

|  |  |
| --- | --- |
| *www.IowaABD.com* | *Lynn M. Walding, Administrator* |

|  |  |
| --- | --- |
| abdblue.jpg - 2723 Bytes |  e - NEWS |
| *September 24, 2004* |

**E X T R A**

1. [Fate of Airliner Up in Air](#First)

2.  [Would You Like to Taste the Scotch?](#Second)

3. [Parents Take Risk in Holding Student Drinking Parties at Home](#Third)

4. [Bar's Use of Off-Duty Police Rejected](#Fourth)

5. [21-Only Back on the Table](#Fifth)

**1. Fate of Airliner Up in Air**

By Vanessa Miller - *Iowa City Press-Citizen*

September 22, 2004

**Bar remains closed after serving suspension**

IOWA CITY, IA -- Naval aviation cadets and pre-flight school students swarming the University of Iowa campus in the early 1940s inspired the name of Iowa City's oldest restaurant and widely popular hangout.

And while the Airliner took off in 1944 as one of the most frequented establishments in town, spent decades overflowing with youthful patrons, attracted swarms of afternoon diners and hosted scores of collegiate parties, the downtown venue today is dark and empty.

Its red neon sign no longer glows. Its typically inviting entrance remains locked. Its wooden stools and benches sit unoccupied.

Starting June 6, the business at 22 S. Clinton St. began serving a 90-day liquor license suspension after receiving three violations since July 2002 for providing alcohol to underage patrons. That suspension, however, expired Sept. 4.

"At this point, they are still closed on a voluntary basis," said Lynn Walding, administrator with the state's Alcoholic Beverages Division. "They have served their suspension and they can open if they choose."

But they have not. In fact, the restaurant's phone has been disconnected and business owners Brad and Anne Lohaus could not be reached for comment.

"I know they were looking to sell," Walding said. "But at this point, I don't know if they still are."

Joe Murphy, who owns Murphy Sound in Iowa City, said he was near completing a deal to buy the business.

"But the Airliner deal fell apart on us," Murphy said, adding that the involved parties had been working to cement the deal since last November. "There were problems with the lease."

According to the Iowa City Assessor's office, the Rinella Building Partnership, Frank Byers and Ganson Byers hold deeds for the property.

Randy Larson, who bought the restaurant with Brad Lohaus on Christmas Eve in 1992 then sold his half three years ago, said the Rinella family started the business in 1944.

"When they opened, there were Navy and pre-flight trainers based here," Larson said. "That's why they chose the name."

Murphy said he has been told that some members of the Rinella family, many of whom live outside Iowa, are planning to return and operate the restaurant. No one in the family could be reached for this story.

"But my understanding is they are coming back," Murphy said.

The Airliner's three alcohol-serving violations that led to its liquor license suspension earlier this summer occurred on July 17, 2002, and April 12 and May 31 of last year. During this summer's suspension the restaurant remained open for food service, closing at night when it would normally have converted to a bar. Murphy said the Airliner closed completely July 14.

Walding said if the restaurant were to re-open under the same ownership and receive a fourth alcohol-serving violation, the liquor license would be revoked, the property would be ineligible to hold a license for one year, and the owner would have to wait two years before reapplying for a license.

He said the Airliner also owes $2,000 in civil penalties, which it has not paid, and an undetermined amount it promised to the Iowa City Police Department after holding a wedding reception during its suspended term this summer.

Walding said officials permitted the Airliner to host the July 10 reception, which had been scheduled prior to the suspension sentencing, on the condition that the owners donate all the event's proceeds to the Police Department.

"They have not turned the accounting into us," he said.

Liquor licenses are renewed on an annual basis, and the Airliner's is good through Jan. 10. Larson said he and Lohaus signed a 15-year lease in 1993, meaning it still has more than three years remaining.

"It is a well-regarded landmark," Larson said. "Tom Brokaw has joked that he flunked out of Iowa because he spent all his time at the Airliner.

"It was a proven landmark in Iowa City for a long time. And I hope it gets back to that status."

Ryan Jantzi, a 30-year-old UI senior, agreed, saying that he and his wife frequently visited the Airliner for pizza.

"The Airliner was always about the pizza," he said. "It was just a place in Iowa City that you knew. I think it would be missed in Iowa City if it did not re-open."

**2. Would You Like to Taste the Scotch?**

By Katy McLaughlin, Staff Reporter – *The Wall Street Journal*

September 22, 204

**Changes in Law Permit Liquor Stores to Offer Free Samples of Spirits**

On Friday evenings, Rolf Grimsted occasionally likes to hang out at the local liquor store. But if that conjures up images of bullet-proof-glass windows and fifths of cheap whiskey, think again.

Instead, the 41-year-old real-estate developer chats about cocktails with a bartender and sips free samples of things like classic Cuban daiquiris and Versinthe, a French liqueur. The shop, Smith & Vine in Brooklyn, N.Y., is one of many stores around the country taking advantage of recent changes in state laws that now allow them to serve free samples of spirits to customers. Other liquor stores are doing everything from demonstrating how to sautée shrimp in vodka to throwing Caribbean-themed parties complete with rum samples and island music.

Until recently, it was illegal in the vast majority of states for liquor stores and other retailers to give customers samples of spirits. But changes in state laws have eliminated these bans, which had been in place since Prohibition. In July, Colorado became the eighth state in four years to allow liquor stores to offer free samples of everything from microdistilled vodka to single-malt scotch to customers. Today, 23 states plus Washington, D.C., allow liquor-store sampling.

The legal changes come at a time when states are revising much of the legislation that addresses where, when and how people consume alcohol. This past summer, Rhode Island, Virginia and Ohio altered their "blue laws," legislation that made it illegal to sell spirits on Sunday. In the past 2½ years, 10 states have done away with similar restriction; today there are 31 states that allow Sunday sales. States are also changing laws that restrict consumers from receiving shipments of wine from out-of-state wineries.

The shift toward more-liberal spirits sales can be partly attributed to aggressive lobbying by the alcohol industry. The Distilled Spirits Council, a Washington-based trade group representing companies that sell spirits (as opposed to beer or wine), says it has made changing blue laws and tastings laws its mission in recent years. Companies want to allow tastings because customers are reluctant to buy spirits -- especially expensive ones -- if they've never tried them.

The job of persuading legislators to make changes in liquor laws was made easier by the budget crises that have hit many states in recent years, says Frank Coleman, a spokesman for the Distilled Spirits Council. As state budgets have been crunched, raising money through increased alcohol sales has become more attractive. Taxes on distilled spirits vary from state to state, but when combined with federal taxes they can account for an average of 51% of the retail price of a bottle, according to the council. Federal taxes on alcohol, called excise taxes, are $13.50 for every gallon of distilled spirits.

|  |
| --- |
| [photo]***At a free liquor tasting at Cardoza's Wine & Spirits in Fairhaven, Mass., a few weeks ago, customers compared a cocktail made with flavored rum versus flavored vodka.***  |

During the past 20 years, states have gradually changed laws and allowed more bars, liquor stores, and wineries to offer free samples of wine. Today, nearly every state allows some type of free wine tasting. The spirits industry has used this precedent as an argument for legalizing free tastings of its products.

But even the liberalization doesn't mean that the corner liquor store is turning into a regular wet bar. Only a few states' laws, such as Colorado's, allow liquor stores to pour a sample of whatever a customer wants. That kind of spontaneity is rare: South Carolina requires liquor stores to alert officials 10 days in advance about exactly what is going to be served. And forget about trying to use the liquor store as a free bar: Most states put a strict limit on how much customers can drink -- usually from one-quarter to one-half ounce of each spirit, and no more than four samples per customer.

Some stores are using the tastings to create a party atmosphere. On a recent Friday night, Cardoza's Wine & Spirits, a liquor retailer with stores on the south coast of Massachusetts (a state that changed its law last year) cranked up some music, served hot dogs, popcorn, and offered free one-quarter-ounce tastes of Bacardi Hurricanes, a ready-made cocktail. Store owner Richard Cardoza says that whenever he throws a tasting, sales of the featured items jump 20% to 30% that night.

Georgetown Square Wine & Liquors in Williamsville, N.Y., does a spirits tasting every Sunday. Often, the store shows customers how to cook with booze, like at a recent tasting where the owner handed our samples of shrimp cooked with vanilla vodka. It has also given customers cups of ice cream doused in mocha cream liqueur.

**Tasting Spirits in a Liquor Store**

Liquor laws vary widely state-by-state. In some states, only liquor stores are permitted to provide free tastes of distilled spirits, while in others only bars and restaurants can host a tasting. Here's what's legal where.

**States Where Tastings Are Legal Only in Liquor Stores**:

In some states, this category may include other kinds of stores where distilled spirits are sold for people to take away, such as big-box stores.

Connecticut, Delaware, Minnesota, Missouri, New York

**States Where Tastings Are Legal Only in Bars or Restaurants**:

*In some states, this category may include other kinds of establishments where distilled spirits are sold for people to drink right there, like country clubs, lounges and special events*.
Alabama, Arizona, California, Idaho, Michigan, Mississippi, Nebraska, New Hampshire, New Jersey, Oregon, Rhode Island, Vermont, Virginia, West Virginia, Wisconsin

**States Where Tastings Are Legal Both in Liquor Stores and in Bars or Restaurants:**

Colorado, Florida, Hawaii, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Massachusetts, Nevada, New Mexico, North Dakota, Pennsylvania, South Carolina, South Dakota, Texas, Wyoming, Washington D.C.

**States Where Tastings Are Illegal in Liquor Stores, Bars and Restaurants**:

Alaska, Arkansas, Georgia, Kansas, Maine, Montana, North Carolina, Ohio, Oklahoma, Tennessee, Utah, Washington

**3. Parents Take Risk in Holding Student Drinking Parties at Home**

September 20, 2004

Many parents are compromising with their teenagers to prevent drinking and driving. For events like proms, graduations, and other celebrations, some parents are allowing their teens to have drinking parties at home, the Wall Street Journal reported Sept. 14.

"Parents either think the drinking is unstoppable, so they make a curious compromise with it, or they see drinking as a rite of passage to adulthood," said psychologist Michael Thompson, of Arlington, Mass., who has written several books on child rearing. "They don't want to deprive their kids of the opportunity but want to keep them safe."

In West Warwick, R.I., for example, William and Patricia Anderson suggested a senior prom celebration at their home when they heard that their son, Gregg, was planning an all-night beer blast at a local beach.

On the evening of the party, Mr. Anderson took the car keys from 34 teens. He supervised the celebration, which included drinking games like "keg stands" and downing beer from a 16-inch "yard glass" that holds about 24 ounces.

Mr. Anderson also took responsibility when police officers showed up at his house at 4:30 a.m. in response to a noise complaint. He was arrested for providing liquor to minors, but the charges were later dropped.

Anderson is like many parents throughout the country who think that teen drinking is inevitable. "We knew the chances we were taking," said Mr. Anderson, 50. "We knew the party was probably flouting the law one way or the other. But we aren't trying to make a statement. We aren't trying to take a stance. We simply said, 'We aren't just going to let our kids go out drinking and driving, because we are the ones who will have to live with it later on -- live with knowing we didn't do what we did -- if somebody got hurt."

According to the National Highway Traffic Safety Administration, 2,395 teens died last year in alcohol-related car crashes.

Many anti-drinking groups disagree with the strategy that the Andersons and other parents are taking to deal with underage drinking and driving.

"We want parents to understand that underage drinking is not just kids being kids, or a rite of passage. It is a serious -- even deadly -- problem," said Wendy Hamilton, president of Mothers Against Drunk Driving (MADD), which advocates zero tolerance for underage drinking.

Last year, a report from the Institute of Medicine and the National Research Council, which are part of the National Academies that provide advice to the government under a congressional charter, recommended that parents take a greater role in policing their teens' drinking.

"Parents view youth drinking as an inevitable part of adolescence and do not make sure that parties their children attend are alcohol free and properly supervised by adults," the report said.

Even the alcohol industry has begun putting pressure on parents to curb underage drinking. "We believe the best way to continue the progress made in the fight against underage drinking is through education, especially involving parents," said Francine Katz, vice president for communications and consumer affairs for Anheuser-Busch Cos.

However, a nationwide survey of 2,019 adults conducted in May by Harris Interactive and the Wall Street Journal found that 23 percent of the respondents said parents in their area allowed their older teens to attend parties where there was drinking but where a parent was present.

Thompson said that parents who allow their underage children to drink "are sending a dangerous message that following the law is a matter of individual taste." He added, "I can't take issue with parents who let their own children drink at a family function, but those who allow other teens to drink in their homes are taking a huge risk."

**4. Bar's Use of Off-Duty Police Rejected**

By Lisa Livermore, Staff Writer – *Des Moines Register*

September 23, 2004

**Johnston council suggests officers check activities at the 'U' more often.**

|  |
| --- |
|  |

JOHNSTON, IA -- A trendy new bar in Johnston could be the subject of increased bar checks by police.

That suggestion emerged during a Monday night City Council meeting after city officials rejected a plea from the club owner to employ Johnston police as off-duty security officers.

Downtown Des Moines bar owner Larry Smithson opened "U," or "Ultralounge" at 5860 Merle Hay Road on Sept. 10. Earlier that week, Johnston City Council members approved a liquor license permit for Smithson, with warnings to keep the area quiet.

The previous occupant of the space was Bourbon Street, a place neighbors had said played loud rock and roll music into the night.

Since "U" opened, Johnston police officer have been called to the establishment twice.

On one occasion, a woman on opening night was charged with simple assault when she assaulted other patrons and staff after she was asked to leave, according to police reports.

Interim Johnston Police Chief Lynn Aswegan said he hoped the disturbances on the first weekend were not going to develop into a pattern.

"We don't know if it's a coincidence or a sign of things to come," he said. "We hope it's a coincidence."

At the council meeting on Sept. 7, Mayor Brian Laurenzo cautioned the bar owner to be careful about noise, because the bar is near a day care and a hospice.

Smithson, who was not present at Monday's council meeting, wanted Johnston officials to agree to let their police officers accept off-duty assignments at the bar on weekend nights, from 11 p.m. to 2 a.m., Aswegan said.

His request was the first the city had received to authorize off-duty officers at a liquor establishment, city staff said. The department currently allows off-duty employment for uniformed officers at "event-specific locales," according to city documents.

These events are typically wedding receptions, graduation parties, Johnston High School football games, or the annual Green Days Celebration, city papers say.

Council members said they didn't want Johnston police officers taking off-duty assignments at the liquor establishment because it might make the city vulnerable to lawsuits.

Aswegan also said he may not have enough extra help available.

Council member Mary Davis suggested that police simply watch the place closer - a possibility Aswegan said he had addressed with Smithson.

"We'd be willing to do more bar checks," Aswegan said. "We could oblige them as much as we could."

**5. 21-Only Back on the Table**

By Vanessa Miller - *Iowa City Press-Citizen*

September 24, 2004

**Staff advise upping bar entry age**

I

OWA CITY, IA -- She is 18 years old. She is a University of Iowa freshman. And she often has to go home early.

Allison Morrow is one of many to feel the effect of Iowa City's year-old law banning patrons under age 19 from entering bars after 10 p.m., and the number of people in Morrow's situation could more than double should councilors agree with an Iowa City staff recommendation.

Police Department officials are recommending adjusting the law to prohibit everyone younger than 21 from stepping inside alcohol-serving establishments after 10 p.m. The recommendation is based on arrest and complaint information police compiled after one year enforcing the 19-only ordinance that went into effect Aug. 1, 2003.

"...The Iowa City Police Department views this ordinance as a tool in reducing the incidents of underage drinking, and supports expansion of the prohibition to under 21 years of age with the caveat that the potential for increased unlawful activity in places other than the bars continue to be monitored and assessed," according to a Wednesday memorandum to the City Council.

The memo was from Police Chief R.J. Winkelhake, City Attorney Eleanor Dilkes and Assistant City Manager Dale Helling.

"Setting the age of bar entry at 21 would also have the added benefit of being consistent with the state's legal drinking age."

Councilors considered requiring everyone to be 21 years old to enter bars after 10 p.m. last year as a means to curb underage drinking. They opted, however, for a 19-only ordinance after UI students and bar owners asserted they would take steps to reduce the opportunities for underage patrons to get alcohol.

Upon passage of the new law, city councilors said they would evaluate the ordinance's effect after one year and decide whether it had the desired effect. The city said it would look at the number of citations for possession of alcohol under the legal age, the percentage of other alcohol-related offenses and the number of calls received for disorderly house and noise.

Comparing the year that began Aug. 1, 2002, and ended July 31, 2003, with the same time period ending in 2004, police found the number of citations for possession of alcohol under the legal age (PAULA) had increased more than 7 percent.

"These numbers reflect a variety of variables having to do with resources available to the Police Department and priorities given to bar check," according to the city staff's Wednesday memo. "This increase is not significant in evaluating the effects of the of the 'Under 19' ordinance."

Some information officials did find indicative of the law's effect:

• Records show an overall decline in the percentage of PAULA tickets issued to those 18 and younger, particularly between 10 p.m. and 2 a.m. The drop might indicate fewer underage drinkers, the memo states, continuing:. "On the other hand, it might simply reflect a change in their drinking patterns to avoid the greater risk of being in a bar after 10 p.m."

• Arrests for other alcohol-related offenses including public intoxication, drunken driving and open container remained constant. The statistic "may suggest that the ordinance has not resulted in reducing the relative proportion of those under 19 who are the subject of alcohol-related arrests other than PAULA.

• Citations for disorderly house dropped more than 13 percent, and calls relating to loud parties and noise disturbances fell by more than 10 percent. Officials said the information contrasts predications that the 19-only law would increase such incidents by sending underage revelers to house parties.

In the past year, police wrote 169 tickets to under-19 law violators. The simple misdemeanor carries a $250 fine plus court costs.

Anna Napawan, a 20-year-old UI junior, said she received a ticket for underage drinking in the last year and nearly got a ticket for violating the under-19 law as well.

"I had gotten my purse stolen and my ID stolen," she said, adding that she still got in the bar and was served a drink. "Then the police accused me of being 18 because I didn't have an ID."

The Bettendorf native said she doesn't think upping the bar entry age will reduce underage drinking.

"It's not doing anything for underage drinking," she said. "If anything, it might assist it, in the sense that people will rebel."

The City Council will discuss the staff report during an informal meeting Tuesday. Mayor Ernie Lehman said he is unsure what conclusions councilors will draw from the police data.

