.

CONNECTICUT -- Drinking age: 20

Employment Provisions: No special employment provisions mentioned.

DELAWARE -- Drinking age: 21

Employment Provisions: must be 21 to sell, mix, or serve alcoholic beverages; employment by wholesalers permitted at 18; 16-17 year olds may bus or wash dishes.

FLORIDA -- Drinking age: 19

Employment Provisions: must be 18 and acting in the scope of employment to sell, prepare and serve alcoholic beverages.

GEORGIA -- Drinking age: 19

Employment Provisions: 18 year olds may be employed in any licensed establishment and engage in dispensing, serving, selling, handling, taking orders for and possessing alcohol as a part of employment; persons less than 18 years of age employed in supermarkets, convenience stores or drugstores may sell or handle alcoholic beverages sold for off-premise consumption; 18 year olds may work in retail package liquor stores.

IDAHO -- Drinking age: 19

Employment Provisions: none special for minors or underaged persons

ILLINOIS -- Drinking age: 21

Employment Provisions: "The legal age for selling and serving alcoholic beverages ... has been deemed to be 18 years of age by an opinion of the Illinois Attorney General; however local authorities may by ordinance or resolution prohibit minors from selling and serving."

IOWA -- Drinking age: 19

Employment Provisions: 18 years and older can sell and serve alcoholic beverages and beers in establishments in which liquor and/or beer are consumed; 16 years and older can sell beer in establishments which sell carry-out beer.

- KENTUCKY -- Drinking age: 21
Employment Provisions: must be 20 to work on liquor-licensed premises; at beer establishments an 18 year old may work provided an adult employee (21 or over) is present on the facilities.
- MAINE -- Drinking age: 20
Employment Provisions: for the purpose of receiving payment at check-out counters for the sale of malt liquor or table wine in retail stores, a person must be 17 years of age or older and an employee 18 years of age or older present in a supervisory capacity.
- MARYLAND -- Drinking age: 21
Employment Provisions: in Carroll County, 18-20 year olds may serve beverages while acting in the capacity of a waiter or waitress; 18 years and older may stock alcoholic beverages; in other counties, 18 years and older may sell beer and light wine.
- MICHIGAN -- Drinking age: 21
Employment Provisions: Persons must be 18 years of age or older to sell or serve alcoholic beverages.
- MINNESOTA -- Drinking age: 19
Employment Provisions: Selling (employed as bartender, waiter or waitress, or by package) is 18 years of age.
- MISSOURI -- Drinking age: 21
Employment Provisions: 18 years and older may sell or handle liquor in establishments where at least 50% of gross sales is not in intoxicating liquor or nonintoxicating beer; 18 years and older may stock, accept payment for and sack for carry-out; delivery away from licensed premises not permitted by anyone under 21; 18 years and older may, when acting in the capacity of a waiter or waitress, accept payment for or serve liquor or beer in establishments which sell food for consumption on the premises if at least 50% of all sales consists of food; must be 21 to mix or serve across the bar.
- MONTANA -- Drinking age: 19
Employment Provisions: 18 year olds may work and/or serve in premises licensed to sell alcohol.
- NEBRASKA -- Drinking age: 21 (as of 1-1-85)
Employment Provisions: persons 19 years and older may serve and sell alcoholic liquor in the course of their employment; 16 years and older may handle beer containers in the course of employment in grocery stores and may remove and dispose of alcoholic liquor in their employment as waiters, waitresses or busboys by any restaurant or club, hotel, etc..
- NEVADA -- Drinking age: 21
Employment Provisions: under 21 years of age may work in establishments wherein spirituous, malt or fermented liquors or wines are served only in conjunction with regular meals and where dining tables or booths are provided separate from the bar, or in any grocery store or drug store where liquors or wines are not sold by the drink for consumption on the premises; 16 years and older may be employed in a retail food store for the sale or disposition of liquor if supervised by a person 18 years of age or older, such person 18 years of age or older is present at the time, and the liquor is in a container or receptacle which is corked or sealed.

NEW HAMPSHIRE -- Drinking age: 20

Employment Provisions: 18 years and older can serve alcoholic beverages in on-sales establishments with an adult present; 16 years and older can sell beer or wine in their original containers in off-sale establishments with an adult present; 16 years and older can clean tables and lounge areas of any containers or glasses provided an adult is present.

NEW JERSEY -- Drinking age: 21

Employment Provisions: 18 years and older may sell alcoholic beverages.

NORTH CAROLINA -- Drinking age: 19 for beer and unfortified wine; 21 for fortified wine and liquor.

Employment Provisions: 21 years of age to pour and mix drinks; 18 years of age if only pouring beer or wine; 18 years of age to serve alcoholic beverages; any age to sell for the consumption off-premises.

OHIO -- Drinking age: 19 for beer; 21 otherwise.

Employment Provisions: no age restrictions in handling alcohol beverages in sealed containers; no age restrictions in handling open containers while bussing tables; must be 18 to sell alcoholic beverages in sealed containers; 19 years and older may serve wine and liquor by the drink; 19 years and older can sell only beer by the drink.

NORTH DAKOTA -- Drinking age: 21

Employment Provisions: none for allowing minors or underaged persons to sell or serve.

OKLAHOMA -- Drinking age: 21

Employment Provisions: 18 year olds may work in an establishment that sells 3.2 beer for on-premise consumption; persons under 18 years of age may work in an establishment that sells 3.2 beer for on-premise consumption if beer sales don't exceed 25% of gross retail sales.

OREGON -- Drinking age: 21

Employment Provisions: 18 year olds may sell in store which holds a packaged store license; 18 years and older may take orders for, serve, and sell alcoholic liquor in any part of the licensed premises when that activity is incidental to the serving of food; no one under 21 years of age is permitted to mix, pour or draw alcoholic liquor except when done as a service at the patron's table.

PENNSYLVANIA -- Drinking age: 21

Employment Provisions: 18 years and older may sell or serve liquor and/or malt or brewed beverages.

RHODE ISLAND -- Drinking age: 21

Employment Provisions: must be at least 18 years of age to work as a waiter, waitress or bartender; 16 years and older may stock shelves.

SOUTH DAKOTA -- Drinking age: 19 for low point beer; 21 otherwise

Employment Provisions: must be 21 to sell or serve alcoholic beverages; must be 19 to serve low point beer.

TENNESSEE -- Drinking age: 21

Employment Provisions: 18 years olds allowed to serve and sell and dispense in the course of employment.

- KANSAS -- Drinking age: 19
Employment Provisions: no age restrictions for selling beer; must be 18 years of age to sell alcoholic beverages.
- UTAH -- Drinking age: 21
Employment Provisions: must be 21 to handle liquor.
- VERMONT -- Drinking age: 18
Employment Provisions: must be 18 to sell for on-premise consumption; must be at least 16 years of age to sell for off-premise consumption.
- WASHINGTON -- Drinking age: 21
Employment Provisions: grocery stores which sell packaged beer and wine for home consumption able to employ persons under 21 years of age if supervised by someone 21 or older; 18 years and older may take orders for sale and service in all on-premise locations except the cocktail lounge portion of a licensed restaurant and any portion of a licensed tavern.
- WEST VIRGINIA -- Drinking age: 19
Employment Provisions: must be 19 years of age to dispense, serve or sell alcoholic beverages.
- WISCONSIN -- Drinking age: 19
Employment Provisions: 18 year olds may sell, serve or dispense beer if under the supervision of a licensee, agent, or licensed operator; the law does not allow an underage person to sell intoxicating liquor.
- WYOMING -- Drinking age: 19
Employment Provisions: persons may "deliver" alcoholic or malt beverages pursuant to employment.

Fort Hays State

Fort Hays State Univer
Student Government Association
Hays, KS 67601-4099
(913) 628-5311

STATEMENT OF JOHN LEWIS ALLEN, JR.
CAMPUS DIRECTOR, FORT HAYS STATE UNIVERSITY
ASSOCIATED STUDENTS OF KANSAS

BEFORE THE

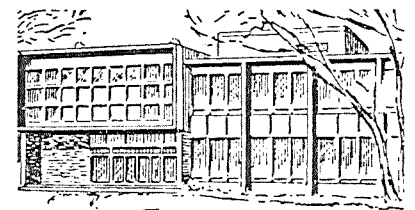
HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

PERTAINING TO

RAISING THE LEGAL DRINKING AGE IN KANSAS

22 JANUARY 1985

Student Government



1/22/85

Attach E.

Mr. Chairman, Members of the Committee, Fellow Conferees, and Ladies and Gentlemen:

My name is John Allen, and I am a student at Fort Hays State University and am employed there as the campus director for the Associated Students of Kansas. I would like to take a few moments to share with you the results of an ASK-sponsored survey of tavern and club owners in cities that accomodate universities in Kansas in regard to the question of student employment, and discuss briefly the impact of those results upon the matter at hand.

ASK understood intuitively that a significant number of student jobs were involved in the selling and handling of 3.2 beer in Kansas; as an outgrowth of that understanding and concern, we took a position at our November Legislative Assembly in favor of allowing 18, 19, and 20 year-olds to continue to hold these jobs in the wake of any drinking age increase, and further, because of the probable shift from 3.2 taverns to private clubs, we endorsed allowing 18, 19, and 20 year-olds to sell and handle harder liquor. However, we also realize that intuition alone does not make good law, and therefore we decided to attempt to quantify our concerns,

Because of the obvious impracticality of surveying the entire state, especially in light of our limited resources, we chose to concentrate exclusively on our college towns, and further, chose three statistically representative towns to sample: Hays, Lawrence, and Topeka. Admittedly, the results at best are not scientifically accurate, but they do provide us with a reasonably clear appraisal of the situation.

Two separate surveys were conducted, one of 3.2 beer tavern owners, and one of club operators. What follows, then, are the results of those surveys.

ASSOCIATED STUDENTS OF KANSAS
3.2 BEER TAVERN OWNER SURVEY

QUESTION	FHSU	KU	WU	7-SCHOOL TOTAL
1. HOW MANY 18, 19, AND 20 YEAR-OLDS DO YOU EMPLOY IN SELLING AND HANDLING 3.2 BEER?	67	158	32	735
2. WHAT IS THE AVG. WAGE PAID TO 18-20 YEAR-OLDS?	\$3.45	\$3.68	\$3.50	\$3.54
3. SHOULD IT BECOME ILLEGAL TO EMPLOY 18-20 YEAR-OLDS, HOW MANY WILL YOU HAVE TO DISPLACE?	62	155	32	720
4. DO YOU THINK THE COST OF TRAINING NEW EMPLOYEES TO REPLACE YOUR 18-20 YEAR-OLDS WILL ADVERSELY AFFECT YOUR BUSINESS?	YES-70% NO-30%	YES-80% NO-20%	YES-60% NO-40%	YES-70% NO-30%
5. IF IT IS ILLEGAL TO EMPLOY 18-20 YEAR OLDS TO SELL AND HANDLE, WILL THAT AFFECT YOUR FUTURE HIRING PATTERNS WITH THAT GROUP?	YES-85% NO-15%	YES-95% NO-5%	YES-90% NO-10%	YES-90% NO-10%

CLUB OPERATOR SURVEY

QUESTION	FHSU	KU	WU	7-SCHOOL TOTAL
1. IF MADE POSSIBLE, WOULD YOU HIRE 18, 19, AND 20 YEAR-OLDS AT YOUR ESTABLISHMENT?	YES-100% NO-0%	YES-90% NO-10%	*NA	YES-95% NO-5%
2. DO YOU THINK THE KANSAS LEGISLATURE SHOULD ACT TO ALLOW CLUB OPERATORS TO HIRE 18, 19, AND 20 YEAR-OLDS?	YES-80% NO-20%	YES-65% NO-35%	*NA	YES-72.5% NO-27.5%

*Not Applicable; respondents did not feel they had enough information.

What I think these results underscore is the importance of creating some provision for sales by minors in whatever legislation passes this committee. We have demonstrated a statistically significant number of student jobs in this area already exist; indeed, as an example of the importance of this line of employment to students, we estimate almost one million dollars--\$936,684--is involved every semester. Further, we have uncovered the potential for many more student jobs in the 95% of club operators who said that, if possible, they would hire 18-20 year-old employees.

At a time when a widening depression of the farm economy has all but negated the effect of the national recovery here in Kansas; at a time when college costs continue to climb while available student aid continues to constrict; and at a time when students desperately need, and desire, the opportunity to work their way through school, it is of particular importance that no action of this committee or this legislature adversely affect that opportunity. Opportunity is key here, for it is not a gift that we seek here today, but merely the opportunity to make our own way and prove ourselves as responsible citizens. Speaking as a student employee of a 3.2 tavern, I hope that our jobs will be preserved and our opportunities broadened by this committee today.

Thank you, and I will be glad to entertain any questions from the committee.

Save



Lives

Consider the facts:

Researchers find no significant difference in the percent of young people who drink at any age due to different legal drinking ages.

See: Wechsler, Minimum Drinking Age Laws.

Raising the age did not reduce alcohol consumption in any state.

See: States Alcohol Beverage Revenue Data, 1975-83.

Young people who cannot drink legally in safe, supervised settings do so illegally in unsafe, unsupervised, and often remote settings where they tend to drink more, drive more, and get into more trouble than those who drink legally at the same age.

See: Alcohol and Health, Reports to the U. S. Congress, I-IV, NIAAA.



Abusive drinking is higher among underage persons in higher legal drinking age states than among persons of the same age in lower legal drinking age states.

See: Rooney and Schwartz, The Effect of Minimum Drinking Age Laws Upon Adolescent Alcohol Use and Problems.

Alcohol-related crash rates did not decrease, but increased among those affected by raising the age in Florida, Massachusetts, Minnesota and Montana.

See: Insurance Institute for Highway Safety; States' Highway Safety Authorities.

Fatal crash rates were 8% higher among 18-20 year-old drivers where the drinking age was 21 than where it was 18.

See next page.

In Wisconsin, an 8% increase could result in **10 or more additional 18-20 year-old driver deaths per year.**

Save



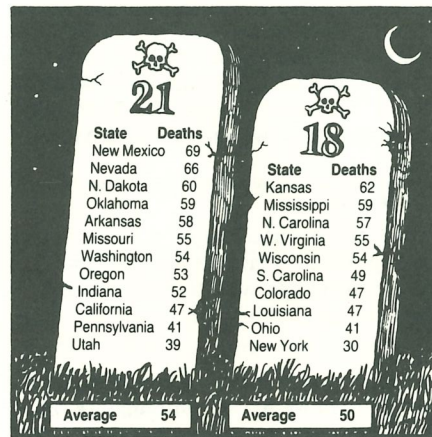
Lives

Raising the age raises the risks.

Studies of 22 states which maintained different legal drinking ages for beer show that fatal crash rates were higher for 18-20 year-old drivers where the legal drinking age was 21 than where it was 18.

18-20 Year-old Driver Deaths*

*Per 100,000 licensed drivers, 5 year average.



Source: National Highway Traffic Safety Administration (FARS) Fatal Accident Reporting System, 1970-75.

Graphic: United Council of UW Student Governments



Stop 21 Committee, 14 So. Carroll St., Madison, WI 53703

DEATH AND DRINKING
BEFORE AND AFTER
RAISING THE LEGAL DRINKING AGE

Drinking(1)=Relative per adult capita consumption (U.S.=1.00)
Deaths(2)=Relative 18-20 yr-old driver death rates (U.S.=1.00)

State	Change Date	Drinkg (1)			Deaths (2)		
		Before	After	Change	Before	After	Change
Florida	10/80	1.1838	1.1610	-1.9%	NA	NA	NA
Georgia	9/80	0.8671	0.8880	+2.5%	NA	NA	NA
Illinois	1/80	1.0649	1.0437	-1.6%	0.890	0.930	+4.5%
Iowa	7/78	0.8206	0.7800	-5.0%	0.995	1.098	+10.3%
Maine	10/77	1.0135	0.9782	-4.0%	1.365	1.414	+3.6%
Massachusetts	4/79	1.1434	1.1599	+1.4%	NA	NA	NA
Michigan	12/78	1.0305	0.9680	-6.1%	0.850	0.872	+2.6%
Minnesota	8/76	1.0247	1.0142	0.0%	1.146	1.124	-1.9%
Montana	1/79	1.1788	1.1969	+1.5%	0.940	0.982	+4.5%
Nebraska	5/80	0.9584	0.9492	0.0%	0.860	1.083	+26.0%
New Hampshire	5/79	1.8135	1.8016	0.0%	1.043	1.398	+34.0%
New Jersey	1/80	1.0023	1.0535	+5.1%	1.040	1.173	+12.7%
Rhode Island	7/81	1.1456	1.0951	-4.4%	NA	NA	NA
Tennessee	6/79	0.6988	0.7023	0.0%	1.028	1.135	+10.4%
Texas	9/81	1.0672	1.0594	0.0%	1.030	1.150	+11.7%
Averages		1.0675	1.0567	-1.0%	1.017	1.123	+10.0%
Changes:		Drinkg			Deaths		
		4 UP	5 NS	6 DOWN	10 UP	4 NA	1 DOWN

TABLE 1 : Unadjusted and Relative Per Adult Capita Alcohol Consumption

A. Unadjusted Per Adult (18+) Capita Alcohol Consumption
(Wine gallons of absolute alcohol per person)

State	Yr. 0	Yr. 1	Yr. 2	Yr. 3	Avg.	Yr. 0-Avg
Florida	3.6854	3.5970	3.5588	3.5243	3.5600	-0.0340
Georgia	2.6996	2.7259	2.6954	2.7535	2.7250	0.0094
Illinois	3.2842	3.2892	3.2692	3.1821	3.2468	-0.0113
Iowa	2.5309	2.5168	2.3232	2.4131	2.4177	-0.0447
Maine	3.0285	2.9555	3.0246	3.0105	2.9968	-0.0104
Massachusetts	3.5264	3.6318	3.6216	3.5340	3.5958	0.0196
Michigan	3.1375	3.0466	3.0026	2.9755	3.0082	-0.0412
Minnesota	3.0150	3.0409	3.0738	3.1319	3.0822	0.0222
Montana	3.5891	3.8360	3.6273	3.6940	3.7191	0.0362
Nebraska	2.9725	2.9832	2.8326	2.9164	2.9107	-0.0207
New Hampshire	5.6459	5.5262	5.3839	5.6587	5.5229	-0.0217
New Jersey	3.0910	3.2321	3.3012	3.2634	3.2655	0.0564
Rhode Island	3.5665	3.3219	3.3255	3.4233	3.3569	-0.0587
Tennessee	2.1553	2.1374	2.2126	2.1808	2.1769	0.0100
Texas	3.3313	3.2823	3.1531	NA	3.2177	-0.0340

Average	3.2839	3.2748	3.2270	3.2615	3.2545	-0.0081
Change	0%	-0.0027	-0.0145	0.0106	-0.0066	

B. Changes In Relative Per Adult Capita Alcohol Consumption
(State consumption expressed as decimal fractions of U.S.)

	YR. 0	Yr. 1	Yr. 2	Yr. 3	Avg.	Change Yr. 0-Avg.
Florida	1.1838	1.1507	1.1628	1.1695	1.1610	-0.0192
Georgia	0.8671	0.8720	0.8807	0.9138	0.8888	0.0250
Illinois	1.0649	1.0565	1.0458	1.0397	1.0473	-0.0164
Iowa	0.8206	0.8084	0.7432	0.7884	0.7800	-0.0495
Maine	1.0135	0.9707	0.9807	0.9670	0.9728	-0.0401
Massachusetts	1.1434	1.1666	1.1585	1.1547	1.1599	0.0144
Michigan	1.0305	0.9878	0.9645	0.9518	0.9680	-0.0606
Minnesota	1.0247	1.0177	1.0096	1.0155	1.0142	NS
Montana	1.1788	1.2438	1.1651	1.1817	1.1969	0.0153
Nebraska	0.9548	0.9543	0.9255	0.9678	0.9492	NS
New Hampshire	1.8135	1.7678	1.7591	1.8779	1.8016	NS
New Jersey	1.0023	1.0382	1.0560	1.0662	1.0535	0.0511
Rhode Island	1.1456	1.0626	1.0865	1.1360	1.0951	-0.0441
Tennessee	0.6988	0.6865	0.7078	0.7125	0.7023	NS
Texas	1.0657	1.0724	1.0464	NA	1.0594	NS

Average	1.0672	1.0571	1.0461	1.0673	1.0567	-0.0098
Change		-0.0094	-0.0104	0.0202	-0.0099	

TABLE 2
 18-20 Year-old Driver Death Rates
 (Per 10,000 licensed drivers)
 Before and After Raising the Legal Drinking Age

Sources: National Highway Traffic Safety Administration (Deaths)
 State Licensing Authorities (Licensed Driver Data)

State	Change Date	Before (Yr. 0)	Yr. 1	Yr. 2	Yr. 3	After (Yr. 1-3)
Illinois	1/80	6.82	6.22	5.99	5.55	5.92
Change %			-0.08	-0.03	-0.07	-0.13
Iowa	7/78	8.21	8.09	8.06	NA	8.07
Change %			-0.01	0.00	NA	-0.01
Maine	10/77	11.04	12.93	10.25	13.32	12.16
Change %			0.17	-0.20	0.29	0.10
Michigan	12/78	7.31	6.64	6.44	4.94	6.00
Change %			-0.09	-0.03	-0.23	-0.17
Minnesota	8/76	8.48	8.79	12.27	11.32	10.79
Change %			0.03	0.39	-0.07	0.27
Montana	1/79	10.06	12.45	12.53	14.47	13.15
Change %			0.23	0.00	0.15	0.30
Nebraska	5/80	7.80	8.55	5.13	6.69	7.79
Change %			0.09	-0.40	0.30	0.00
New Hampshire	5/79	7.01	10.42	6.00	7.25	7.89
Change %			0.48	-0.42	0.20	0.12
New Jersey	1/80	6.92	6.92	6.33	5.26	6.17
Change %			0.00	-0.08	-0.16	-0.10
Tennessee	6/79	12.16	9.84	10.03	9.75	9.87
Change %			-0.19	0.01	-0.02	-0.18
Texas	9/81	11.37	11.89	10.07	8.27	10.07
Change %			0.04	-0.15	-0.17	-0.11
Average Rate		8.83	9.34	8.46	8.68	8.82
Avg. Change %			+ 5.7%	- 9.4%	+ 2.6%	0.00

TABLE 3
 Changes In 18-20 Year-old Driver Death Rates
 Before (Yr.0) and After (Yr.1-5) Raising the Legal Drinking Age
 (Relative to U.S. rates for the same age group and years.)

Sources: National Highway Traffic Safety Administration (deaths)
 State Licensing Authorities (License Data)

State	Date	Yr.0	Yr.1	Yr.2	Yr.3	Yr.4	Yr.5	Average
Illinois Change %	1/80	0.890	0.850 -4.5%	0.900 1.1%	0.970 9.0%	1.000 12.4%	NA NA	0.930 4.5%
Iowa Change %	7/78	0.995	1.000 0.5%	1.070 7.5%	NA NA	0.920 -7.5%	1.400 40.7%	1.097 10.3%
Maine Change %	10/77	1.365	1.650 20.9%	1.350 -1.1%	1.590 16.5%	1.340 -11.8	1.140 -16.5%	1.414 3.6%
Michigan Change %	12/78	0.850	0.870 2.4%	0.910 7.1%	0.790 -7.1%	0.830 -2.4%	0.960 12.9%	0.872 2.6%
Minnesota Change %	8/76	1.146	1.120 -2.3%	1.110 -3.1%	1.130 -1.4%	1.180 3.0%	1.080 -5.7%	1.124 -1.9%
Montana Change %	1/79	0.940	0.970 3.2%	1.050 11.7%	1.000 6.4%	0.930 -1.1%	0.960 2.1%	0.982 4.5%
Nebraska Change %	5/80	0.860	1.040 20.9%	0.870 1.2%	1.340 55.8%	NA NA	NA NA	1.083 26.0%
New Hampshire Change %	5/79	1.043	1.480 41.9%	1.160 11.2%	1.180 13.1%	1.770 69.7%	NA NA	1.397 34.0%
New Jersey Change %	1/80	1.040	1.210 16.3%	1.150 10.6%	1.100 5.8%	1.230 18.3%	NA NA	1.172 12.7%
Tennessee Change %	6/79	1.028	0.960 -6.6%	1.090 6.1%	1.130 10.0%	1.360 32.4%	NA NA	1.135 10.5%
Texas Change %	9/81	1.030	1.060 2.9%	1.240 20.4%	NA NA	NA NA	NA NA	1.150 11.7%
Average Rate		1.017	1.110	1.082	1.137	1.173	1.108	1.122
Average Change			8.7%	6.6%	12.0%	13.7%	6.7%	10.8%
Number Up/Down			8/3	9/2	7/2	5/4	3/2	10/1

TABLE 4

18-20 Driver death Rates
21 Yr-old vs. 18 yr-old Legal Drinking Age States
1979-1983

Source: National Highway Traffic Safety Administration
Fatal Accident Reporting System (FARS)

	1979	1980	1981	1982	1983	Average 1979-83
Arkansas	13.04	NA	NA	9.71	7.58	10.11
California	9.65	8.83	7.94	7.05	7.05	8.10
Indiana	8.50	7.44	6.43	6.77	6.41	7.11
Missouri	7.50	8.06	7.49	6.08	5.57	6.94
Nevada	13.45	12.14	9.46	9.94	10.50	11.09
N. Dakota	7.57	7.23	8.90	10.29	NA	8.49
Oklahoma	10.38	11.98	13.05	12.27	7.86	11.10
Oregon	8.40	8.13	6.99	6.26	7.46	7.44
Penna.	8.27	7.77	7.35	6.24	5.78	7.08
Utah	7.41	7.32	7.71	7.14	7.50	7.41
Washington	9.25	9.30	8.17	8.06	5.85	8.12
Kentucky	10.22	8.37	9.73	8.11	8.70	9.02
Average 21	9.47	8.77	8.47	8.16	7.29	8.50
Hawaii	10.51	8.68	8.10	7.25	6.27	8.16
N. Carolina	8.48	9.54	9.35	8.21	6.99	8.51
New York	8.39	8.96	7.98	7.00	6.13	7.69
S. Carolina	9.91	8.50	9.46	6.95	8.34	8.63
Wisconsin	NA	9.44	8.43	7.05	6.99	7.97
W. Virginia	7.85	9.78	NA	6.92	5.20	7.43
Average 18	9.02	9.15	8.66	7.23	6.65	8.06

Fatality Rates*- 18-to-20 Group

	1975	1976	1977	1978	1979	1980	1981	1982	1983
AL									
AK	8.36	11.60	18.15	20.91	13.04			9.71	15.63
AZ	10.51	9.52	12.13	16.74	15.65	10.16	10.51	7.76	8.38
AR	6.95	7.89	8.94	9.77	9.97	9.08	7.78	6.86	6.27
CA	6.95	7.53	8.90	9.36	9.65	8.83	7.94	7.05	7.05
CO	5.83	7.12	7.20	7.85	8.13	7.52	8.30	6.13	5.71
CT	5.67	5.82	6.36	8.16	8.19	8.04	7.35	6.92	6.02
DE	6.71	9.39	5.92	8.44	5.68	11.19	7.79	8.76	4.62
DC									
FL									
GA									
HI	4.95	7.68	5.13	7.77	10.51	8.68	8.10	7.25	6.27
ID	8.03	10.55	10.32	9.49	10.62	11.50	8.59	6.14	10.14
IL	7.46	7.06	7.78	8.42	6.82	6.22	5.99	5.55	4.66
IN	7.78	8.29	8.30	9.14	8.50	7.44	6.43	6.77	6.41
IA	8.84	8.75	7.69	8.21	8.09	8.06		5.53	7.62
KS	6.84	7.93	9.01	8.80	7.55	9.76	9.11	7.84	6.67
KY	9.14	10.10	1.03	10.01	10.22	8.37	9.73	8.11	8.70
LA	8.03	8.80	9.24	10.79	ERR	14.23			
ME	9.09	8.11	11.04	12.93	10.25	13.32	8.57	5.84	7.71
MD	6.67	5.65	6.24	6.96	6.57	6.59	6.43	6.27	5.16
MA									
MI	6.87	8.03	9.02	7.31	6.64	6.44	4.94	4.55	4.23
MN	8.43	8.48	8.79	12.27	11.32	10.77	8.16	6.32	8.42
MS	6.16	7.58	7.03	12.48	8.09	8.46	8.94	7.77	8.23
MO	7.56	8.97	6.16	10.94	7.50	8.06	7.49	6.08	5.57
MT	11.59	12.11	15.34	10.06	12.45	12.53	14.47	10.53	10.33
NE	9.23	7.83	8.58	7.95	6.88	7.80	8.55	5.13	6.69
NV	8.41	9.06	12.80	11.62	13.45	12.14	9.46	9.94	10.50
NH	4.09	10.15	8.22	7.78	7.01	10.42	6.00	7.25	9.10
NJ	6.15	5.88	6.46	6.29	6.92	6.92	6.33	5.26	4.39
NM									
NY		6.77	7.26	7.77	8.39	8.96	7.98	7.00	6.13
NC	10.16	10.10	9.05	8.96	8.48	9.54	9.35	8.21	6.99
ND	9.11	7.81	10.35	9.90	7.57	7.23	8.90	10.29	3.30
OH	6.76	6.18	6.02	6.87	8.02	6.89	5.98	4.28	4.20
OK	8.48	9.42	11.43	9.93	10.38	11.98	13.05	12.27	7.86
OR		8.42	10.57	11.49	8.40	8.13	6.99	6.26	7.46
PA	8.02	6.85	8.09	9.07	8.27	7.77	7.35	6.24	5.78
RI									
SC	10.46	10.44	11.98	10.62	9.91	8.50	9.46	6.95	8.34
SD	10.57	8.67	6.94	7.47	9.79	7.10	8.27	6.01	6.30
TN	11.41	10.20	10.50	11.83	12.16	9.84	10.03	9.75	9.90
TX	9.49	10.21	10.57	11.06	12.09	11.37	11.89	10.07	8.27
UT	5.87	6.59	7.77	9.58	7.41	7.32	7.71	7.14	7.50
VT									
VA									
WA	9.14	8.59	9.48	9.94	9.25	9.30	8.17	8.06	5.85
WV	8.29		9.20	7.49	7.85	9.78	NA	6.92	5.20
WI	9.41	9.27	8.92	9.34		9.44	8.43	7.05	6.99
WY	14.51	15.80	18.59	17.10	0.00	16.07	16.47	10.28	9.78

*Rates per 10,000 licensed drivers.

Sources: National Highway Traffic Safety Administration, Fatal Accident Reporting System, State Licensing Authorities (Licensed Driver Data)

21 versus \$21 million

Trading Lives for Concrete?

Congress has given Wisconsin an ultimatum: raise the legal drinking age to 21 or lose \$21 million in federal highway construction funds. At first impression it appears we have no choice at all.

Risking lives on unsafe highways seems too high a price to pay for protecting the legal drinking privileges of our young adults. But, endangering the lives of those who do not abuse that privilege by driving them to drink illegally in unsafe settings as their grandparents did during Prohibition seems to us an intolerable price to pay for less than a dozen miles of freeway.

Despite frequent claims that 21 saves lives, analyses of National Highway Traffic Safety Administration data by Duke University's Phillip Cook and others reveal that driver death rates were actually eight percent higher among 18, 19 and 20 year-olds in states where the legal drinking age was 21 than where it was 18. (See graphic.) In Wisconsin, that would be more than ten additional deaths per year.

We don't know how many, if any, lives could be saved with \$21 million dollars

worth of bridge repair and highway construction. But, no amount of reinforced concrete could possibly be worth sacrificing that many more young lives. Surely, there must be less deadly ways of raising the dollars needed to repair our unsafe highways than by raising the age and raising the risks for those involved.

Driver Age	Fatal Crashes %	Injury Crashes %	All Crashes %
16-17	36.6	8.4	4.0
18	43.9	9.8	6.7
19	47.5	13.6	7.9
20	47.2	13.7	8.7
21	49.6	12.2	9.1
22-24	50.4	15.3	10.6
25-34	47.6	14.1	6.6

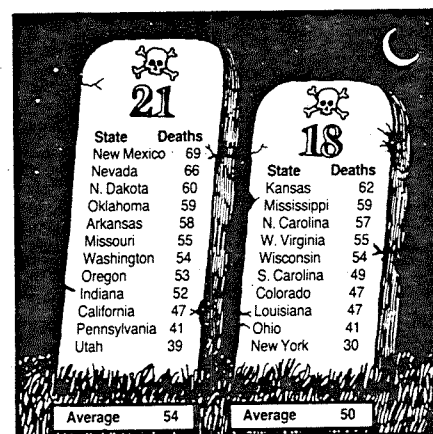
Source: National Highway Traffic Safety Administration, PB83-133587.
Table: United Council of UW Student Governments.

Effects of Higher Legal Drinking Age

Studies of 22 states which maintained different legal drinking ages for beer show that fatal crash rates were higher for 18-20 year-old drivers where the legal drinking age was 21 than where it was 18.

18-20 Year-old Driver Deaths*

*Per 100,000 licensed drivers, 5 year average.



Source: National Highway Traffic Safety Administration (FARS) Fatal Accident Reporting System, 1970-75.
Graphic: United Council of UW Student Governments

Congress and the Drinking Age:

Baying at a Phantom Moon

Because 18-20 year-old adults are involved in more alcohol-related highway crashes per million miles driven, Congress wants the states to yank their legal drinking privilege. But, National Highway Traffic Safety Administration figures show that crashes involving older drivers, ages 21-34, are more frequently alcohol-related than those involving 18-20 year-olds. (See Graphic.) On the basis of their higher drunk-driving crash rates, it seems to us that 21-34 year-olds are more in need of special protection

against irresponsible drinking and driving than are younger drivers.

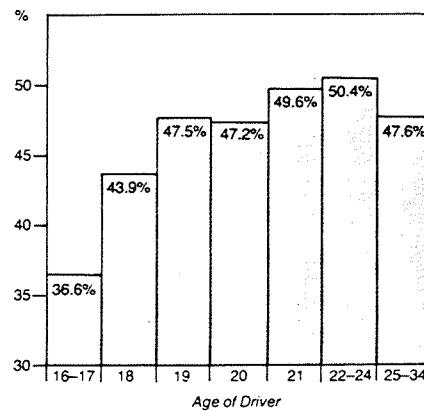
National Highway Traffic Safety Administration figures also show that less than three percent of the nation's 18-20 year-olds are ever involved in a drinking-driving crash of any kind. Ninety-seven percent of the young adults targeted by Congress to lose the freedom to drink never cause any injury or damage due to irresponsible drinking and driving.

In calling for the states to curtail the legal drinking privileges of responsible and law-abiding 18-20 year-olds, Congress is clearly baying at a phantom moon. They are not the problem at all.

It would be better to encourage the states to get tough with the irresponsible minority who do violate the existing drunk-driving laws, whatever their age may be.

Drinking in Fatal Crashes

Percent of drivers in fatal crashes who had been drinking, nationwide, 1979-80.



Source: National Highway Traffic Safety Administration, PB83-133587.
Graphic: United Council of UW Student Governments

Brian Schimming is Legislative Affairs Director for the United Council of University of Wisconsin Student Governments.



1/22/85
Attachment F

Raising the age punishes responsible drinkers for the illegal acts of others.

The overwhelming majority of those who drink at any age do so responsibly. Less than 2.5% of the state's 18, 19 and 20 year-olds cause injury or damage to others by drunk driving. Most of the young adults who would lose their legal drinking privileges under the 21 year-old drinking age law do not abuse the privilege and do not tolerate those who do.

See: Wisconsin Accident Facts, DOT, 1975-83; Alcohol Abuse in Wisconsin: Profile of Indicators, DHSS, 1982.

Raising the age drives those affected to drink illegally in unsafe settings

Alcohol consumption did not go down in any state that raised the age. Researchers find no difference in the percent who drink at any age attributable to differences in the states' legal drinking ages. Where young people cannot drink legally, they do so illegally in uncontrolled and often remote settings where they tend to drink more, drive more and get into more trouble.

See: States' Alcohol Revenue Data, 1975-83; Wechsler, Minimum Drinking Age Laws; Bruun, et al. Alcohol Control Policies in Public Health Perspective.

Raising the age raises the risk of abuse, death and injury.

Abuse, drunk-driving deaths, damage and injury rates are higher for "underage" populations in higher legal drinking age states than for the same age groups in lower legal drinking age states.

See: Rooney and Schwartz, "The effect of minimum drinking age laws upon adolescent alcohol use and problems," Catholic University of America, 1977; Cook, P.J. "The Effect of Minimum Drinking Age Legislation on Youthful Auto Fatalities," Duke University, 1982; Birkley, Ganser and Quirk, "Traffic Accidents and the legal drinking age in Wisconsin: A second opinion," U.S. Gov't Printing Office 35-289-0, 1984, pp. 167-70.

Raising the age threatens older adults with arrest, punishment and civil suit

...for drinking with or permitting "underage" roommates, classmates, teammates, co-workers, friends or companions to drink in their presence.

See: Act 74, Laws of 1983, Wisconsin.

Protect Your Freedom To Drink Responsibly: Help Stop 21!

*Reduce the risk of accident, death and injury:
Enforce existing alcohol and driving laws.*

Tavern League of Kansas

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Lawrence, Kansas 66044
(913) 841-8470

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Topeka, Kansas 66611
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Christopher S. Edmonds
Executive Director

Mr. Chairman, members of the House federal and state affairs committee, my name is Christopher S. Edmonds. I am the executive director of the Tavern League of Kansas. The tavern League represents some 6,000 on-premise cereal malt beverage establishments in the state of Kansas. I would like to take this opportunity to thank you for the opportunity to speak before you today about the real impact of the federal legislation that would raise the legal drinking age in Kansas. to twenty-one or withdrawl highway funds for two years.

As always, we feel there is compelling justification on the issue of rights to reject any proposal to increase the legal drinking age in Kansas. If at 18, the age of majority, one is allowed to enter into contractual agreements, become eligible for the draft, be prosecuted in this nation's courts and the like, why should one not be allowed to drink. During the last session of the Kansas legislature, this body enacted legislation that set the age for the purchase of tobacco related products at 18 years of age -- clearly again establishing 18 as the age of majority. A move to increase the legal drinking age is hypocritical and not rooted in any philosophical framework. This issue is enough to reject the temptation to raise the drinking age in Kansas.

A more compelling argument is that of the economic impact to the state of Kansas should the legal drinking age in Kansas be increased to 21 for the legal purchase and consumption of cereal malt beverage in the state of Kansas. It is estimated that there are approximatly 27,000 cereal malt beverage lisences in the state of Kansas. Conservativly, it is established that 30 percent of those licenses are for on-premise, tavern oriented businesses. The appen-dix to this testimony estimates that the total lost revenue per year -- lost sales tax, lost property tax, bankrupcies and the like will run close to nine million dollars to both state and local governments. That nine million dollars is a permanent loss -- year in and year out.

attach. G 1/22/85

The loss in highway revenue is for two years -- 21.4 million dollars. Quite evidently, the loss of revenue to the state general fund is 45 million after five years, 90 million after two years and so forth. What price is this state willing to pay for blackmail from Washington politicians that do not know, understand or have any feeling for the needs of each individual state.

This certainly does not include the spinoffs -- unemployment compensation, bankruptcy fees, creditor and bank loss, etc. The impact and ripple effects are unmeasurable and statistically significant.

The argument of the other groups -- employ the 18 to 21 year olds to serve does not realistically address the real problem to the industry. The on-premise cereal malt retailers are a labor-intensive industry. It is projected that business will decrease 15 to 25 percent which will in turn call for the reduction of employment of 15 to 25 percent of the workforce -- mainly college students and other young, responsible adults that are working their way to opportunity. It certainly will not change employment patterns in the off-premise retail stores. It will not take any more employees to sell another gross of six packs in a package store because the off-premise establishments are not labor intensive. Simply, regardless of employment provisions in any legislation, there will not be jobs for the people in the field and the net result will be a decrease in employment by some 5,400 full-time jobs.

Members of this committee, you are faced with a difficult decision. You will hear in a moment statistics from the latest federal studies that indicate an increase in the drinking age will increase the risks. You have heard that an increase in the drinking age will cost Kansas taxpayers over 100 million dollars in a decade. You have also heard that the federal government is trying to coerce us into action on a problem that has better and more comprehensive solutions.

There must be a better way to raise money than over the dead bodies of our children. The Tavern League of Kansas will offer you that solution. Legislation will be introduced on the Senate side that will double the cereal malt beverage tax in the state of Kansas. Currently the tax is 18 cents per gallon. The proposal is to increase the tax to 36 cents per gallon. The program will begin in Fiscal Year 1986 and run for five years, raising an additional twenty-five million dollars for the state general fund. Of course, 21.4 million of this package will be used to replace highway funds, hence avoiding coercion from the federal level. The other 3.6 million will be used to develop a grant incentive program for local school districts to develop comprehensive programs for alcohol and drug abuse education in grades Kindergarten through 12. Money also can be obtained from private foundations and the federal level for this program.

Ladies and Gentlemen, Mr. Birkley is right -- it is conclusively true that an increase in the legal drinking age in Kansas will increase the number of deaths among 18 to 20 year olds 4 to 8 annually. Is Sunday sales, later closing hours, or even 22 million dollars worth that price. Certainly not.

We offer you the better way -- the real solution to the problem, a real hope for the future, and a real sincere pledge from the industry that such a program will be effective. Most people talk about alcohol abuse, the news media reports alcohol abuse, you legislate toward the problem abuse. The Tavern League of Kansas works at it everyday. A proposal that will join forces to curb drunk driving and abuse is the solution. Not a quick fix that is futile at best and fatal at worst. Thank you.