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

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|  | e - NEWS |
| *May 11, 2007* | |

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**[I. NATIONAL NEWS.](#I)****1. Beam Global Spirits & Wine, Inc. Voluntarily Adopts Stricter Advertising Policies; Thanks 37 State Attorneys General for Their Support**

*Business Wire*May 7, 2007

Industry-Leading Commitment to New Advertising Placement Standards and Other Steps Established to Further Reduce Underage Exposure to Beverage Alcohol Advertising

Beam Global Spirits & Wine, Inc. (Fortune Brands, Inc. (NYSE:FO - News)), a global leader in premium spirits and wine, today announced that the company has voluntarily adopted stricter advertising placement standards in the United States. The voluntary standards will restrict Beam Global's marketing to print, television and radio outlets where the audience comprises at least 75 percent legal purchase age adults. This is higher than the current industry standard of 70 percent. Beam Global also commits that its advertising will - on an aggregate annual basis - reach a minimum average 85 percent legal purchase age audience.

In addition, Beam Global Spirits & Wine has voluntarily established the following policies:

- Not market or advertise at "Spring Break" events nor utilize the term "Spring Break" in any marketing materials

- Restrict brand images in video games

- Not market or sell any products in the "Flavored Malt Beverage" category

- Not advertise on outdoor locations within 500 feet of playgrounds

Beam Global engages with stakeholders that share the company's commitment to eliminating illegal underage drinking. Today 37 state attorneys general have signed a letter applauding Beam Global's enhanced marketing policies. Beam Global welcomes the support of the state attorneys general.

"The purpose of our advertising is to encourage legal purchase age adults who choose to drink to select our brands. There is no causal connection between alcohol advertising and underage drinking. Our actions announced today will help further ensure that our advertising is directed only to adult audiences," stated Chris Swonger, senior vice president, corporate affairs, Beam Global Spirits & Wine. "Beam Global's new standards represent an enhanced commitment to responsible marketing practices further enabling us to meet and exceed our own longstanding standards of social responsibility."

Eliminating Illegal Underage Drinking Requires a Collective Effort

"Beam Global is encouraged by the strong support of 37 state attorneys generals. We believe real progress can be made to eliminate illegal underage drinking by working with federal and state officials and local communities," Swonger continued. "We will continue working with interested parties focusing on substantive measures to eliminate underage drinking like preventing access to alcohol."

"There are many factors that contribute to illegal underage drinking and there is no single solution. Greater focus on preventing youth access to alcohol, strengthening social hosting laws, promoting enforcement of the legal drinking age and educating parents are critical to eliminating illegal underage drinking," stated Swonger.

The new advertising policies by Beam Global reaffirm its commitment to self-regulation and the strong standards of the Code of Responsible Practices for Beverage Alcohol Advertising and Marketing of the Distilled Spirits Council of the United States (DISCUS), the industry trade association representing America's leading distillers, and the DISCUS Code Review Board, which receives, reviews and publicly reports on advertising complaints. More information about the spirits industry standards can be found at \www.discus.org/responsibility/code.asp. Beam Global's new marketing policies also complement the Wine Institute's Code of Advertising Standards. Additional information can be found at \www.wineinstitute.org/programs/adcode/. Beam Global is a proud member of both DISCUS and the Wine Institute.

Beam Global has an extensive history of supporting programs that help fight alcohol abuse, including underage drinking and drunk driving. Through its drink smart® responsibility platform, Beam Global educates consumers on how to make responsible decisions about alcohol and reminds them of these basic principles: 1) if you are under 21, don't drink; 2) if you are of legal purchase age and choose to drink, do so in moderation; 3) never drive drunk and 4) if you can't drink responsibly, don't drink at all. More information about drink smart® can be found at \www.drinksmart.com.

Beam Global is also a strong contributor to The Century Council, a not-for-profit organization that is funded by leading distillers and dedicated to fighting drunk driving and underage drinking. The Century Council promotes responsible decision making regarding drinking or non-drinking of beverage alcohol and discourages all forms of irresponsible consumption through education, communications, research, law enforcement and other programs. More information about The Century Council can be found at \www.centurycouncil.org.

grapes<http://home.businesswire.com/portal/site/google/index.jsp?ndmViewId=news_view&newsId=20070507005974&newsLang=en>  
  
  
  
  
  
  
**2.** **States Blast Bud Extra, Spykes, TILT Drinks Loaded with Alcohol & Caffeine**

*ConsumerAffairs.com*  
May 10, 2007

Thirty states are blasting Anheuser-Busch for targeting young people with alcohol energy drinks like Bud Extra, Spykes and TILT.

The drinks are spiked with caffeine and other stimulants but consumers aren't warned about the health risks posed by the products.

Raising specific concerns about the illegible labels, New York Attorney General Andrew Cuomo called on the company to provide readable warnings about the risks of mixing energy drinks with alcohol.

In a letter to Anheuser-Busch, **the 30 state attorneys general** noted that medical doctors and public health professionals have warned that combining caffeinated energy drinks with alcohol - a practice popular among young people - poses significant health and safety risks.

The stimulant in the energy drink may skew a person's sense of alertness - without reducing the adverse effect of the alcohol on that person's motor skills or ability to react quickly.

"These alcoholic energy drinks are promoted and packaged in a way that is highly attractive to underage youth," said Attorney General Cuomo.

"Drinks such as Spykes appeal to children but their caffeine content dangerously masks the effects of the alcohol. If Anheuser-Busch is going to hold itself out as a partner in the fight against underage drinking, then it must stop marketing these types of drinks that so strongly appeal to underage youth."

Anheuser-Busch's caffeinated alcoholic beverages include Spykes, TILT and Bud Extra. These drinks with a caffeine kick are similar in nature to non-alcoholic energy drinks currently popular with youth under 21. They are primarily marketed on websites featuring music particularly popular with young people.

Spykes is available only in fruit and chocolate flavors, and comes in small, attractive, brightly colored, plastic containers that can be easily concealed in a pocket or purse.

Advertisements for Spykes, TILT and Bud Extra also tout the products' caffeine content and other additives that youth are likely to associate with popular non-alcoholic energy drinks. Spykes contains 12 percent alcohol by volume - more than twice that of most flavored malt beverages and beers.

Spykes and similar drinks are sold inexpensively because they are designated as flavored malt beverages. Additionally, several states allow these drinks to be distributed to grocery and convenience stores, where they may be more readily seen and purchased by underage youth than if they were sold only in liquor stores.

The attorneys general believe that these types of alcohol energy drinks must include a warning to consumers about the risks of mixing energy drinks with alcohol. The letter to Anheuser-Busch raises specific concerns about the illegible health warnings on the Spykes product.

Recently, the U.S. Alcohol and Tobacco Tax and Trade Bureau made clear that it agreed with these concerns, finding that several Spykes labels violate federal law. Anheuser-Busch has agreed to stop production and to replace the product labels.

The Attorneys General call upon the company to act promptly to address their remaining concerns about the production and marketing of these products.

grapes<http://www.consumeraffairs.com/news04/2007/05/bud_extra.html>  
  
  
  
  
  
  
**3****.** **Label Ruling Temporarily Halted Anheuser Drink**

David Kesmodel  
*Wall Street Journal*  
May 11, 2007

Anheuser-Busch Cos. quietly halted production of its Spykes malt beverages for a week last month after the U.S. government ruled their labeling violated federal law.

The Alcohol and Tobacco Tax and Trade Bureau said the mandatory health-warning statements included on each of the eight flavors of the two-ounce beverages were too difficult to read. The warnings contained 41 to 47 characters per inch, exceeding the maximum of 40. In addition, for three of the flavors, the label's background made the text hard to read, the agency said. The warnings alert consumers that alcoholic beverages can cause health problems, impair driving abilities or cause birth defects.

The St. Louis brewer voluntarily stopped production for a week before bringing its labels up to code, said Francine Katz, Anheuser's vice president for communications. Anheuser wasn't asked to recall products on store shelves, and the company replaced labels on drinks that had been shipped to its wholesalers or that were stored in its warehouse. She noted the original labels "had received approval from state and federal authorities."

Spykes drinks contain 12% alcohol by volume, caffeine, ginseng and guarana, and come in flavors such as "Hot Chocolate." Some advocacy groups and politicians have lambasted Anheuser for its marketing of Spykes, claiming the company subtly seeks to entice underage drinkers.

Yesterday, about 30 state attorneys general signed a letter addressed to August A. Busch IV, Anheuser's chief executive, expressing their "serious concern" about the company's promotion and sale of caffeine-infused alcoholic beverages. Ms. Katz said their concerns were misplaced. Underage drinkers seek "instant impact," she said, and a bottle of Spykes contains alcohol equivalent only to a third of a glass of wine.

The Tax and Trade Bureau took action in response to a mid-April complaint from the Center for Science in the Public Interest in Washington, which claimed the labels on the "Spicy Lime" version of Spykes drinks were "seriously out of compliance." The CSPI, one of the most vocal critics of Spykes, said the health warning was "virtually impossible to read without a magnifying glass."

In an April 30 letter to the advocacy group, the Tax and Trade Bureau said it agreed with the group's findings and was working with Anheuser to correct the problem. The agency noted that Anheuser was adding new tamper-proof labels for different flavors of Spykes to make it clearer they contain alcohol, in addition to addressing the issue of text size. A spokesman for the Tax and Trade Bureau declined to comment beyond the letter.

Spykes drinks have been sold nationwide since January. The CSPI in April called on Anheuser to recall the drinks, saying they are a "shameful ploy to market malt liquor to the Lunchables set," referring to Kraft Foods Inc.'s children's lunch kits.

Kim Crump, manager of federal relations for the CSPI's Alcohol Policies Project, said the group is pleased the government took quick action regarding the labels. However, she said, it is "astonishing that Anheuser-Busch thought it could get away with this in the first place." The CSPI still wants Anheuser to discontinue the product. "It's still a drink that clearly targets children, and fixing the font on the label isn't going to fix that," she said.

Spykes drinks come in colorful bottles and sell for 75 cents to $1. According to the Web site for the beverage, Spykes can be consumed "as a shot" or be used to "spice up your beer" or "invent a new cocktail."

grapes<http://online.wsj.com/services/article/SB117882999046799003-search.html?KEYWORDS=label+ruling&COLLECTION=wsjie/6month>**.**   
  
  
  
  
  
  
**4.** **Spykes Labels Violate Regs, Federal Agency Says**

Bob Curley  
*Join Together*May 4, 2007

Responding to a complaint by the Center for Science in the Public Interest (CSPI), the U.S. Alcohol and Tobacco Tax and Trade Bureau (TTB) agreed that the labels on Anheuser-Busch's "Spykes" alcoholic drink mixers violate federal law.

CSPI Alcohol Policies Project director George Hacker wrote to TTB on April 16 complaining that the label on the 2-ounce "Spicy Lime" flavor of Spykes -- the only bottle CSPI had seen to date -- was "seriously out of compliance" with the TTB's alcohol-labeling regulations.

"The government health warning on pocket-sized Spykes Spicy Lime labels is virtually impossible to read without a magnifying glass," wrote Hacker. "It's printed in tiny, barely 1-mm high, nearly invisible silver lettering on a non-contrasting, light lime-green background."

In an April 30 response, TTB administrator John J. Manfreda agreed. "These labels do not comply, due to these problems: the contrasting background makes the warning difficult to read on three of the eight (Spykes) products in the 2-fluid-ounce containers, and the number of characters per square inch exceeds the maximum specified in the regulations for all eight of this size container."

Manfreda said that Anheuser-Busch had agreed to stop production and shipment of Spykes and replace product labels on those bottles already with wholesalers and in warehouses. The company also has submitted applications for redesigned labels that address the problems raised by Hacker, Manfreda said.

Moreover, the brewer also is adding a new tamperproof label to Spykes bottles that includes the flavor and the warning, "Contains Alcohol."

"The illegal labeling of Spykes is actually the least of our concerns about this drink, since it is such an obvious attempt to attract underage kids to alcohol," said Hacker. "But since its labeling is in plain violation of the law, we hope that TTB orders Anheuser-Busch to pull this noncompliant product off the market."

So far, that has not happened. TTB also has not assessed any fines against Anheuser-Busch, although the regulations call for penalties of up to $10,000 per day for noncompliance. CSPI said that the company should be fined more than $3 million for the offending Spykes labels.

Anheuser-Busch has been heavily criticized by alcohol-abuse prevention groups over the release and promotion of Spykes, which is marketed as a flavored additive for beer and liquor drinks. CSPI and other prevention groups say the product appeals to underage drinkers both in its marketing and because it could make the flavor of beer and spirits more palatable to young users.

Preventionists also object to the use of easy-to-hide, pocket-size containers, Spykes' seemingly kid-friendly flavors (Hot Melons, Spicy Lime, Spicy Mango, and Hot Chocolate), and the fact that it mixes alcohol with ingredients typically found in energy drinks, including caffeine, ginseng and guarana. Anheuser-Busch denies that Spykes is intended to lure underage drinkers, maintaining that the target market is young adults.

grapes<http://www.jointogether.org/news/features/2007/spykes-labels-violate-regs.html>  
  
  
  
  
  
  
**5.** **1 Drink May be More like 2 or 3, Researchers Find**

Tara Parker-Pope  
*Wall Street Journal*May 8, 2007

Chances are you're drinking far more alcohol than you think.

The reason? Wine, beer and spirits glasses are surprisingly deceptive, and most of us -- even professional bartenders -- are over-pouring the alcohol we serve.

While too much alcohol obviously adds calories to your diet, other consequences of supersizing alcoholic beverages are even more worrisome. The health benefits of alcohol disappear and risk increases when you drink more than a few servings a day. And because over-pouring can double or even triple a standard serving size, many of us are technically "binge" drinking without knowing it, wreaking havoc on our livers and overall health.

A standard "serving" for an alcoholic beverage is 5 fluid ounces of wine, 12 ounces of regular beer or 1.5 ounces of distilled spirits, according to the Centers for Disease Control and Prevention. All three portions contain 0.6 ounce of alcohol. But glasses today come in so many shapes and sizes -- tall "highballs," wide tumblers, bowl-shaped wine goblets and now the new popular stemless wine glasses -- it's virtually impossible to estimate the right serving amount. Although a traditional wine glass holds about 7 ounces, many wine glasses today hold 16 ounces or more. Beer glasses often hold 20 ounces.

"Often my clients think they are just having one or two drinks, when really they're having more like three or four," says Lisa Young, a New York University nutritionist.

Try this experiment at home. Take your favorite wine or beer glass and use water to estimate drink size. Pour the contents into a measuring cup to see how close you come to the standard 5-ounce wine portion or 12-ounce beer portion.

I did this and was stunned by the result. I filled my favorite wine glass just half full. But I still ended up with 300 milliliters, or 10.14 ounces -- double the standard serving size. I tried again -- this time with a smaller wine glass and then again with a large bowl-shaped goblet. But each time, I poured 200 milliliters, or 6.76 ounces -- 35 percent too much.

The British Medical Journal published a study of 196 college students and 86 bartenders, asking them to pour drinks into different-size glasses. The study used 355-milliliter glasses, but one was a tall, thin highball glass and the other was a short, wide tumbler.

Study participants were asked to pour a serving of alcohol (1.5 ounces or 44.3 milliliters) needed to mix a gin and tonic or other popular drinks. They over-poured by 33 percent when using the short glass, but came close to the right serving with the tall, thin glass, pouring just 3 percent too much. Even the bartenders, who had an average of six years' experience, poured 25 percent too much when using the tumblers.

Another Duke University study found that college students over-poured shots by 26 percent, mixed drinks by 80 percent and beer by 25 percent. And the bigger the cup, the more the students overestimated a serving size.

Pouring too much clearly adds calories. Each additional ounce of beer contains about 12 calories, while an ounce of wine contains about 20 calories. But the bigger worry is that the maximum health benefits of alcohol come with just less than one serving a day for women and up to two servings for men. At that level, heart protection is high but risk for other alcohol-related health problems is at its lowest, studies show.

People who drink somewhat more -- for women, two to three drinks a day; for men, three or four -- aren't getting any extra benefit. Their overall risk, balanced with the benefits, is the same as for people who don't drink at all. But once women go above three drinks and men go above four drinks, they put themselves at far higher risk for other alcohol-related problems.

Binge drinking is defined by the National Institute on Alcohol Abuse and Alcoholism as four drinks for a woman and five drinks for a man over a two-hour time frame.

"People do not know how to assess how much they are drinking, and when they have two drinks on a Friday night, it is really four or five because there are multiple doses in one giant cup," says Julia Chester, assistant professor of psychological sciences at Purdue University.

**How to Avoid an Accidental Binge**

At restaurants, count each glass of wine, beer or spirits as two servings.

At home, conduct practice pourings with a measuring cup to see what a real serving looks like in your own wine goblet or drinking glass.

Avoid short, wide glasses that increase your risk of over-pouring.

grapes<http://www.star-telegram.com/175/story/94646.html>  
  
  
  
  
  
  
  
**6.** **S&P Maintains Constellation's Ratings**

*Associated Press*May 7, 2007

Standard & Poor's Ratings Services on Monday said the ratings and outlook of Constellation Brands Inc. would not change as a result of the company's planned accelerated share repurchase.

Constellation Brands plans to repurchase 16.9 million shares of common stock for $421.1 million on Tuesday - the remaining shares from a previously-announced $500 million buyback.

The ratings services had already factored into its March 1 downgrade the expectation of a buyback. S&P said that although the company's financial profile is expected to weaken after the repurchase, "there still remains some flexibility under Constellation Brands' current ratings for additional acquisitions, investments, and joint ventures."

Shares rose 51 cents to $22.99 in midday trading.

<http://www.forbes.com/feeds/ap/2007/05/07/ap3693186.html>

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**7. Investors Toast Constellation's Buyback**

*BusinessWeek*May 7, 2007

Shares climbed Monday after the wine and spirits company said it would repurchase $421 million in stock

Bar patrons are fond of buybacks, and it seems investors in alcoholic beverage companies are too. Shares of No. 1 wine producer Constellation Brands (STZ) climbed May 7 after the company announced a stepped-up share repurchase and kept its 2007 earninmgs guidance steady.

Fairport (N.Y.)-based Constellation, with a well stocked cabinet of brands including Robert Mondavi, Black Velvet, and SVEDKA, said it has entered into an accelerated share repurchase transaction with Citibank to buy back on May 8, 2007 a minimum of 16.9 million shares of its Class A common stock for $421.1 million. Constellation has already repurchased 3.5 million shares of its Class A common stock since March 1, 2007, through open market purchases at a cost of $78.9 million, or $22.55 per share.

The cumulative effect of the deals: The company will use up its previously announced $500 million share repurchase authorization. The company said its repurchases will be made with proceeds from borrowings under its existing revolving credit facility.

"We believe this accelerated share repurchase transaction demonstrates our strong commitment to maximizing shareholder value and also aligns well with our stated objective of harvesting opportunities that enhance our long-term value creation goals," said Constellation CEO Richard Sands in a May 7 press release.

And while the buyback binge continues, investors were pleased with another piece of news. The company kept its earnings guidance for the fiscal year ending Feb. 29, 2008, unchanged, saying it expected net income adjusted for one-time items to be between $1.30 and $1.40 per share ($1.16-$1.26 including items). Analysts expect earnings of $1.36 for fiscal 2008, according to a consensus earnings estimate from Reuters.

Market players liked the sound of the buyback news and bid the shares highwer by 2.3% on May 7 to $23. That's well below the 52-week high of $29.17 reached on Jan. 3 but a marked improvement over the 52-week low of $18.83 reached on Mar. 8.

The company has tried to keep on the Street's good side by goosing its growth via a steady diet of deals. Through an aggressive acquisition program over the past few years, Constellation has become a leading international producer and marketer of alcoholic beverages in North America, Europe and Australia, according to a Stabndard & Poor's report. The April, 2003, acquisition of BRL Hardy Ltd., Australia's largest producer of wine, vaulted Constellation to the No. 1 spot in the global wine businesss. It also snapped up other big names like Robert Mondavi in December, 2004, and Vincor, a large Canadian producer and distributor of wines, in June, 2006.

In January, 2007, the company completed a joint venture with Mexican brewer Modelo to consolidate the importation of its family of beers. The new venture has the rights to import Corona Extra, Modelo, Pacifico, and other brands for the entire U.S. In April, the company unveiled a joint venture with Punch Taverns plc to jointly own U.K. beverage wholesaler and distributor Matthew Clark.

Will the good news continue? Standard & Poor's Equity Research sees healthy global demand for premium wines continuing, and U.S. wine exports benefiting from a relatively weak U.S. dollar. If Constellation can keep on a steady track, investors may be ready for another round.   
  
<http://www.businessweek.com/investor/content/may2007/pi20070507_480458.htm?chan=top+news_top+news+index_investing>

grapes  
  
  
  
  
**8.** **Revolutionary Ice Jacket Poised to Take Liquor Industry by Storm**

*PRNewswire*   
May 8, 2007

Entrepreneur/Inventor Davis Wolf is in the final stages of preparation for the worldwide introduction of the ingenious patented gourmet retail and promotional item called the Ice Jacket.

Set to capitalize on the recent spirits industry trend toward the depiction of liquor products chilled to the coldest temperatures or frozen in ice, the Ice Jacket assembly coupled with your favorite libation produces a one-of-a-kind functional ice sculpture serving as table top artwork. Due to the ease associated with the decoration and preparation of a bottle to be Ice Jacket-ed, the product is ideal for use in association with theme and event- specific applications. The Ice Jacket is sure to leave a lasting impression.

Unlike the variety of retail products designed to chill an individual glass, or keep a beverage cold once it is poured, the Ice Jacket eliminates the need for ice cubes, while keeping the contents of a bottle cold after it is removed from the freezer. The first iteration of the Ice Jacket, Inc. branded product is sized to accommodate a wide range of 700/750 ml bottles. Ice Jacket models designed to fit additional ranges of bottle sizes and shapes will soon be introduced.

Currently, Ice Jacket, Inc. is pursuing relationships with independent liquor and housewares industry representatives as well as distribution resources within the United States and abroad. Associations with liquor importers, brand owners, and manufacturers interested in featuring their trademark(s) in custom Ice Jacket creations are also being pursued. For more on this unique item contact Davis Wolf at +239.566.7076 or go to \http://www.icejacket.com

grapes<http://www.yachtchartersmagazine.com/read/372681.htm>  
  
  
  
  
  
  
**9.** **Liquor Maker Ups the Ante a Bit in Discouraging Young Drinkers**

Andrew Adam Newman  
*New York Times*May 8, 2007

There was another round yesterday in the continuing sparring over alcohol advertising, as Beam Global Spirits and Wine — which makes brands like Jim Beam and Maker’s Mark bourbon and Canadian Club whiskey — announced it would voluntarily adopt stricter rules to keep messages away from young people.

Beam Global Spirits and Wine says it will advertise only in outlets where at least 75 percent of the audience can drink alcohol legally.

State attorneys general nationwide have been mounting a high-profile campaign to curb under-age drinking and to pressure alcohol makers to do more to keep their products — and their marketing — in the hands of adults only. A letter sent to Beam yesterday lauding its effort was signed by 37 attorneys general.

Beam said that it would purchase print and broadcast advertisements only in outlets where at least 75 percent of the audience is above the legal drinking age. The self-imposed industry standards of the two major alcohol trade groups, the Distilled Spirits Council of the United States and the Beer Council, is 70 percent.

The move may be somewhat symbolic, since the biggest objections to alcohol advertising tend to be against makers of beer and of flavored malt beverages — sometimes called alcopops — that appeal disproportionately to minors, especially girls. Beam’s products skew toward older drinkers.

And other companies in the industry showed no indication that they would follow Beam’s lead.

“Brewers market responsibly to adults of legal age and are adamantly opposed to under-age drinking,” Jeff Becker, president of the Beer Institute, whose members include Anheuser-Busch, Miller Brewing Company and Coors Brewing Company, wrote in an e-mail message.

Mr. Becker said that brewers remained committed to a 70 percent threshold, which corresponds to the portion of people of legal drinking age in the United States, and added that an 85 percent threshold, which attorneys general favor, would preclude advertising in “such magazines as Ebony, Men’s Fitness and Shape, and TV broadcasts of the National Hockey League and National Basketball Association.”

Francine I. Katz, vice president for communications and consumer affairs of Anheuser-Busch, which makes Budweiser, said in a statement that her company was “the industry leader in promoting responsibility,” but said it would continue on the course of “placing our ads only in media where we reasonably expect 70 percent or greater adult audience composition.”

In a way, since Beam makes neither beer nor alcopops, its move is somewhat akin to the Mini Cooper agreeing to fuel efficiency standards while sport utility vehicle makers remained mum.

“If Beam takes a good look at their target audience, they are not sacrificing a lot,” said George A. Hacker, director of the Alcohol Policies Project at the Center for Science in the Public Interest, a nonprofit group based in Washington.

Mr. Hacker said he would prefer to see Anheuser-Busch and Diageo, which makes Smirnoff Ice, adopt the higher standard. “Their products are more deliberately targeted to young people,” he said. Diageo could not be reached for comment.

The alcohol industry, of course, does not want to go the way of the tobacco industry, which in 1998 signed a settlement with state attorneys general. In it, the four largest tobacco companies agreed among other things to ban television and billboard advertising, cartoon characters in advertising (sayonara Joe Camel), and any promotional merchandise.

Even as Beam is volunteering to curb its advertising, it maintains that advertising has no bearing on youth drinking. “There is no causal connection between alcohol advertising and under-age drinking,” Beam wrote in a press release.

But Steven Rowe, the Maine attorney general and a signer of the letter of praise to Beam, disputed this point. “To say there’s no causal connection is to have your head in the sand,” Mr. Rowe said. “It’s to not recognize reality.”

He said in a telephone interview that he and the other attorneys general were “calling on industry members to follow Beam’s lead and join the effort to reduce under-age drinking.”

“I’m not going to speculate about whether we’re going to bring lawsuits against any company,” Mr. Rowe said. “That’s always a possibility, but we’re hoping that companies will step up.” He is a co-chairman of the National Association of Attorneys General Youth Access to Alcohol Committee.

Mr. Rowe said that members of his committee have met with representatives of another distillery and two breweries, who opted not to adopt the same standards. He said the meetings were confidential and he would not identify the companies.

For its part, Beam mounted a publicity effort to announce its new standards, but stopped far short of asking other companies to follow suit.

“We won’t comment on what others may do with this,” said Chris Swonger, senior vice president for corporate affairs at Beam. “But it was an important step forward for our company.”

As part of its announcement, Beam made a promise not to enter the alcopop market. Was this because the company agrees with industry critics who complain that the beverages are marketed to under-age drinkers?

“Absolutely not,” Mr. Swonger said. “We made an earlier strategic decision in the flavored malt beverage category. It was of interest to the state attorneys general and we were willing to make that commitment, but it’s strictly a commercial decision.”

<http://www.nytimes.com/2007/05/08/business/media/08adco.html?_r=1&ref=business&oref=slogin>  
  
**[II. IOWA NEWS.](#II)****10. Group Reaches Mark for 21-Law**  
  
Stephen Schmidt  
*Daily Iowan*

May 11, 2007  
  
Students between 19 and 21 who enjoy being in bars after 10 p.m. may want to clear their schedules next Nov. 6 to head to the voting booth.

Jim Clayton, a member of the Committee for Healthy Choices and a former director of the Stepping Up program, said the committee has the 3,333 signatures from registered voters that would force the Iowa City City Council to consider its proposal, which would require people under the age of 21 to leave bars by 10 p.m. or face a $250 fine.

"We came very close to getting the 21-ordinance passed the last time it came up for a vote, but then [the council] compromised at 19," Clayton said. The committee had roughly 200 people circulating the petition from neighborhood to neighborhood.

The problems associated with underage and binge drinking prompted the city to create an ordinance in 2003 that makes it illegal for those under 19 to be in bars after 10 p.m. The council voted again in November 2004 to keep the 19-ordinance rather than change the entry age to 21.

Mark Martin, one of the petition's co-sponsors and a pastor at St. Andrew Presbyterian Church, said the proposed change, combined with recent keg-registration legislation, would be a good start in curbing "underage binge drinking."

"We're feeling like things are headed in the right direction," he said.

Canvassers will also make the petition available today at City Hall from noon to 1 p.m., and Clayton said the committee will announce its final tally after the votes from City Hall are added.

The deadline for signatures is today at 5 p.m.

After the deadline, City Clerk Marian Karr said, at least four employees in the city clerk's office will work for roughly 20 days, comparing the signatures to the 51,456 registered Iowa City voters, to finish the count by May 31.

During this time, the petitioners are encouraged to continue getting signatures in case the number of valid signees is found to be insufficient. Petitioners have a 15-day grace period to submit more signatures if necessary.

"[Petitions are] an important component in the city charter, and we try to be as fair and as accurate as possible," Karr said.

If enough signatures are acquired and certified by the city clerk, the council is required by the city charter to act on the matter within 60 days. If this occurs, the council would most likely discuss the issue for the first time early in June, Karr said.

If the council decides not to implement the proposal within the allotted time, the issue would go to a public referendum for registered voters in Iowa City on Nov. 6 - requiring a simple majority for passage into law.

At a candidate forum on May 2, Mayor Ross Wilburn said that he supports the 21-ordinance because the state drinking law is 21, but he would like to see it come to a public vote.

City Councilor Bob Elliott said he agrees that a public referendum would be best, and he expects that this is the way the council will go.

"It'd be better to put it to a vote, and let the people decide," Elliott said.

Chris Wiersema, the general manager of the Picador, 330 E. Washington St., said if passed, the ordinance would harm the local music scene.

"We're not like dance clubs where you go and hear music that is played on the radio," he said. "A change like this would hurt not only us, but a large portion of kids who are interested not necessarily in drinking but in going to live shows."

grapes<http://media.www.dailyiowan.com/media/storage/paper599/news/2007/05/11/Metro/Group.Reaches.Mark.For.21Law-2899631-page2.shtml>  
  
  
  
  
  
  
**11.** **Blanket Alcohol Tests Violate Privacy Rights**  
**Student searches wrong without probable cause.**

*Des Moines Register*  
May 10, 2007

At this year's prom, Urbandale High School students were given Breathalyzer tests before they could enter the dance. None tested positive for alcohol. Now the school plans to set up Breathalyzer machines at school dances and football games.

"Our whole goal is we want young adults to come to our events, but we don't want them there under the influence of alcohol. It's unfortunate, but we feel this was a step we needed to take," said principal Richard Hutchinson.

Some Iowans might shrug at the news. So what? Students shouldn't be drinking anyway. If you don't like being tested, don't drink. Or don't go to the prom, some might say.

But Iowans should care.

Testing students for alcohol amounts to a drug test, which amounts to a physical search — a search with no suspicion of wrongdoing. That effectively strips students of their Fourth Amendment rights.

The search is a fishing expedition. School officials cast a wide net by testing everyone. Maybe someone gets snared — and that someone might ultimately be criminally prosecuted. If a student tests positive for alcohol, the student is turned over to the school liaison officer, who is also an Urbandale police officer, Hutchinson said. School officials have essentially deputized themselves as an extension of local law enforcement.

All Iowans should care that schools are drug-testing kids at extracurricular activities - without reasonable suspicion. Urbandale is not alone. Valley High School of West Des Moines plans to use breath tests before its prom this weekend. Private schools have used them, too. Wahlert High School, a Roman Catholic school in Dubuque, used them for its prom last weekend, and Dowling Catholic High School of West Des Moines plans to do so this weekend.

Testing students for alcohol has grown in popularity nationwide as technology gets more affordable. In other words, it's now more affordable and easier for schools to invade the privacy of students. Urbandale purchased three testing machines for a few hundred dollars apiece.

Ben Stone, executive director of the American Civil Liberties Union of Iowa, said the Urbandale tests appear to be a clear violation of Iowa Code.

"Iowa Code section 808A states quite clearly that students cannot be searched, and it's very obvious from court decisions that a breath test is a search. It reveals things about your inner being," Stone said. "School officials can't search students without individualized, reasonable suspicion."

The ACLU of Iowa would "love to hear from" an Urbandale parent interested in exploring the legality of this practice, Stone said.

Maybe they will. And then a court can sort through questions about student rights, invasion of privacy and the authority of school officials.

Students do not shed their constitutional rights at the schoolhouse door, as the U.S. Supreme Court ruled in 1969 in the famous Tinker vs. Des Moines black-armband case.

They shouldn't shed them at the door to the dance or gate to the football game, either.

grapes<http://desmoinesregister.com/apps/pbcs.dll/article?AID=/20070510/OPINION03/705100312/1110>  
  
  
  
  
  
  
**12.** **Wahlert Students React to Breath-Tests**

*KCRG TV*  
May 7, 2007

Students at Dubuque's Wahlert Catholic High School passed the test, a breathalyzer test.

On Saturday night the school started a new effort to stop under-age drinking.

While looking trough fresh prom pictures, Kayla Jackson says the dance was a blast.

She says this year; she didn't have to worry about a drunken class-mate vomiting on her dress.

Jackson said, "You didn't have to worry about stuff like people being drunk, making stupid decisions. People were just having a good time."

Wahlert administration is now requiring every prom-goer to take a breath test.

Wahlert principal, Don Sisler said, "We're absolutely serious about making our school dances as safe as we possibly can."

Safe. But was it fair to test every single student?

Student body president Michael Lehmann says, absolutely not.

Lehmann said, "We are just like any other high school, kids like to drink. But a lot of us don't and people that don't we feel like we got our toes stepped on definitely."

Lehmann says the new rule has him debating whether he wants give the honorary speech during Wahlert's upcoming commencement ceremony.

Lehmann said, "My parents really want me to do this speech. They said they are really proud of me and I still might do it for them.”

Like it or not, the new rule has students talking. Talking about drinking, talking about their rights and about their responsibilities.

Wahlert administrators plan to enforce the breathalyzer policy again next year at all of the school dances.

grapes<http://www.kcrg.com/news/local/7382531.html>  
  
  
  
  
  
  
**13.** **Esquire says D.M. Tipples at two of U.S.'s top Bars**

Mike Kilen  
*Des Moines Register*  
May 9, 2007

A national magazine called it the "holy house of alcohol."

 The Royal Mile and Red Monk in Des Moines are listed as one entry of the "Best Bars in America" in June's Esquire, one of America's top men's magazines - and, some would argue, one of its smartest.

The magazine wrote that the bar offers 200 bottled beers and 40 single-malt scotches. Oops, they actually offer 70 scotches. (Maybe not so smart.)

But the two-bars-in-one complex on Fourth Street earned its rating on the strength of the upstairs bar Red Monk and its Zwack Unicum, an herbal Hungarian liquor.

"A lot of people call (Unicum) the oath," said manager Joe White. "If it's your first time in here, you have to take the oath."

The magazine wrote: "In the company of gargoyles, stained glass and bottles of the tar-black, syrupy Hungarian liquor, Unicum, the city's adventurous drinkers are baptized."

A patron is likely to imbibe among a varied clientele.

On a sunny Tuesday afternoon, retired Iowa State University philosophy professor Ted Solomon of Ames was sucking on a pipe and a Carlsberg, a Danish beer.

"I drink the high potency - when I shouldn't," said Solomon, who makes a regular Tuesday afternoon trip to the bar.

"I think the highest is 15 percent. There is also good camaraderie with people at the bar."

Sipping a Miller High Life was Dan Olson, who lives downtown and sports a number of tattoos.

"Sometimes, you like to have a High Life and sometimes a Praat, depending on the mood," Olson said. "It's a personal bar with people from an independently wealthy dude who likes to buy beer for everybody to people who work at the tattoo shop."

No Iowa bar made Esquire's list in 2006.

But in its second year of the "best bars" feature, the magazine included a watering hole in every state. (Maybe smart ... marketing).

The dark wood, authentic pub decor and food at the five-year-old British pub and upstairs Belgian bar were created by Full Court Press, seven developers who own several downtown bars and restaurants, including El Bait Shop and High Life Lounge.

"It's a real honor," White said. "There's a whole lot of bars out there.

"Our atmosphere is totally different. We're in a nice, old rustic building, and our scotch selection is the best."

grapes<http://desmoinesregister.com/apps/pbcs.dll/article?AID=/20070509/LIFE/705090379/-1/SPORTS01>  
  
  
  
  
  
  
**14.** **Driver in Truck-Bicycle Crash Charged with OWI**

Tom Alex  
*Des Moines Register*May 9, 2007

A Des Moines man has been charged with fifth-offense drunken driving after allegedly hitting a 14-year-old bicycle rider with a truck and then leaving the scene.

Police arrested Leslie Howard Jr., 37, of 1513 Sampson Ave., Friday

In addition to being charged with operating while intoxicated, Howard also was charged with failure to render aid, operating a motor vehicle while his license was revoked and failure to yield right of way.

The crash occurred on Friday night at the intersection of Pennsylvania and University avenues. De 'Andre Brown of Des Moines was knocked off his bicycle. He was taken to Blank Children's Hospital for treatment of an arm injury.

Police said witnesses to the crash copied down a license plate number and gave it to officers. Accident investigators drove to the address of the registered owner and spoke with Howard. Witnesses at the house on Sampson said he'd just arrived and had not had a drink since he'd been home, police said. Officers said Howard was having trouble walking.

grapes<http://desmoinesregister.com/apps/pbcs.dll/article?AID=/20070509/NEWS/70509004/1001>  
  
  
  
  
  
  
**15.** **Urbandale Rejects Park System Smoking Ban**

Elizabeth Owens  
*Des Moines Register*  
May 9, 2007

A smoking ban that would have essentially covered Urbandale's city park system failed Tuesday in a 3-2 vote.

City Council members John Forbes and John Forst voted to approve the policy; Doug Getter, Mary Polson and Ron Pogge voted against it.

A vote in favor would have amended Urbandale's current policy to prohibit smoking in city parks where youths 17 or younger participate in recreational activities, with the exception of the Walker Johnston softball complex and the immediate areas surrounding park shelters.

The policy would have been the most restrictive in Polk County.

The City Council took up the policy on a 4-2 recommendation last month from the Urbandale Parks and Recreation Commission.

Urbandale's current policy, which does not allow smoking in parks where youths 17 or younger are participating in organized recreation activities including practice, will remain in place.

A second motion by Getter did pass. It refers the policy back to the Parks and Recreation Commission for the purpose of studying a prohibition on smoking at the Urbandale skateboard park and of further clarifying the overall policy.

grapes<http://desmoinesregister.com/apps/pbcs.dll/article?AID=/20070509/NEWS05/705090375/-1/SPORTS01>  
  
  
  
  
  
  
**16.** **Anti-Drinking Task Force Meets Monday**

*Des Moines Register*May 9, 2007

An Ankeny task force seeking to combat underage drinking will host a brainstorming session at 7 p.m. Monday at Neveln Community Resource Center, 406 S.W. School St. in Ankeny.

The agenda includes a guest speaker from the West Des Moines underage drinking reduction program, followed by discussion. Parents, students, alcohol retailers, substance abuse advocates and concerned residents are encouraged to participate.

For more information, contact Jennifer Adler at 963-3317 or Brent Saron at 291-9414.

grapes<http://www.desmoinesregister.com/apps/pbcs.dll/article?AID=/20070509/NEWS/70509036/1025>  
  
  
  
  
  
  
**17.** **Driver Jumps Curb, Nearly hits Oncoming Car**

Nigel Duara  
*Des Moines Register*  
May 11, 2007

Phil Horn was crossing the George Washington Carver Bridge on Thursday night when he saw a silver Honda Civic jump the median, hop over a curb and speed down a nearby hill.

“Luckily (the driver) missed two pedestrians that were sitting there,” Horn said.

The driver, Alesha Dumerville, 22, was arrested on suspicion of OWI after she failed field sobriety test, said Sgt. Brian Vance of the Des Moines Police Department. Dumerville was tested for alcohol at the police station and registered a blood alcohol level of .139, Vance said.

The incident left Horn shaken, he said, as Dumerville nearly hit him after she veered from her westbound lane.

“My heart’s still going 100,000 miles per hour,” Horn said.

Vance said Dumerville wasn’t injured in the crash, although her car suffered several flat tires.

grapes<http://www.desmoinesregister.com/apps/pbcs.dll/article?AID=/20070511/NEWS/70510043/1001/NEWS>  
  
  
  
  
  
  
**18.** **PCL Ahead on Alcohol Bans in the Clubhouses**

*Des Moines Register*  
May 10, 2007

The Pacific Coast League was ahead of some major league baseball teams that recently banned alcohol from home clubhouses in a reaction the recent tragedy in St. Louis.

“We were way on the right side of the bell curve,” Iowa Cubs general manager Sam Bernabe said.

Bernabe said the PCL banned alcohol form clubhouses six years ago.

“It was done on the league-wide basis because of insurance and liability issues,” Bernabe said. “We were concerned about potential safety issues that were basically out of our control.”

Bernabe said respective minor leagues and parent organizations have the right to set minor-league clubhouse alcohol restrictions.

“Before the PCL banned it, we allowed beer in our clubhouse, although tit wasn’t purchased by the Iowa Cubs,” Bernabe said.

grapesThe Chicago Cubs hung the No Alcoholic Beverages sign in the home clubhouse and on Chicago-bound charter flights Tuesday after the death of St. Louis Pitcher Josh Hancock.  
  
  
  
  
  
  
**19.** **Davenport asks State to Revoke 3rd Street Mart's Liquor License**

Tory Brecht  
*Quad-City Times*  
May 09, 2007

Davenport city officials want the state’s Department of Commerce Alcoholic Beverages Division to revoke the liquor license for the 3rd Street Mart.

The downtown convenience store at 612 W. 3rd St. has been consistently criticized by neighboring business owners and residents for increasing incidents of public drunkenness, loitering, littering, prostitution and other illicit activity since it opened in 2003.

On April 13, the store’s owner Ali Murtaza — also known as Jim Murtaza and Ghulam Murtaza Chaudhry — pleaded guilty in federal court to counts of fraud and misuse of a Social Security number.

At the time, Murtaza was believed to be the co-owner of the 3rd Street Mart, but according to the complaint the Davenport legal department filed with the state, the other “owner” — Ghulam Chaudhry — was actually one of Murtaza’s aliases. The Social Security number accompanying the liquor license application was forged, the complaint stated.

Murtaza could not be reached Tuesday for comment. Attempts to reach his attorney also were unsuccessful.

“Ghulam Chaudhry and Ali Murtaza are one and the same person and have been using the two or more Social Security numbers on their application/renewals,” the complaint stated, adding that the city requests a license revocation because the licensee “misrepresented its ownership.”

Officials from the Alcoholic Beverages Division could not comment on the case Tuesday.

Murtaza was released from federal custody in April.

Neighborhood activists who have sought the closure of 3rd Street Mart for years are hopeful the state will take decisive action.

“We’ve been fighting this license since the start,” resident Shelley Sheehy said. “It’s just a bad spot, and that’s been proved.”

Davenport police — who have been grilled on several occasions by aldermen about whether the store has led to increased crime — downplay its role.

“There are a lot of calls for service in the 600 block of West 3rd; there are a lot of people hanging out there,” Maj. Don Schaeffer said. “The people who live down there hang down there. They’re going to be there anyway. But them moving out certainly isn’t going to raise crime for us, however, I’m not certain it would lower it, either.”

Schaeffer noted that calls for service and reported crime in the 600 block decreased dramatically between 2004-05 and 2005-06. He credited a combination of increased police patrols as well as working directly with business owners and residents.

Both the management of 3rd Street Mart and Labor Ready — a temporary employment company — cooperated with police. He noted that of the 29 calls for police service at 612 W. 3rd St. last year, 27 were called in by employees.

“They worked with us,” Schaeffer said. “There were a lot of people working with us trying to stem the problem.”

That’s not how Todd McGreevy sees it. He’s the publisher of the River Cities Reader, which has its offices across Western Avenue from the 3rd Street Mart.

In the years since the store opened, crime and unsavory activity have increased dramatically, he said.

“I would challenge any City Council member or police officer to come down and spend an hour at our office and say that liquor store is not a problem,” he said, noting that all his female employees now must be escorted to their cars at all times of day. “For the police to act like there’s not a problem is so disingenuous.”

McGreevy has seen the large plate glass window on the historic Ranzow Building that houses his office smashed, vomit on his front porch, a woman urinating in broad daylight in the back alley and too many fights and episodes of public drunkenness to document.

Since store went in, the neighborhood has seen a man thrown off an apartment balcony, a building a block away burned down and a homeless man shot and left bleeding across from the YMCA’s outdoor playground area.

“We can’t say empirically that these incidents were caused by the liquor store going in there,” McGreevy said. “What we can empirically say is those things did not happen before the liquor store went in there.”

<http://www.qctimes.com/articles/2007/05/09/news/local/doc464160c41c892206654787.txt>

1. **OTHER STATE NEWS.**

**20. Numerous Alcohol Bills up for Debate (Alabama)  
  
Dana Beyerle  
*Montgomery Bureau*  
May 6, 2007**

**Bills affecting alcohol sales in northwest Alabama were addressed by the Legislature this week.**

**One of those bills passed the House on a 59-28 vote Wednesday and would authorize Sunday alcohol sale referendums in Florence and Sheffield and 12 other cities. Two legislators abstained.**

**Florence already has limited Sunday alcohol sales, restricted to restaurants and hotels, but Sheffield does not allow Sunday alcohol sales.**

**Sheffield has a local bill filed that would allow the city to move forward with enacting a similar ordinance to what Florence has now.**

**In addition, a House committee approved a bill earlier this week authorizing alcohol liquor sales at the Joe Wheeler State Park in Rogersville and authorizes simplified Sunday sales at the Robert Trent Jones Golf Trail in Colbert County.**

**The House Tourism and Travel Committee approved a bill by Rep. Johnny Mack Morrow, D-Red Bay, that authorizes alcohol sales at state park resorts where alcoholic beverages are now not sold.**

**The bill also authorizes hotels, convention centers, golf courses and clubhouses financed or owned by the Retirement Systems of Alabama to sell alcoholic beverages any day of the week.**

**If approved, they would still have to be licensed by the Alabama Alcoholic Beverage Control Board.**

**A spokesperson for Gov. Bob Riley said Morrow's bill affecting state parks isn't Riley's bill.**

**Morrow, chairman of the House Tourism and Travel Committee, said the bill is good for tourism.**

**"The hospitality and tourism industry wants Sunday liquor sales because many conventions begin on Sundays and convention goers want alcoholic beverages," he said. "This is not a moral issue; this is an economic issue.''**

**Earlier, Morrow's committee shelved a bill by Rep. James Thomas, D-Selma, that would have authorized certain cities to set Sunday sale regulations without a vote.**

**State Rep. Fred Ford, D-Gadsden, said his bill that affects Florence and Sheffield is a negotiated compromise that allows city councils to set local referendums on Sunday alcohol sales and regulate the sales.**

**It would not affect Florence unless the city wanted to expand its Sunday sales bill to allow other businesses, like grocery stores, to sell alcohol on Sundays.**

**"This does not mandate Sunday sales,'' Ford said. "The city council must call for the referendum and also set up an ordinance on how it will be applied. What we want to do is leave it up to the local governing body.''**

**Ford's bill is sought by the hospitality, tourism, grocery, and retail industries. It was opposed by religious leaders and some legislators on moral grounds.**

**The bill now goes to the Senate where it will join a logjam of hundreds of bills.**

**If approved, the legislation would affect Alexander City, Anniston, Athens, Decatur, Dothan, Enterprise, Florence, Gadsden, Ozark, Selma, Sheffield, Sylacauga, Talladega and Tuscaloosa.**

**These cities allow alcoholic beverage sales six days a week, while Florence allows Sunday sales in limited locations.**

**grapes**<http://www.timesdaily.com/apps/pbcs.dll/article?AID=/20070506/NEWS/705060373/-1/GAMES>**21.** 13-year-olds Treated for Extreme Intoxication (California)

Maria P. Gonzalez  
*Union-Bulletin*  
May 7, 2007  
  
A group of 13-year-old girls and a 13-year-old boy were detained by law enforcement Friday night in connection with being intoxicated while alone at a residence.  
  
Two of the girls were hospitalized with apparent alcohol intoxication and most of the other girls showed signs of being intoxicated, according to a Walla Walla police report.  
  
The girls appear to have called for help shortly after 10 p.m. after two of the girls became unresponsive after apparently drinking alcohol at a home in the 700 block of South Division Street. Paramedics took the two girls to St. Mary Medical Center to be treated for extreme intoxication, according to the report.  
  
One of the girls who remained at the residence told police they had gotten a bottle of Bacardi 151 rum from the brother of the boy in attendance. The officer noted several of the girls crying and upset while showing signs of alcohol intoxication. The girls then showed the officer an empty rum bottle.  
  
Bacardi 151 rum contains about 75 percent alcohol by volume.  
  
Breath samples given to the girls indicated some to have blood alcohol concentration readings of 0.054, 0.02, and 0.004, according to the police report. The two girls hospitalized had 0.080 and 0.134 readings, according to the report.  
  
The blood alcohol concentration limit for driving for adults 21 and over is 0.08.

The teens' parents were contacted and notified of possible minor in possession and minor in consumption charges. Several parents asked their teen-agers be taken to the Juvenile Justice Center to be held accountable, according to the report.

<http://www.union-bulletin.com/articles/2007/05/07/local_news/local03.txt>

**grapes** **22. Ten Charged With Alcohol Violations Following Post-Prom Party (Connecticut)**

**Andrew Gorosko  
*Newton Bee*  
May 10, 2007**

**After receiving a complaint about 2:39 am on Saturday, May 5, that a teenage girl had taken ill from drinking alcohol at a party which was being held inside and behind a home at 35 Horseshoe Ridge Road, police responded and found a gathering attended by between 100 and 150 teenagers.**

**The party, which was held after the Newtown High School prom, was at the residence of Thomas Gissen, 50, a town Board of Education member whose son attends Newtown High School.**

**Both Mr Gissen and his wife, Lisa, 47, were home at the time of the party, police said.**

**In view of controversy surrounding the event, Mr Gissen submitted his resignation as a school board member on May 9, according to school officials.**

**Following an investigation, police filed alcohol-related charges against ten people.**

**Mr and Mrs Gissen each were each issued infractions on charges of failure to halt possession of alcohol by minors, police said. The tickets bear a $146 fine under state law. Such charges are appealable in court. The court answer date is May 18.**

**Also, police issued infraction tickets to eight teenagers on charges of possession of alcohol by a minor.**

**Charged with possession of alcohol by a minor were: Amanda Norling, 18, of 4 Marlin Road; Maxwell Reed, 18, of 8 Bankside Trail; Brendan Hintzen, 18, of 15 Main Street; and Jennie Iodice, 18, of 8 Arlyn Ridge Road, police said.**

**Police also charged four "youthful offenders" with the same alcohol violation. Youthful offenders are either 16 or 17 years old. Their identities are shielded from disclosure by state law.**

**The tickets that the eight youths received bear a fine of $181. Such charges are appealable in court. The court answer date for the eight youths is May 18.**

**The party was held both inside the house and in the backyard, where about ten tents had been pitched by the youths who were planning to spend the night, police said.**

**"An exceptionally large amount of alcohol was found in the rear yard of the property in the immediate vicinity of several youths," police said in a statement. The eight youths' proximity to the alcohol resulted in their receiving the infractions.**

**The backyard held numerous cases of beer, as well as dozens of bottles of hard liquor, police said. A keg of beer also was found and confiscated, police said.**

**Also, police said they found various drug paraphernalia in the backyard, including pipes used to smoke marijuana. Police pressed no drug charges in the case.**

**Police Sergeant Christopher Vanghele said four police officers responded to the scene. Police stayed there until 7 am, investigating the case in the affluent Sandy Hook neighborhood.**

**The sergeant said police called the parents of teenagers who had remained at the party to retrieve their children.**

**Sgt Vanghele said police were aware of two other post-prom parties in town, but those events did not result in police activity.**

**Most people attending the Horseshoe Ridge Road party appeared to be Newtown High School students who were 17 or 18 years old, Sgt Vanghele said. "It was one of the larger gatherings that we've had," he said of the scope of the event.**

**Based on evidence found at the scene, most of the alcohol that the youths had brought to the party was not consumed, the sergeant said.**

**Although about 75 people were reportedly invited to the party, many more uninvited people attended the event, he said.**

**Sgt Vanghele said that before the party occurred, Mr Gissen had informed police and informed his neighbors that a party would be held in view of potential parking concerns.**

**As such, police drove by the area about 11:30 pm on Friday, May 4, to check on the situation, Sgt Vanghele said. The event was a quiet one and no complaints had been received by that time, he said.**

**"I'm sure it started the right way," the sergeant said, "but it got out of hand. The Gissens didn't do enough to police themselves," he said, adding, "If you're going to hold a party, you have to marshal it."**

**Police Chief Michael Kehoe said that school-sanctioned activities, such as the post-prom party that was held at the high school, are suitable events for youths to attend.**

**"We want simple rules followed... Health and safety and control is important... Keeping it smaller is easier to control," he said.**

**The host of a youth party should ensure that proper conduct is followed at the party for the sake of the guests and their parents, he said.**

**"We're still investigating it," Chief Kehoe said, adding that more charges could arise from the Horseshoe Ridge Road party.**

**"We would caution the general public on holding these types of events or gatherings because they are fraught with problems," Chief Kehoe said.**

<http://www.newtownbee.com/News.asp?s=News-2007-05-10-14-54-30p1.htm>

**grapes****23. Daniel Kline Named to Replace Retiring Del. Alcohol Division Chief (Delaware)**

*The News Journal*May 9, 2007

Daniel Kline, a 17-year veteran of the state's liquor control agency, is taking over Delaware's Division of Alcohol and Tobacco Enforcement.

Gov. Ruth Ann Minner and Safety and Homeland Security Secretary David Mitchell on Monday announced Kline as their choice to succeed retiring Director Donald Bowman.

Kline started as a field agent for the department in 1990. He was promoted to supervising agent and the division's legislative liaison in 2000.

"Director Kline has experienced every level of involvement this division has to offer and will bring a wealth of knowledge and leadership to the position," Minner said.

Prior to joining the division, Kline was a park ranger for the Department of Natural Resources and Environmental Control. He started his law enforcement career in 1986 with the Dewey Beach Police Department.

<http://www.delmarvanow.com/apps/pbcs.dll/article?AID=/20070509/NEWS01/70509026/1002/NEWS01>

grapes  
  
  
  
  
**24.** **Bill Protecting Designated Drivers Clears Legislature (Florida)**

*Beverage News Daily*May 4, 2007

A measure that makes it clear that bars can't kick people out for not drinking alcohol is headed to Florida Gov. Charlie Crist's desk after passing the Florida House unanimously Wednesday.

The measure is intended to protect people who are designated drivers for someone who is buying alcoholic drinks. Bars would be prevented from requiring such drivers to leave or buy an alcoholic drink under the bill (SB 282).

grapesThe proposal was a response to a lawsuit filed by a man in Pinellas County who was allegedly kicked out of a bar because he wasn't buying drinks. The man said he was there to drive for his friends.  
  
  
  
  
  
  
**25.** **Voters Pass Sunday Alcohol Sales in City of Leesville (Louisiana)**

*Leesville Daily Leader*  
May 7, 2007

Leesville residents passed both propositions during Saturday's election which will now allow alcohol sales on Sunday.

There were two propositions on the ballot only effecting Leesville Residents.

The first proposition asked residents whether they believe restaurants who have been issued an “R” rating should be permitted to sell high and low alcoholic content between the hours of 12 noon and 12 midnight.

Voters passed proposition one with 74 percent with the count at 233 yes to 74 no.

grapesThe second proposition would extend liquor sales on Sundays from midnight until 2 a.m. passing with 74 percent of the votes with the count at 224 yes and 81 no votes.  
  
<http://www.leesvilledailyleader.com/articles/2007/05/07/news/news4.txt>  
  
  
  
  
  
  
**26.** **Maine Attorney General Delivers Sobering Message About Underage Drinking (Maine)**

Rhonda Erskine  
*WCSH6.com*  
May 9, 2007

This is the time of year when we hear warnings about teenage drinking. Most of the worries focus on the danger of drinking and driving. Now, Maine Attorney General Steve Rowe is adding a new worry: teenage brains.

Rowe talked about drinking with students at Boothbay Region High School Wednesday. He told them there are lots of important reasons teenagers should avoid alcohol, but one of the most important is that it can damage their brains. Rowe says research shows alcohol can harm the part of the brain that provides memory, and that young people are especially vulnerable.

"Most of you say I want to have a family, I want to have a nice home, I want to have a car. You see the future and it looks limitless. Alcohol will take you down and it will limit your future," said Rowe.

Students say it's an important message to hear.

"It's not going to affect the people who go out and party every weekend, they're gonna say well it doesn't apply to me. But it's gonna affect two three or four people in every class and that's better than nothing. Maybe it will save their lives and their future," said senior Adam Climo.

The attorney general has held several meetings with parents and community leaders about the teen drinking problem, but says this was just the third time he's talked directly to students. His timing was right on. Boothbay Region's school prom is this weekend.

<http://www.wcsh6.com/news/article.aspx?storyid=60101>

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**27.** **Granholm's Liquor-tax Plan a Bust, Vendors Say (Michigan)**

Dawson Bell  
*Freedom Press*  
May 8, 2007

A minor component of Gov. Jennifer Granholm's proposal for closing the state budget deficit -- raising the tax markup on liquor sold in Michigan from 65% to 75% -- will punish business without raising much money, the state's alcohol peddlers said Monday.

More than half the cost for consumers to buy liquor in Michigan already goes to the government, according to calculations by Michigan Liquor Vendors and the Michigan Licensed Beverage Association. That's higher than all of Michigan's neighboring states.

Increasing the markup -- the surcharge added when liquor passes from wholesaler to distributor -- will drive business away from retail sellers, bars and restaurants, said Rick Roberson, a bar owner from Hesperia in western Michigan and president of MLBA.

"Taxing, taxing, taxing is not the answer," he said Monday.

Bar owners face the added prospect of a sharp increase in licensing fees Granholm has proposed.

But the groups estimate that raising the liquor markup will fall short of the $27 million in extra revenue projected by the administration. The last hike in the liquor markup, which went into effect in May 1993, resulted in a 5% decline in sales, they said.

Sales will drop about 3% if the increase is enacted, said Treasury Department spokesman Terry Stanton.

Bills to raise the liquor tax have been introduced in both houses. They were included as part of the governor's overall efforts to raise more than $1 billion in new revenue to cover a projected budget deficit in 2008.

grapes<http://www.freep.com/apps/pbcs.dll/article?AID=/20070508/NEWS06/705080313/1008>  
  
  
  
  
  
  
**28.** **41 Liquor Stores Cited For Selling To Minors** **(Missouri)**

*Kansas City Channel*   
May 3, 2007

Authorities said more than 40 Northland liquor stores were cited for selling alcohol to minors.

Clay County sheriff's deputies said two-thirds of the stores tested sold liquor to an underage decoy. Deputies said the decoys were between 16 and 18 years old, but they looked like they were 12.

Among the offenders were grocery stores and mom-and-pop shops.

"We went to 60 stores in a two-week span, and we issued 41 citations. That's a lot," Sgt. Dennis Burkhalter said. "We couldn't believe it. It was just unbelievable."

Clerks in 19 stores in Kansas City were cited; seven in Excelsior Springs; four in Smithville; three in Gladstone; and two in Liberty, Pleasant Valley and North Kansas City, deputies said.

Deputy Mike Nelson said the clerks who were caught usually had the same excuse.

"Their first reaction is, 'I should have known better,' then, 'I didn't think I was going to get caught,'" Nelson said. "I was shocked. I have two kids of my own; it is concerning that it's that easy."

"The message we want to send is, 'Just check everyone's ID.' I don't care if they're 50 years old -- check the ID; that's all we're asking," Burkhalter said.

"We have zero tolerance. We just want to protect our children and keep them safe -- that's the key thing," Nelson said.

Deputies said Clay County has traditionally conducted the stings once a year, usually around prom time and graduation. But now they're thinking of expanding the checks to four times a year.

<http://www.thekansascitychannel.com/news/13255849/detail.html?rss=kc1&psp=news>

**grapes****29. The Soaring Cost of Serving Hard Liquor (New Mexico)**

Wendy Brown  
*New Mexican*May 5, 2007

With full dispenser liquor licenses going for $300,000 or more, some say the system is out of date and contributing to the state’s DWI troubles

Phil Lama, chief financial officer of El Paso Bar-B-Que, was excited about the idea of opening three or four of the company’s restaurants in New Mexico. Each one would employ about 75 people, he said, and provide a family-friendly atmosphere for customers.

Then Lama discovered he would have to pay $300,000 — or more — for each full dispenser liquor license. “We found that the cost of a liquor license was absurd,” Lama said. “So we said, ‘No way.’ ” Now the Arizona-based company is looking at expanding in Texas, Lama said.

Lama is one of a growing number of people who are questioning the way New Mexico handles dispenser liquor licenses, which allow restaurants and stores to sell hard liquor as well as beer and wine.

More than 40 years ago, the state capped the number of these licenses, and today there are 1,410. The state allows license holders to buy, sell and lease them. As the population of New Mexico grew, so did demand, leading to prices that Edward Lopez, the head of the state Regulation & Licensing Department, called “almost an absurdity.” Some licenses that allow package sales have gone for as high as $600,000, he said.

New Mexico has a restaurant beer and wine license with no transferable property right that has an upfront cost of $1,000, but that does not allow restaurants to serve hard liquor.

Neighboring states have similar nontransferable licenses, but they allow restaurants to sell hard liquor. In Texas, for example, a full liquor license is available by application and costs $3,256 the first year. And in Arizona, a restaurant can get a license for $2,500 the first year if food represents 40 percent of its sales.

Lopez said he worries that few entities other than large corporate businesses will be able to afford full dispenser licenses in the future.

While he is concerned that high prices make it more difficult for locally owned businesses to compete for licenses, Lopez said his primary concern is that large, out-of-state corporations are less sensitive to the state’s DWI problem.

New Mexico had the eighth-highest ranking in the nation for fatal DWI-related crashes in 2005, according to federal transportation statistics released last December.

Linda Atkinson, executive director of the DWI Resource Center in Albuquerque, said she believes New Mexico’s system is contributing to the state’s drunken-driving problem. The cost of the full dispenser licenses is so high that owners are pressured to recoup the cost by selling as much alcohol as possible, she said.

A legislative committee might begin to address the issue this month.

During the last session, lawmakers approved a memorial asking the Legislative Council to appoint a committee to study the state’s liquor-license system, including dispenser liquor licenses. A meeting is scheduled for May 14 to decide whether to go ahead.

House Speaker Ben Luján, D-Nambé, and Senate President Pro Tempore Ben Altamirano, D-Silver City, two key decision-makers on the matter, did not return phone calls.

Rep. Thomas Garcia, D-Ocate, said he introduced House Memorial 96 in hopes of getting the Legislature to look at the issue, but he has no preconceived idea about how the state might change the liquor license system.

**Possible fixes**

A number of observers, including Atkinson, have suggested the state do away with the current system, possibly by buying back liquor dispenser licenses and starting over. “Hold a bake sale if you have to,” she said.

The overall number of licenses wouldn’t necessarily increase. And the state would still have the power to regulate dispenser liquor licenses and control who received them and where, Atkinson said.

“This is not something earth shattering and new,” Atkinson said, adding that New Mexico’s liquor license system is odd compared to those of most other states.

Lou Bright, general counsel for the Texas Alcoholic Beverage Commission and president of the National Conference of State Liquor Administrators, said he has not studied the issue formally but believes it is not common for states to recognize a transferable property right in liquor licenses.

Linda Aikin, a Santa Fe lawyer who specializes in liquor license transactions, said she agrees there is a problem with the cost of New Mexico’s dispenser liquor licenses. She has had several clients and potential clients back off when they discovered the price, she said.

But buying back the licenses would be difficult and expensive, Aikin warned. If the state bought back all 1,410 dispenser liquor licenses at $300,000 each, it would cost $423 million. In reality, because some are worth much more, that is a conservative figure.

Gary Tomada, head of the department’s Alcohol and Gaming Division, said in 1981 that the Legislature decided to buy back the licenses over 10 years through tax credits of up to $30,000 a year, but the state Supreme Court declared that plan unconstitutional.

Any new attempt along those lines would have to be carefully crafted, Lopez said.

Another possible solution would be to increase the total, but the state is reluctant to do that since research shows increased numbers of liquor licenses cause more DWI problems, Lopez said.

“New Mexico is flooded with alcohol,” Lopez said. In all, there are 2,332 liquor licenses in New Mexico, one for every 827 people in the state, according to figures from the department and a 2006 population estimate from the U.S. Census Bureau.

That number includes the dispenser licenses, as well as the 559 beer and wine licenses for restaurants and several other, smaller, categories of licenses, such as public-service licenses and wine-grower licenses.

Rachel O’Connor, the state’s DWI czar, said she recognizes that dispenser liquor licenses have become extremely expensive, but since the state has far too many licenses as a whole, the last action the state wants to take is to create more of them.

**Dispenser liquor licenses and crashes**

According to both Lopez and Atkinson, there is a link between the availability of alcohol and the DWI crash rate.

Lopez points to a DWI Resource Center map of Albuquerque that shows the location of dispenser liquor licenses and DWI crashes. The map shows there are more DWI crashes near establishments with liquor licenses as well as on nearby roads.

The map backs up state Department of Health statistics that show 50 percent of the people arrested for DWI are people coming from bars, Lopez said.

The New Mexican made a similar correlation when it charted DWI crash rates in all the counties in the state in relation to dispenser liquor license numbers. The study found that in general, more dispenser liquor licenses per number of drivers means more DWI crashes.

Gerald Collins, great uncle of Arissa Garcia, the lone survivor of a Nov. 11 DWI crash that killed five members of her Las Vegas, N.M., family, said he does not want the state to increase the number of liquor licenses in the state. “Our position is that you don’t need any more,” Collins said. “You can’t even handle what you have.”

Collins and other members of the family lobbied hard for DWI reforms during this year’s legislative session.

The crash along Interstate 25 occurred after Dana Papst of Tesuque was served alcohol on a US Airways flight into Albuquerque. According to investigators, he was able to buy a six-pack of beer at a Bernalillo Redi-Mart on his drive home to Santa Fe, even though he was visibly intoxicated.

Terry Huertaz, executive director for Mothers Against Drunk Drivers New Mexico, said the organization does not have a position on the issue of dispenser liquor licenses. The organization focuses on decreasing alcohol sales to minors and intoxicated people, Huertaz said.

The Papst crash showed a breakdown in that system, Huertaz said, and if the Legislative Council creates a committee to study the issue of dispenser liquor licenses, she hopes it will keep the issue of public safety in mind.

**Current efforts**

In 1963, legislators capped dispenser liquor licenses at one per 2,000 inhabitants in each local-option district. Each county — and every incorporated municipality within the county — constitutes a local-option district.

But in 1997, the Legislature instructed the department to stop considering the quota when approving license transfers from one local-option district to another. Although the department can only approve 10 interlocal transfers to a particular district each year, over the years, many have moved from less populated communities to urban areas.

Since there is a correlation between the number of liquor licenses and the number of DWI crashes, Lopez said, the state would like to curtail the transfer of liquor licenses into the state’s larger cities.

Albuquerque and Santa Fe have far more liquor licenses than legislators intended when they created the quota system the state uses today, Lopez said.

If the quota requirement were still in effect for local-option districts, the city of Santa Fe would be allowed 33 licenses, rather than the 114 it now has, according to state records. Albuquerque would have 210, instead of 365.

Lopez said he asked a staff lawyer to research ways the department could slow the number of dispenser liquor licenses into larger cities, and she concluded the department’s hands are tied legally.

Although Lopez said regulators can do little to limit the number of liquor licenses, the Regulation & Licensing Department has addressed the DWI problem by toughening alcohol regulations and increasing liquor-license enforcement efforts.

The state recently added Santa Fe County to its list of target counties based on DWI crash and death rates, according to Peter Olson, a spokesman for the state Department of Safety, the state agency that investigates liquor license violations. The other target counties include McKinley, San Juan, Rio Arriba, Bernalillo and Doña Ana counties.

**The case for the status quo**

Not everyone believes there is a problem with the state’s dispenser liquor license system.

Maurice Bonal, a Santa Fe liquor license broker who has been in the business for 30 years and owns seven dispenser liquor licenses, which he leases to bars and restaurants, said he believes the current system is working fine.

Restaurant owners have always had to save money to buy dispenser liquor licenses, Bonal said, and that system shows which restaurant owners are in the business for the long haul.

Bonal said he does not believe the current price for dispenser liquor licenses is out of reach for small-business owners. The price has risen, he said, but taking inflation into account, prices are comparable to those of the past.

Beer and wine sales are sufficient for most restaurants, Bonal added.

Bonal also noted that selling a dispenser liquor license to big companies like Albertsons, Smith’s or Whole Foods allows some people to retire. “I tell people, ‘I retire people,’ ” he said.

Billy Baldwin, an Albuquerque dispenser liquor license owner and president of the New Mexico Hospitality Retail Association, said he also does not want the system to change.

The system is subject to supply and demand, Baldwin said, and he has seen prices rise and fall in the past.

Baldwin said the number of liquor licenses in urban areas wouldn’t exceed the quota by so much if the state used more current population estimates. Cities like Albuquerque, for instance, have grown significantly since the 2000 Census, which the state is still using.

Using the 2003 census would allow Albuquerque 26 more dispenser liquor licenses.

Lopez noted that liquor license owners will seek to protect their licenses by encouraging employees not to sell to minors and people who are intoxicated, a positive side to the high prices.

Under a state law that took effect last October, liquor license owners can permanently lose their license if they receive three or more citations for serving intoxicated customers and/or minors in a year and are convicted of those offenses, Lopez said.

The “three strikes and you’re out” law, as it’s known, says liquor license owners who lose their license under the law cannot sell their liquor license, Lopez said. It simply ceases to exist.

Bonal also warned that if the state did away with the current system for full liquor licenses, “there would be a bar on every corner.”

However, Atkinson said she does not believe that would have to happen. She also noted that a bar on every corner would allow people to walk to and from bars.

And James Campbell Caruso, owner of La Boca restaurant on Marcy Street, said he believes the owners of dispenser liquor licenses have a bias. “If you own several of them, you’re going to be more in favor of having a limited number of them,” he said.

Caruso said he is content with a beer and wine license for his restaurant now, but if he ever decided to expand, he’d likely be priced out of buying a dispenser license. Of the $300,000 cost, he said, “That just adds a whole other dimension to your investment.”

## grapes<http://www.freenewmexican.com/news/61298.html> 30. Eight RIT Students Charged for Drinking Party (New York)

*WHAM TV*  
May 10, 2007  
  
Eight students from the Rochester Institute of Technology have been charged with misdemeanors in connection with an off-campus party last Friday night.

Six other students ended up in the hospital with alcohol poisoning after drinking at the rugby club party.

The first six arrested are Jennifer P. Salvarrieta, 21; Marie E. Krysak, 21; Lucas Sienk, 22; Kerry E. Gallagher, 20; Max Friel, 22; and Panagiotis L. Tzerefos, 20.

All those arrested have been charged with one count of hazing and one count of unlawfully dealing with a child. They were all processed and released on an appearance ticket.

The maximum penalty for the misdemeanors is less than a year in jail.

The six students found unconscious have not been charged and investigators say it's unlikely they will be. But, all of the students involved could face discipline from the university as well.

**Deputies Saved Lives**

Sheriff's deputies said the party-goers hid five of the passed-out students in the basement out of fear the party would be busted because of another student found drunk upstairs.

Investigators are crediting alert deputies for finding the hidden students.

Lt. William Sanborn, of the Monroe County Sheriff's Office, said, "They are extremely lucky to the point that I would say the actions of the deputies were potentially life-saving."

<http://www.13wham.com/mostpopular/story.aspx?content_id=024a0448-9caf-45ef-8bd2-253c690d22a0>

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**31.** **Ohio Senate Okays Annual Nonprofit Liquor Permit (Ohio)**

Beverage News Daily  
May 10, 2007

grapesThe Ohio Senate voted, 32-0, to authorize the F-8 liquor permit to be issued annually to certain nonprofit organizations to allow the sale of beer and intoxicating liquor at specific events that occur throughout the year on public space that the organization manages.  
  
  
  
  
  
  
**32.** **Drink Tax Proposed to Curb Rowdiness (Pennsylvania)**

Walter F. Naedele *Philadelphia Inquirer*  
May 6, 2007

State Sen. Andrew E. Dinniman told a legislative hearing on nighttime vandalism in Pennsylvania college towns that he hoped that a future sales tax on alcoholic drinks would pay more police patrols in streets, restaurants and bars.

"We are committed to taking some action," Dinniman said, chairing a session of the Senate Democratic Policy Committee at the Chester County Courthouse in West Chester on Wednesday .

Dinniman said he hoped that a state bill not yet written would include a 10-percent tax on each drink sold.

That money should not only pay for more patrols by local police, he said, but give "police more power" to help the state Liquor Control Board, whose enforcement arm is thinly staffed and underfunded.

Dinniman noted that one of the few ways to pay for more police now is by raising homeowners' real estate tax.

It would be unfair if "the people being woken up at 3 in the morning have to pay for the privilege of being woken up."

In downtown West Chester, several witnesses told the hearing, the nightlife has blossomed while the quality of life for residents and store owners has withered.

West Chester Police Chief Scott L. Bohn told Dinniman that in his borough "minor quality-of-life" offenses increased 19 percent in 2006 compared with 2005.

During the last five years, Bohn said, open-bottle violations have increased 345 percent, public drunkenness arrests 71 percent, noise-ordinance violations 67 percent, disorderly-conduct arrests 53 percent, DUI arrests 45 percent and liquor-law arrests 36 percent.

Bohn said that while "the number of eating establishments in our community has grown from 25 in the year 2000 to 55 in 2006," the borough police force has added only two officers in the last seven years.

"Tumbleweeds were blowing down Gay Street," when he arrived in West Chester, Kevin Finn joked.

Finn, president of the Iron Hill Brewery & Restaurant chain with six locations in Delaware and Pennsylvania, said when he opened at Gay and High Streets eight years ago, "the downtown business district was struggling."

Now that nightlife is humming, "the borough has moved away from being a restaurant destination and has become more of a bar destination," Finn said.

The problems are a few liquor license holders he didn't name "who cannot or will not manage their restaurants properly."

Finn opposed a drink tax, arguing that it will make West Chester less competitive than other places in the county.

But he proposed, among other things, cutting off discounted drinks after 9 p.m.; increasing licensing fees for all establishments that serve alcohol, including private clubs; and limiting two students to any rental property.

In an interview before the hearing, Finn said "just giving money to police - which I'm in favor of - isn't going to solve the problem. You need to get the university involved and you need to get the landlords who rent to students involved."

Madeleine Wing Adler, president of West Chester University, said she supported a 10-percent drink tax.

And she urged the state legislators to give police the authority to do the jobs of the Liquor Control Board, to penalize "bar owners who serve underage drinkers or allow customers to drink to excess."

But Adler noted that 84 percent of all citations for public drunkenness, disorderly conduct and noise in the borough were issued to people other than West Chester University students in 2006.

"Although you might conclude that these other young people are friends of University students," she said she knew of no data supporting that idea.

Ari Tuckman, a psychologist who lives on Walnut Street south of Market Street, recalled a night last month when he and his wife were awakened at 2 a.m., "hearing someone screaming belligerently, 'You want a . . . piece of me?' "

They didn't get out of bed, he said, because "it happened pretty much every Thursday, Friday and Saturday night."

Based on his clinical experience, he told the hearing, "this can be the first step towards greater problems with alcoholism, addiction and antisocial behavior - costs to society that we will all have to pay for in one way or another."  
  
<http://www.philly.com/inquirer/local/pa/chester/nabes/20070506_Drink_tax_proposed_to_curb_rowdiness.html>

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**33.** **Sunday Sales at Local Store Under Fire (Pennsylvania)  
Bucks County lawmaker says expanded hours linked to problems**

Adam Smeltz  
*Centre Daily*May 5, 2007

A Bucks County lawmaker lashed out Friday at the state Liquor Control Board, asking the regulatory group to halt Sunday alcohol sales at the state liquor store in Patton Township.

The store, 1690 N. Atherton St., has offered Sunday hours since February 2003. A fraction of state-owned liquor stores in Pennsylvania are open on Sundays; the operation here was among the first.

As of January 2005, when the LCB expanded Sunday sales to include 20 percent of its 640 stores, the North Atherton store was doing about $9,000 in alcohol sales every Sunday.

"I believe there is sufficient evidence to link this large increase in alcohol consumption to alcohol-related harms," state Rep. Paul Clymer, R-Perkasie, wrote in a letter Friday to Joe Conti, the LCB's chief executive.

Clymer cited a 71,000-bottle increase in sales at the North Atherton store from 2002 to 2003. He also mentioned an increase in alcohol-related hospital visits in State College.

The number of alcohol-related emergency trips that Penn State students took to Mount Nittany Medical Center climbed from 175 in the 2003-04 academic year to 353 in 2005-06, according to data supplied by the university. State College police made a record 484 DUI arrests in 2006.

"And alcohol-related harms will continue because the overriding philosophy of the Liquor Control Board seems to be more revenue for the state," Clymer wrote Friday. "The lip services the LCB gives to 'drink responsibly' is shameful."

Clymer could not be reached immediately for comment late Friday. Copies of his letter were delivered to State College Mayor Bill Welch, borough Police Chief Tom King and two Penn State executives.

Conti, a former state senator whom Gov. Ed Rendell appointed to lead the LCB, is a Penn State trustee.

Reached in Harrisburg, LCB spokeswoman Francesca Chapman said the board had just received Clymer's letter and "will give it due consideration."

"We can't comment any further at this time," Chapman said.

Figures showing recent and past sales at the State College-area liquor stores were not immediately available Friday.

Back in 2003, King asked the LCB to remove the North Atherton store from a list of 61 pilot-program sites testing Sunday hours. He cited reasons including the area's collegian population and downtown riots.

Welch, who helps to lead an anti-dangerous-drinking partnership with Penn State, said Friday that alcohol sales "shouldn't be too convenient."

"The partnership often laments the fact that increased availability and promotion -- things like drink specials -- ultimately fuel alcohol abuse," Welch said.

While the LCB has provided State College with a grant to help combat underage drinking, Borough Council President Cathy Dauler said, she is shocked by how much money the LCB makes in the State College area.

"It is horrifying -- the sales of hard liquor and the fact that people can go into the liquor store and buy as many bottles and cases as they want without any limit," she said.

grapes<http://www.centredaily.com/116/story/87898.html>  
  
  
  
  
  
  
**34.** **Drunken Driving Arrests may not be Public Information (South Dakota)**

*Sioux City Journal*  
May 9, 2007

State officials are not sure whether arrests for drunken driving are public records before charges are filed in court, Public Safety Secretary Tom Dravland told South Dakota lawmakers Monday.

But the names of people arrested for drunken driving and other offenses are clearly public when charges are filed with a clerk of courts office, Dravland said. It could take a few days after an arrest for such cases to be filed in court, he said.

"Before that, to us it's not clear if someone who has been simply arrested for an offense, if that information is public information," Dravland told the Legislature's Government Operations and Audit Committee.

Dravland said he is not sure how clerks of court handle such information, so he is not sure how easy it would be for someone to use court records to find the names of people arrested at a sobriety checkpoint.

The panel had asked state officials to attend Monday's meeting to answer questions about the accuracy of information released after 45 people were arrested at two sobriety checkpoints in Sioux Falls on Feb. 15 and Feb. 17.

The Argus Leader of Sioux Falls sought to follow those arrested through the court system, but the Highway Patrol said the names of those arrested were not available.

The Highway Patrol initially announced that 46 people had been arrested for drunken driving or other alcohol-related offenses, but it later said only 45 arrests were made.

Dravland said the Highway Patrol simply miscounted at first. The Highway Patrol arrested 40 people; local law enforcement agencies nabbed another five, he said.

Col. Daniel Mosteller, head of the Highway Patrol, said everyone in the agency has been reminded to make sure information released to the public is accurate.

Dravland said the Public Safety Department and the Highway Patrol want publicity on sobriety checkpoints because officials want to reduce the number of drunken drivers on the road.

A little more than 30 percent of South Dakota's traffic fatalities now are alcohol-related, down from about half just a few years ago, Dravland said.

"When I'm driving with my family, the last thing I want to meet on the road is a drunken driver," he said.

A coordinator at a sobriety checkpoint counts up the arrests at the end of an operation, but does not keep track of the names of those arrested, Dravland said. Some of the information on those citations could lead to identity theft, he said.

Sen. Jason Gant, R-Sioux Falls, asked whether Dravland would be interested in helping the Legislature change the law to clarify that tickets written by troopers are public information.

"We're willing to look at anything you would like to look at that would help clarify things," Dravland said.

However, Dravland said the Highway Patrol would have to spend a lot more money if it sets up a system to keep track of everyone who gets traffic tickets. In addition to those arrested for drunken driving, troopers issue another 60,000 or 70,000 tickets a year, he said. Probably another 80,000 warning tickets are issued each year, he said.

Sen. Nancy Turbak, D-Watertown, said she believes the Highway Patrol should be interested in keeping track of those arrested for drunken driving so it can determine whether those people are convicted.

Troopers keep track of some cases, and they testify in those cases where no plea bargain is reached, Dravland said.

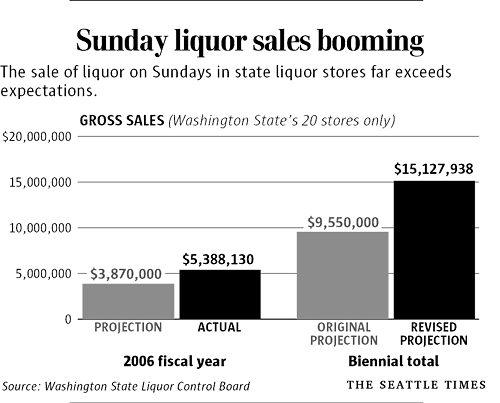
Committee members said they are pleased the Highway Patrol has been cracking down on drunken driving. "Getting these guys off the road is the priority," Gant said.

grapes<http://www.siouxcityjournal.com/articles/2007/05/08/news/south_dakota/a73abeec55a30188862572d500030fac.txt>  
  
  
  
  
  
  
**35.** **Sunday Liquor Sales Thrive (Washington)**

Susan Gilmore  
*Seattle Times*   
May 5, 2007

When the state decided two years ago to allow liquor stores to operate on Sundays, it expected the state would collect an extra $9.55 million for the biennium.

Instead, Sunday sales have exceeded projections by nearly 60 percent and now the State Liquor Control Board expects $15.1 million will be collected on Sundays during the current biennium, which ends June 30.

Sunday liquor sales began in July 2005 in 35 contract liquor stores and in September 2005 in 20 state-owned liquor stores.

The Legislature voted this year to more than double the number of state-owned stores that can sell liquor on Sundays, adding 29 stores to the list.

The provision is included in the budget awaiting Gov. Christine Gregoire's signature.

Adding 29 stores means that one-third of the state stores will sell liquor on Sundays.

According to a report produced by the liquor board, estimates for Sunday liquor sales at state-owned stores were $3.87 million in 2006 and $5.68 million in 2007, for a total of $9.55 million.

But sales through last December were $10.9 million, exceeding the entire original projection by $1.35 million with six months to go.

"We were very conservative in our estimates," said Rick Garza, deputy administrative director for the Liquor Control Board. "Because it was new, we wanted to make sure we were conservative."

He said the numbers did not surprise the board, because the stores where liquor is sold on Sundays are in dense retail areas.

So why not sell liquor at all 161 state stores?

Garza said there may not be a market for all the stores to be open on Sundays.

The state also studied whether Sunday sales were hurting sales on Saturdays and Mondays, but found that sales increased 11 percent on Saturdays and 2 percent on Mondays at the state-owned stores that were open on Sundays.

Normally, said control-board spokeswoman Susan Reams, liquor sales increase about 5 percent each year because of population increases and other changes. But many stores, particularly those selling liquor on Sundays, saw sales increases in the double digits.

The Seattle store on 12th Avenue and East Pine Street saw liquor sales increase 14 percent since Sunday sales began; sales at the Tacoma Westgate store went up more than 15 percent; and a liquor store in Lynnwood reported a 23 percent increase.

With sales of $15 million for the 20 state stores, added to $3.4 million from contract stores, the projected total to the state coffers is $18 million. Of the extra money generated in the state stores, nearly $5 million will go into the state's general fund.

When the Legislature decided to experiment with Sunday sales two years ago, it marked the end of Prohibition-era liquor bans.

According to the liquor board, a ban on Sunday liquor sales was law more than 20 years before Prohibition. When Prohibition ended in 1933, the ban on Sunday sales continued.

When it was lifted, Washington became the 33rd state to allow the sale of liquor seven days a week.

The loudest complaint about Sunday sales came from the state's grocery stores, which complained that liquor stores already undercut their wine sales by offering the same wines at lower prices.

<http://seattletimes.nwsource.com/html/localnews/2003694465_liquorsales05m.html>

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**36.** **Governor Signs Bill to Allow Beer Samples in Stores (Wisconsin)**

*Associated Press*  
May 4, 2007

The odds are, this new law can't help but catch on quickly among Wisconsin residents.

Governor Jim Doyle has signed a bill allowing grocery and liquor stores to hand out up to six ounces of free beer samples.

That's about half a can of beer that can be made available to anyone of legal drinking age.

State law had allowed wineries to offer up to six ounces of free samples.

Sponsors of the bill contended it was only natural to allow the same promotional offers for beer in a state known for its beer-drinking.

And now it's the law.

<http://www.wsaw.com/home/headlines/7337206.html>

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