

Approved 4-5-91
Date

MINUTES OF THE Senate COMMITTEE ON Federal and State Affairs

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

11:00 a.m./~~p.m.~~ on April 1, 1991 in room 254-E of the Capitol.

All members were present ~~except~~:

Committee staff present:

Emalene Correll, Legislative Research Department
Mary Galligan, Legislative Research Department
Mary Torrence, Office of Revisor of Statutes
Deanna Willard, Committee Secretary

Conferees appearing before the committee:

Sen. Jerry Moran
Ralph Decker, Executive Director, Kansas Lottery
Sen. Ken Francisco
Jim Conant, Chief Administrative Officer, ABC
Tuck Duncan, Kansas Wine and Spirits Wholesalers Association
Rev. Richard Taylor, Kansans for Life at Its Best

The minutes of March 25, 26, 27, and 28 were approved.

Action on: SB 409 - Authorizing the Secretary of Corrections to enter into oil and gas leases.

Senator McClure reported that the subcommittee is of the opinion there is no need for any change in the language.

Senator Moran said a lease is typically made for a "primary term" of five years or less, the leases continue as long as there is production. Once production stops, the lease stops.

Senator Daniels asked whether it wouldn't be preferable to insert "thereafter" on Ln. 19 after the words "and so long," and Senator Moran said that would be standard language.

A motion was made by Senator McClure and seconded by Senator Yost to add "thereafter." The motion carried.

A motion was made by Senator McClure and seconded by Senator Strick to recommend the bill favorably as amended. The motion carried.

Hearing on: SB 402 - Concerning classified and unclassified positions of the Kansas lottery.

Staff said the bill would amend the Kansas Lottery Act to change the sales staff from unclassified to classified and would create a new unclassified position of Administrator of Budget and Finance. These recommendations are from the Senate Ways and Means Subcommittee Report. (Attachment 1)

Ralph Decker, Kansas Lottery, said they would prefer the sales force not be removed from unclassified and that they believe one person should be in charge of sales and marketing, thus, another position is not desirable.

Staff said that the directors of sales and marketing are separate in existing law; this bill doesn't change that.

CONTINUATION SHEET

MINUTES OF THE Senate COMMITTEE ON Federal and State Affairs,
room 254-E, Statehouse, at 11:00 a.m./~~p.m.~~ on April 1, 1991

There are no distinctions in qualifications for classified and unclassified employees, per Mr. Decker. He was asked to find out how many lottery employees are relatives of legislators.

There was concern about whether classified employees would have to be retained if the lottery ends next year. Staff said they transfer to other positions only if they are qualified and positions are available.

Mr. Decker would like to see salespeople work on commission. It would be a budgetary process with a cap on salaries.

A motion was made by Senator Morris and seconded by Senator Strick that salespeople not be classified. The motion carried. Senator Vidricksen wished to be recorded as "not voting."

A conceptual motion was made by Senator Bond and seconded by Senator Morris that permission be given the Lottery to place the sales force on commission, subject to appropriations, as soon as possible. The motion carried. Senator Daniels wished to be recorded "no." Senator Vidricksen wished to be recorded as "not voting."

A motion was made by Senator Strick and seconded by Senator Bond to recommend the bill favorably as amended. The motion carried.

Hearing on: SB 408 - concerning the club and drinking establishment act; relating to unlawful acts of licensee.

Staff said this bill would amend the act to prohibit persons under 21 from being in a club unless it had 50% food sales; currently, employees are the only ones subject to the act.

Senator Francisco said there are drinking clubs which allow in people of any age; underage persons are directed to a separate area, but it is impossible to police a large crowd. He believes it is undesirable for underage people to be allowed in these clubs. His intent focuses on the audience, rather than a band member.

Jim Conant, ABC, offered testimony in support of the bill, saying with the advent of public liquor by the drink and the increase in the legal drinking age, minors in possession of liquor on licensed premises have been a steadily growing source of violations. (Attachment 2)

He said drinking establishments such as Red Lobster are not targeted by this bill, though there is a risk they could be affected. The main problem is with Class B private clubs, and they would support amending it to apply only to them.

Tuck Duncan, Kansas Wine and Spirits Wholesalers Association, rose in opposition to the bill, saying it has a much broader impact than envisioned. It could affect employment of certain adults 18-20 and may be in conflict with the 30% provisions of the Constitutional Amendment. (Attachment 3)

Staff said the Constitutional Amendment speaks to counties where liquor by drink is sold in public places. There is a 50% food requirement for reciprocity for Class B clubs. The bill addresses who can be on premises.

Rev. Taylor, Kansans for Life at Its Best, spoke in support of the bill, saying it sends a message to youth that alcohol is a deadly poison; that Kansas is quite permissive in allowing youth to be in drinking situations. He included a brochure entitled, "Alcohol can kill." (Attachments 4 & 5)

CONTINUATION SHEET

MINUTES OF THE Senate COMMITTEE ON Federal and State Affairs,
room 254-E, Statehouse, at 11:00 a.m.~~a.m.~~^{p.m.} on April 1, 1991

A bill request was made to allow the State Historical Society to revise language which allows them to charge fees for use of the facilities to allow fees to be charged to more than cover costs and transfer any excess money to the state general fund. (Attachment 6)

A motion was made by Senator Morris and seconded by Senator Daniels to introduce the bill. The motion carried.

The meeting was adjourned at 12:00 noon.

GUEST LIST

COMMITTEE: Senate 7 + SA

DATE: 3/1/91

NAME (PLEASE PRINT)	ADDRESS	COMPANY/ORGANIZATION
Carl Anderson	Ks. Lottery	
Ralph Decker	Ks. Lottery	
Mary Menbauer	Topeka	ASSOC PRES
Darlene Stearns	Topeka	PCAR in KS
Will Belden	Topeka	LWVK
DICK TAYLOR	TOPEKA	LIFE AT ITS BEST
Lenora Brandberry	Topeka	PCAL
Peggy Jarman	Wichita	PCAL
Paul [unclear]	Wilson	Wilson Telephone Co
J. J. Petterson	K.C. STAR	
M. Hoover	Topeka	Car-Journey
Deanne Kutzy	Topeka	AG
Joe J. [unclear]	TOPEKA	KW's WA
Mel Whitaker	Cochranville	KBWA
Jim Conant	TOP	KS. ABC
BARBARA REINERT	"	KS L-W VOTERS
Libby [unclear]	Topeka	KRLDA
Darrel Witham	Topeka	ACAB SHINE TEMPLE
L. A. Phillips	TOPEKA	KDHE
Pat Goodson	St Mary	RTLK
Sherril Parks, Jr.	Topeka	Sec of State
Kelly Kuitala	KCKS	NOW

SUBCOMMITTEE REPORT

Agency: Kansas Lottery

Bill No. 99

Bill Sec. 4

Analyst: Efird

Analysis Pg. No. 236

Budget Page No. 432

<u>Expenditure Summary</u>	<u>Agency Req. FY 92</u>	<u>Gov. Rec. FY 92*</u>	<u>Subcommittee Adjustments</u>
Sales Estimate	\$ 73,500,000	\$ 66,600,000	\$ --
Gaming Fund Transfer	22,050,000	19,980,000	--
All Funds:			
State Operations	\$ 14,108,050	\$ 13,034,063	\$ (27,884)
State Paid Prizes	15,995,000	14,650,000	--
Prizes & Retail Commissions	21,356,000	19,160,000	--
Total	<u>\$ 51,459,050</u>	<u>\$ 46,844,063</u>	<u>\$ (27,884)</u>
FTE Positions	109.0	109.0	(1.0)

* Excludes amounts reserved for employee compensation.

Agency Request/Governor's Recommendation

For FY 1992, the agency estimates lottery sales of \$73.5 million next fiscal year. Expenditures for state operations are estimated at \$14.1 million, including a staff of 109.0 FTE positions. Requested state operations expenditures are 19.2 percent of estimated gross retail sales. Transfers to the SGRF in FY 1992 are estimated at \$22.05 million (based on 30.0 percent of gross retail sales). Increased expenditures budgeted for state operations result primarily from increases in salaries and benefits, contractual services, capital outlay and commodities. Among the major items causing increases in total expenditures are requests for \$300,000 to make the first installment on a five-year lease-purchase of a new instant ticket validation system and for \$2.4 million for promoting the Lottery and paying for media advertising.

For FY 1992, the Governor recommends an increase in state operations expenditures of slightly less than \$360,000 and estimates an increase of \$1.5 million in lottery sales. Total sales of \$66.6 million would yield transfers of \$19.98 million for the SGRF in FY 1992. No increase in staff level is recommended. Increased expenditures for additional classified salary funding, certain salary-related fringe benefits, and advertising account for most of the additional expenditures. The Governor's recommendation for FY 1992 includes a reserve of funds for step movement, longevity bonuses, unclassified merit pool, and a cost-of-living increase; but these items are excluded from the detailed expenditure estimates for each agency.

Senate F&SA
4-1-91
Att. 1

Senate Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommended expenditures, based on financing and projected lottery sales for FY 1992, with the following adjustments:

1. Delete 1.0 FTE position and \$27,884 for a Public Information Officer unclassified position which is vacant and not authorized by statute.
2. Add \$500,000 as a technical adjustment to the estimated FY 1992 receipts to reflect the Governor's recommended expenditure of these telecommunications expenses as reportable expenses.
3. Recommend introduction of a bill to address the Subcommittee's concern about certain employees in the unclassified service. The Subcommittee recommends that the Administrator of Budget and Finance be authorized in statute as an unclassified position. The Subcommittee further recommends that most unclassified employees of the Lottery be made classified employees, with the exception of those in policy-making positions, as currently identified in statute or proposed changes to be included in this bill.
4. Recommend introduction of another bill to decrease the amount required for transfer to the State Gaming Revenues Fund (SGRF) from 30 percent to 22.5 percent of total sales and to increase the minimum amount required for prizes from 45 percent to 55 percent. The effect of this change should be to increase sales of instant tickets as well as to reduce the percentage for administrative expenses to 17.5 percent, with 5 percent used to pay merchants for selling instant tickets. These changes are not reflected in the Subcommittee's recommended finances and expenditures for the Lottery, but would have to be considered as adjustments to the Lottery budget if the suggested bill passes later this Session.

Lottery Operating Fund Analysis. The revised FY 1991 and FY 1992 budget projects an increase in estimated ending balances after making the technical adjustment adding \$500,000 each fiscal year to the Governor's estimated receipts. In both fiscal years, estimated expenditures will be less than estimated receipts. The following table summarizes the status of the Lottery Operating Fund as recommended by the Subcommittee, including addition of \$500,000 of reportable receipts in FY 1991 and FY 1992 to reflect payments from merchants for a portion of on-line telecommunications charges for lotto:

Resource Estimate	Actual FY 1990	Estimated FY 1991	Estimated FY 1992
Beginning Balance	\$ 1,156,213	\$ 996,920	\$ 1,381,982
Net Receipts	11,241,081	13,060,000	13,360,000
Total Available	\$ 12,397,294	\$ 14,056,920	\$ 14,741,982
Less: Expenditures	11,400,374	12,674,938	13,006,179
Ending Balance	\$ 996,920	\$ 1,381,982	\$ 1,735,803



KANSAS DEPARTMENT OF REVENUE
Division of Alcoholic Beverage Control
 Topeka, Kansas 66612-1584

MEMORANDUM

TO: The Honorable Edward F. Reilly, Chairman
 Senate Committee on Federal and State Affairs

FROM: Jim Conant, Chief Administrative Off.
 Alcoholic Beverage Control Division

DATE: April 1, 1991

SUBJECT: Senate Bill 408

I appreciate the opportunity to appear before you today in support of Senate Bill 408. With the advent of public liquor by the drink and the increase in legal drinking age, minors in possession of liquor on licensed premises have been a steadily growing source of violations. ABC administrative citations for this type of violation have increased over 400% since FY 1987.

	FY 87	FY 88	FY 89	FY 90	FY 91 (8 mo.)
On-premise minor citations	63	180	295	261	297

The liquor by the drink laws are generally intended to allow the general public to have access to and consume alcoholic liquor on premises which also serve food (drinking establishments). Thus, the adult members of a family can enjoy an alcoholic beverage with a meal, without leaving underage family members at home. To date only four counties have voted to remove the 30% food sales requirement. Class B private clubs are intended to allow only members and their guests to have access to liquor by the individual drink without a requirement that food service be available. In spite of the law's intent, large numbers of underage persons are allowed access to both types of premises and continue to find ways to get a drink, regardless of efforts by ABC and some licensees to restrict them.

It has been argued that passage of this kind of legislation would prohibit a family, including underage children, from enjoying a meal in a food service establishment which is also a licensed drinking establishment. On the contrary, this bill would ensure that minors only have access to establishments which are operated in a manner fit for family dining. In counties without a food requirement, drinking establishments which do not wish to serve food would only be allowed to target a clientele that is of age to drink. In the same sense, class B clubs which have no desire or intent to provide members with sufficient food service to maintain the 50% requirement should not be allowed to grant access to underage persons. K.S.A. 1990 Supp. 41-2641 states that a class B club licensee is allowed to "offer for

Senate F&SA
 4-1-91
 Att. 2

sale, sell and serve alcoholic liquor for consumption on the licensed premises by members of such club and guests accompanying them." When underage persons are allowed access to premises which exist primarily for the purpose of consuming liquor, a conflict clearly exists with this state's otherwise stated policy of separating minors from alcoholic beverages.

Finally, the Department would respectfully recommend that this bill be amended to apply only to drinking establishments and class B private clubs. Class A private clubs generally have more restrictive membership requirements. These licensees tend to be more family oriented and historically have not experienced significant problems with underage possession or consumption of liquor. The intent of this bill can be better served by allowing law enforcement to focus resources on the types of establishments which have demonstrated an inability to comply with the drinking age laws pertaining to their operation.

I would be happy to answer any questions you may have.

Mr. Chairman and members of the Committee:

I rise in opposition to this bill. While I understand the altruistic motives behind this proposal, and as a parent of teenage children understand the motivation, this bill goes too far. We have a symptom and the cure would be to kill the patient. The State of Kansas can not always be in loco parentis. We have criminal sanctions for adults contributing to the delinquency of minors so we have a way to subject persons to penalties for the consequences of their mischevious deeds (See K.S.A. 21-3611, 3612, 3503, 3610 and 3610a).

As an attorney I represent the concessionaire at the Kansas Expocentre who holds a drinking establishment license. Under this bill if they don't sell 50% food - children could not attend the circus or concerts, or a multitude of other activities. This bill has a much broader impact than envisioned. It could effect employment of certain adults 18-20, and may be in conflict with the 30% provisions of the Contitutional Amendment.

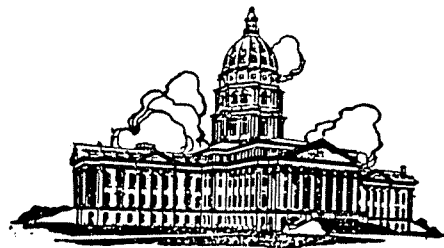
Thank you for your attention to and consideration of this matter.

Senate F&SA
4-1-91
Att. 3

KANSANS FOR LIFE AT ITS BEST!

Rev. Richard Taylor, Box 888, Topeka, Kansas 66601

Phone (913) 235-1866 Office 1273 Harrison
(3 Blocks South of Statehouse)



A Proud Land

April 1, 1991 11:30 a.m.
Hearing on SB 408
Senate Federal & State Affairs Committee

Rev. Richard Taylor
KANSANS FOR LIFE AT ITS BEST!

This bill sends a message to adults and youth that alcohol is a deadly poison for young people. Toxic means poison. Intoxicated means poisoned on alcohol. Alcoholic beverages are not soda pop.

Compared to other states, Kansas law has been quite permissive in allowing children and youth to be in drinking situations. This is partly to blame for young people meeting death from an over dose of alcohol. They are around it so much, they do not understand it is a deadly drug.

Citizens concerned for children and youth want this committee to quickly pass this excellent piece of legislation.

Respectfully yours,

Richard Taylor

Rev. Richard Taylor

Capital-Journal, Tuesday, April 3, 1990

Alcohol blamed for death

ARKANSAS CITY (AP) — An Arkansas City teenager died after drinking too much alcohol at a weekend party, authorities said Monday.

A friend found Christopher L. Jones, 16, lying on the ground about 3:30 a.m. Sunday at a sand pit near the west edge of town where the party was being held, Cowley County Sheriff Bob Odell said.

"The county coroner did an autopsy Sunday and determined he died from over consumption of alcohol," Odell said.

The sheriff said he was unsure what Jones had been drinking, but "basically the party consisted of beer and hard liquor."

Jones was last seen alive at 12:30 a.m. Sunday, Odell said.

His grandfather took him to Arkansas City Memorial Hospital, where he was pronounced dead.

Topeka Capital-Journal, Saturday, March 3, 1990

Bourbon blamed in death of boy, 5

FORT WORTH, Texas (AP) — A 5-year-old boy who drank 10 ounces of bourbon after an adult allegedly prompted him to do so "like a man" died Wednesday following his removal from life support systems, authorities said.

Everman Police Sgt. Mark Bigler said Thomas Griffin died at Cook-Fort Worth Children's Medical Center about 8:45 a.m. The respirator supporting the youngster's breathing was disconnected about 10 p.m. Tuesday, but the child had continued to breathe on his own.

Rehabilitation — Help alcohol-dependent persons adjust to life without the drug.
Education — Inform children, youth & adults of effect of alcohol on mind & body.
Amount — Encourage persons to be non-users and encourage users to use less.
Law — Pass and enforce laws that reduce consumption and suffering.

Senate F&SA
4-1-91
Att. 4

Rapid drinking led to freshman's death

(Related editorial, page 4.)

By CAROLYN LAYTON
and JOHN EPPERHEIMER

Dennis D. Rodenbeck and members of the fraternity he was pledged to went to an Ames disco-bar Saturday night.

Rodenbeck, a freshman from Charles City drank eight beers "real rapidly," according to the medical examiner's report. The group then returned to Phi Gamma Delta fraternity at 325 Ash Ave.

There Rodenbeck very rapidly drank "a large amount of vodka, tequila and brandy" before going to bed, the report states.

He never woke up.

The victim of acute alcoholic intoxication, Rodenbeck died at approximately 7 a.m. Sunday. The amount of alcohol he consumed caused his brain to stop sending signals to his lungs, which filled up with fluid.

Dr. D. W. Powers, Story County medical examiner, lists the probable cause of death as respiratory depression secondary to acute alcoholic intoxication.

Rodenbeck, 18, was in good health. He was 6-2 and weighed approximately 180 pounds.

Dr. Powers' autopsy showed Rodenbeck's blood alcohol level was .357 mg.

The generally accepted fatal blood alcohol level is .50, but Dr. Powers said there is such a variation in the individual person and how the liquor was consumed that the blood level figures are largely meaningless.

Both Powers and Story County Regional Alcoholism counselor, Joene Ellis, said a person almost has to be "chug-a-lugging" the



Dennis
Rodenbeck

alcohol to get enough in his system to be fatal. Normally a person would vomit before that much liquor got into his stomach.

"Usually if they drink it slower, they vomit and get rid of it," Dr. Powers said. "If they pass out, they get a huge amount in the stomach, and the body continues to absorb it."

Dr. Powers said an overdose of alcohol is the same as an overdose of drugs. The respiratory center in the brain in either case becomes so depressed a person doesn't breathe properly and the lungs fill up with fluid.

Referring to Rodenbeck, Dr. Powers said he was making so much noise snoring at 5:30 a.m. Sunday his fraternity brothers tried to wake him up or roll him over to get him to be quiet so they could sleep. He said the people who were being bothered were probably hearing fluid rattling in Rodenbeck's lungs.

"He rolled out of bed and vomited, and they left him lay," Dr. Powers said. He said if an ambulance had been called, or Rodenbeck had been brought in to the hospital at that time he might possibly have survived.

There are many variables as to how much alcohol it takes to affect a person: How fast it is drunk, how much food has been eaten, how experienced a drinker the person is, if other drugs have been taken.

"If there is food in the stomach it slows down the speed at which the alcohol gets into the blood stream," Ellis said. "Alcohol doesn't have to be digested, it goes directly into the blood from the intestine and stomach."

"I think they were drinking it on an empty stomach," Dr. Powers said, referring to Rodenbeck. "All I can tell is there was no food in the stomach to speak of."

Many times death from alcohol consumption comes from other things like choking on vomit or accidents, Ellis said.

The Ames Police Department conducted an extensive investigation of the events surrounding Rodenbeck's death, but refused to release any details.

Police Chief A.E. Siedelmann did say there was no evidence of criminal activity, and no evidence that fraternity hazing of the pledge was involved.

A spokesman for the fraternity also told The Tribune there was no hazing incident. "That kind of thing went out about 15 years ago," he said.

Rodenbeck's death has focused attention on alcohol abuse in Ames, which Siedelmann and Mayor Lee Fellingner called the major drug abuse problem just last month.

Dr. Powers believes an 18-year-old drinking age is too young. "I think it would help a lot if they could get it up to 19," he said. "They think they are so mature at 18 they think

they can drink like a person who has been drinking for 20 years."

"I think a few of our legislators should get an idea of this," Dr. Powers emphasized. "I think some of them don't appreciate the seriousness of the drinking problem."

Iowa State University has been involved since the beginning of the school year investigating problems in terms of alcohol abuse, John C. Dalton, associate dean of students in the student life office, said Thursday.

He said a task group of eight has been involved in gathering information and talking about problems connected with alcohol. The task group is largely involved in problem identification at this time, Dalton said, but has received many suggestions of what sort of action should be taken.

He said a staff person from the Office of Student Life in the area of Greek affairs has met with the president of Phi Gamma Delta fraternity and the fraternity counsel in an effort to find out just where problems exist with alcohol.

"I don't think we want to initiate something that will have high visibility at the moment and no long-term effectiveness," Dalton said.

There has been a return to the same kinds of values and behavior among college students that were popular 10 or 20 years ago in terms of a "beer culture," Dalton said. He said the use of alcohol among college students is commonly accepted and incidents like the death of Rodenbeck brings a concern and focus on the use and abuse of alcohol.

Ames, Iowa Ames Daily Tribune, Thursday, Dec. 9, 1976

Senate F&SA
4-1-91
Att. 5

WASHINGTON (AP) — Fifteen-year-old Stephen O'Donnell wanted to join two friends in the camaraderie of a makeshift fort but he balked at the initiation rites they had proposed. It was a fatal decision.

For instance, Stephen didn't like their idea of standing on a log over a pool of water while the other two 15-year-olds shook it. And he didn't want to drink a shot of beer every three seconds for one minute — a rite portrayed on the TV show "Happy Days."

Instead, he volunteered to drink vodka for his initiation. After downing nearly a quart in a short period of time, Stephen fell unconscious.

That was last Friday. On Tuesday, Stephen's body was found under a bush. This is how police reconstructed the tragedy:

The boys, who live in the Virginia suburbs of Washington, went to one of their homes and the 13-year-old brother of one poured vodka in 8-ounce glasses for Stephen to down. One of the 15-year-olds, becoming scared, left before Stephen lost consciousness.

The other two tried to revive him. They took off his shirt and undershirt and put him under the shower. It didn't work.

Finally they wrapped a blanket around the him and put Stephen in a wooden shed behind their home. They checked on him Friday night several times and said he was alive.

But on Saturday morning, the 13-year-old found Stephen dead. The brothers telephoned the other 15-year-old and told him. Later that morning, while the brothers were shopping with their father, the friend looked into the shed and, like the brothers, was convinced Stephen was dead.

He went home and told his 11-year-old sister what happened. The girl also looked into the shed but none of the four youngsters told anyone else.

The O'Donnell boy's parents went to county juvenile authorities to report their son missing. He had run away in the past, so the parents didn't notify police.

On Monday the brothers put Stephen's body in a wheelbarrow, took it down the street to neighbor's house, and placed it under some shrubbery.

Meanwhile, the friend — unaware the body had been moved — told a classmate about the weekend's activities. The classmate telephoned police, anonymously, and told them about the body in the shed.

The report was registered as "unfounded" after a police officer looked in the shed.

On Tuesday the friend told a school counselor. Homicide detectives interviewed the boy, checked his story with his sister, but still found no body.

Then the youngsters told about the two brothers who were involved. They led police to the body.

So far, none of the boys is being held and no charges have been placed.

LIQUOR DANGERS

Children and liquor don't mix. Keep them away from each other. The Health Insurance Institute points out that alcohol is a deadly poison without an antidote.

Authorities say it doesn't take much alcohol to kill a child; a few ounces can do it.

Dr. Richard Moriarty, director of the National Poison Center Network in Pittsburgh, Pa., recommends the following safety rules:

- (1) After a party, empty all glasses and place liquor bottles out of children's reach.
- (2) If a child drinks alcohol, call a physician, a poison center, or a hospital emergency room immediately and give full details.
- (3) Unless told to do so, do not induce vomiting.

12 PARADE • NOVEMBER 28, 1976

December 31, 1976 PAGE 4

Hays Daily News

The mouth's enemy and stolen brains

Thank you for printing the guest editorial, "Booze: not necessary for Christmas cheer." In 1842 Abraham Lincoln said America was living in slavery to beverage alcohol. Those who believe it is needed for social and recreational occasions are modern day slaves to the drug.

Because of the student population in your city, it is very important for them to know the truth about alcohol. Most people puke when they drink too much. The defense mechanism of the body is trying to get rid of the poison. But the first drink of alcohol depresses brain function, and in the case of the Iowa student, the brain was so impaired by drinking it was unable to send the message to the stomach.

When Abraham Lincoln visited Kansas in 1859, most everyone at a Leavenworth reception were drinking. Lincoln never drank. When Captain J.R. Fitch asked why, Lincoln used his knowledge of Shakespeare and said, "My young friend, do not put an enemy in your mouth to steal away your brains." (Othello.)

Promotion of responsible drinking in moderation has failed because the alcohol impaired brain is unable to make a responsible decision to quit drinking when such is needed.

The only way to reduce alcohol-related suffering is to reduce alcohol consumption. The only way to reduce consumption is to encourage persons to enjoy freedom from recreational drug use and encourage users to use less.

Why do we permit legal pushers grossing \$35 billion a year to promote increased sales through advertising that does not tell about the effect on mind and body of their not-needed recreational drug?

Richard E. Taylor, Jr.,
218½ West 6th,
Topeka

Ames Daily Tribune, Thursday, Dec. 9, 1976

Friday, December 2, 1977 THE KANSAS CITY TIMES 5A

Liquor Caution Asked

From the Topeka Bureau

TOPEKA—Reacting to the death of a 15-year-old suburban Washington youth who downed nearly a quart of vodka, the head of the Kansas United Dry Forces said Thursday that liquor labels should contain the word "Poison."

The Rev. Richard E. Taylor Jr. said charges should be filed against liquor advertisers, including the news media, that omit the disclaimer.

"I cannot understand the Washington bureaucracy that will ban the dye that makes jelly beans black and maraschino cherries red . . . and yet refuses to require that alcoholic beverage bottles carry the word, 'POISON,'" the Methodist minister complained.

The youth lost consciousness Friday after drinking vodka as part of initiation rite. His body was discovered Tuesday

Alcohol can kill

The death of an 18-year-old Iowa State University freshman from acute alcohol intoxication last Sunday must become an example and a lesson for many people.

Alcohol use is the biggest drug problem in Ames and Story County, and much of that use is by young people, police and social service officials say.

The student's death is a shocking reminder that alcohol is not to be abused, no matter what social pressures are involved.

Alcohol is a drug. It can kill. That must be remembered.

remit the amount of such unpaid taxes to the secretary on or before the 20th day of the month succeeding that in which such purchaser acquired such business or property.

Sec. 16. K.S.A. 41-411, 41-504, 41-505, 41-1103, 41-1104, 41-1106, 41-2714, 41-2715, 41-2716, 41-2717, 79-41a01, 79-41a02, 79-41a03, 79-41a04, 79-41a06, 79-41a07 and 79-41a08 and K.S.A. 1989 Supp. 41-307a, 41-308b, 41-318, 41-333, 41-506, 41-727, 41-2601, 41-2641, 41-2643 and 41-2645 are hereby repealed.

Sec. 17. This act shall take effect and be in force from and after its publication in the statute book.

Approved May 10, 1990.

CHAPTER 180
House Bill No. 3097

AN ACT concerning the state historical society; relating to use of the society's facilities and real property; permitting consumption of liquor on certain property; amending K.S.A. 1989 Supp. 41-719 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) The state historical society may permit the use of facilities and real property under the control of the society by groups for such special events as the society determines are in the public interest and will further the purposes of the society. The society shall adopt policies and guidelines for such use, consistent with the provisions of this section.

(b) The state historical society may establish a schedule of reasonable fees for the use of its facilities or real property pursuant to this section, ~~which fees shall not exceed the costs associated with the use of the property pursuant to this section.~~ The society shall remit all moneys received from such fees to the state treasurer at least monthly. Upon receipt of such moneys, the state treasurer shall deposit the entire amount in the state treasury and credit it to the state historical society facilities fund which is hereby created. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of the state historical society or a person designated by the secretary. Moneys in the fund shall be expended only for the purpose of paying costs associated with the use of facilities or real property pursuant to this section, including compensation of any personnel needed to oversee such use. ~~On July 15 each year, the director of accounts and reports~~

~~shall transfer to the state general fund any moneys in the state historical society facilities fund on such date in excess of the amount required for expenditures authorized by this section, taking into consideration encumbrances, as determined by the secretary of the state historical society and the director of accounts and reports.~~

(c) Nothing in this section shall be construed to authorize a charge for general admission to a facility or real property under the control of the state historical society unless otherwise authorized by law.

(d) The state historical society may adopt such rules and regulations as necessary to implement and administer the provisions of this section.

Sec. 2. K.S.A. 1989 Supp. 41-719 is hereby amended to read as follows: 41-719. (a) No person shall drink or consume alcoholic liquor on the public streets, alleys, roads or highways or inside vehicles while on the public streets, alleys, roads or highways.

b No person shall drink or consume alcoholic liquor on private property except:

(1) On premises where the sale of liquor by the individual drink is authorized by the club and drinking establishment act;

(2) upon private property by a person occupying such property as an owner or lessee of an owner and by the guests of such person, if no charge is made for the serving or mixing of any drink or drinks of alcoholic liquor or for any substance mixed with any alcoholic liquor and if no sale of alcoholic liquor in violation of K.S.A. 41-503 and amendments thereto takes place;

(3) in a lodging room of any hotel, motel or boarding house by the person occupying such room and by the guests of such person, if no charge is made for the serving or mixing of any drink or drinks of alcoholic liquor or for any substance mixed with any alcoholic liquor and if no sale of alcoholic liquor in violation of K.S.A. 41-503 and amendments thereto takes place;

(4) in a private dining room of a hotel, motel or restaurant, if the dining room is rented or made available on a special occasion to an individual or organization for a private party and if no sale of alcoholic liquor in violation of K.S.A. 41-803 and amendments thereto takes place; or

(5) on the premises of a microbrewery or farm winery, if authorized by K.S.A. 41-308a or K.S.A. 1987 1989 Supp. 41-308b, and amendments thereto.

(c) No person shall drink or consume alcoholic liquor on public property except:

(1) On real property leased by a city to others under the provisions of K.S.A. 12-1740 through 12-1749, and amendments thereto,

Senate F&SA
4-1-91
Att. 6