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

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| *September 21, 2007* |

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**I. NATIONAL NEWS

1.** **U.S. Farmers Rediscover The Allure of Tobacco
Tobacco is back in the American farm belt.***Wall Street Journal*September 19, 2007

Three years after the federal government stopped subsidizing it, the leafy crop is gaining new popularity among U.S. farmers. Cheaper U.S. tobacco has become competitive as an export, and China, Russia and Mexico, where cigarette sales continue to grow, are eager to buy. Since 2005, U.S. tobacco acreage has risen 20%. Fields are now filled with it in places like southern Illinois, which hasn't grown any substantial amounts since the end of World War I.

Even young farmers, usually scarce, are taking up tobacco farming, reports WSJ's Lauren Etter from an Illinois farm. But who's smoking it?

For decades, Martin Ray Barbre, who farms the lush rolling hills here, was not eligible for federal price supports to grow tobacco under a program dating back to the Depression, making it economically infeasible for him to do so. The same was true for many farmers in 33 other states. Now the tarry plant is the most profitable crop Mr. Barbre grows on his 4,200-acre spread.

"If somebody told me seven or eight years ago that I'd be growing tobacco today, I'd say they were crazy," said the gruff, 52-year-old farmer, plucking a yellowing leaf from one of his plants and taking a deep smell of the raw, woody aroma.

As laborers from Mexico and Honduras used axes to chop down 6-foot plants and hang them on wooden planks to dry in the sun, Mr. Barbre explained the attraction of the crop. Even factoring in higher labor and other costs, he's netting up to $1,800 an acre from his 150 acres of tobacco, compared with $250 an acre from his corn. He credits tobacco with boosting his annual income by about 35% since he started planting the crop three years ago.

Although corn is flirting with near-record prices at around $4 a bushel, "there's no way corn can get high enough" to compete with tobacco, says Mr. Barbre, shaking his head. "There's just too much money in tobacco."

Mr. Barbre's profitable tobacco business adds a wrinkle to the debate over the farm bill Congress is preparing to take up. Many farmers say that without the system of subsidies for commodities like corn, cotton and soybeans, they'd be at risk of going under. But critics say the system fosters inefficiency, distorts international trade and supports mainly the wealthiest farmers. Now these critics can point to tobacco as evidence that subsidies are unnecessary.

**No Subsidies**

With tobacco, "we are finding that farming can be done without subsidies," says David Orden, a professor at Virginia Tech and an agricultural economist at the International Food Policy Research Institute in Washington.

For more than 60 years, subsidies were as integral to tobacco farming as rich soil and a damp climate. In 1938, Congress passed the Agricultural Adjustment Act, a New Deal-era law crafted to support the thousands of small farmers of all sorts who had been financially devastated by the Depression.

The law guaranteed tobacco farmers in many states a minimum price for their crops. It allotted quotas to farms that produced tobacco at the time the law was enacted, which dictated how many acres they could plant. Tobacco buyers were penalized for buying from growers without quotas. Growers who didn't own a quota had to buy or rent one from those who did. The system propped up prices and limited production to narrow geographic areas and to plots of land rarely larger than 10 acres.

**Raising Catfish**

The system was junked in 2004 through a $9.6 billion buyout of tobacco growers and farmers who owned quotas, with tobacco companies funding the payments. Thousands of tobacco farmers, many reaching retirement age, collected their checks and stopped growing the crop. Some farmers planted strawberries or tried to raise catfish in their farm ponds.

In 2005, tobacco acreage dropped 27% from the year earlier, to 297,000 acres. With the government no longer supporting prices, those dropped too, to $1.64 per pound, from $1.98, according to the U.S. Agriculture Department. Cigarette makers worried that they wouldn't have enough supply.

But predictions from some quarters that tobacco farming was headed for extinction in the U.S. proved incorrect. Today, farmers can grow as much tobacco as they want, wherever they want. Economies of scale have kicked in.

Arnold O'Reilly, for one, figured it made sense to grow even more. Before the buyout, he says, the tobacco he grew on his Hardinsburg, Ky., farm was selling for about $1.98 a pound, but he paid up to 80 cents per pound to rent a quota, knocking down his effective price to as low as $1.18. These days, he says, his tobacco fetches about $1.60 a pound, and there's no quota payment taking a bite out of it.

"Before the buyout I couldn't expand," he says. As a result, "we weren't competitive on the world market." Today he is growing 120 acres, double the 60 acres he grew just before the buyout. He has invested more than $300,000 in new farming equipment, barns and land. "I'm unlimited in myopportunities," says Mr. O'Reilly, 42. "I have nobody that can hold me back now."

Will Snell, a tobacco economist at the University of Kentucky's Department of Agricultural Economics, says it's not uncommon now for tobacco farms to exceed 150 acres. Tobacco production, he says, has shifted to places with large tracts of land where the leaf can be grown more efficiently.

Nationwide, the tobacco crop has been rebounding. Today there are 355,000 acres under cultivation -- still down from the 408,000 acres in 2004, but on the rise. Some farmers reinvested their buyout cash in their tobacco operations. In big tobacco-producing states such as Kentucky, and in smaller ones like Wisconsin and Pennsylvania, many tobacco farmers are enjoying renewed prosperity. Tobacco production in Pennsylvania has more than doubled since 2004. In Illinois, production has gone from practically none to at least 1,000 acres.

**New Curing Barns**

Tobacco companies are recruiting new farmers and offering financial assistance to farmers who invest in new curing barns, drying racks, greenhouses and machinery. "U.S. tobacco is really the backbone of our blends," says Henry Long, a vice president at Philip Morris USA, a unit of Altria Group Inc. "Our job is to ensure we have a stable supply of U.S. tobacco to meet current and future needs."

T.J. Vaughan, a 23-year old grain farmer in Carmi, started growing tobacco last year with his father, Randy, after meeting some representatives of Philip Morris at a local farm-supply shop. Upon hearing that he could grow tobacco in Illinois, Mr. Vaughan recalls thinking "yeah, right," he says. "Then they started talking about profitability, and we were more interested."

Mr. Vaughan signed a one-year contract with Philip Morris. This year, representatives of Philip Morris held a preseason meeting with about 20 farmers in Mr. Vaughan's equipment shed, where a combine and a boat called "Hillbilly Deluxe" were moved aside to make room for long banquet tables. Mr. Vaughan decided at that meeting to triple his tobacco acreage to 60 acres, and he signed a new contract. He has since bought a machine to bale tobacco, steel-and-wood drying racks and a greenhouse. Philip Morris has provided about $8,000 to help cover those costs.

**Route to Tobacco Road**

Mr. Barbre, a stout man who sports sunglasses and walks with a swagger, has taken a winding route to Tobacco Road. He grew up on his father's cattle ranch in Carmi, population 5,400, and began farming corn, soybeans and wheat in 1975. He made a decent living, building himself a simple wooden house right across the street from his childhood elementary school. But he was always on the lookout for ways to pad his retirement nest egg.

In 2001, Vector Tobacco Inc. of North Carolina enticed Mr. Barbre to plant 10 acres of a genetically modified, low-nicotine tobacco for a cigarette called Quest. Because the tobacco was considered a specialty product that didn't fall under the government's quota system, it was permissible to grow in Illinois.

Vector built some drying structures on Mr. Barbre's land, and it sent an agronomist named Farrell Matthews to teach him how to grow tobacco. But the project quickly wound down. A Vector spokeswoman says the company stopped growing in Illinois because it had an "adequate supply for our needs at that time."

Mr. Barbre was disappointed it didn't work out. He found it exciting to try a new crop, and he got a taste for how much money there was to be made in tobacco. He decided to keep the drying structures intact. After hearing about the buyout, he recalls, "I thought something might happen. And I decided to roll the dice."

In 2005, the year the quotas disappeared, Mr. Barbre heard again from Mr. Matthews. "Farrell called me one day that spring and said, 'You want to raise some tobacco?'" he recalls.

The two went into business together. In exchange for teaching Mr. Barbre how to grow tobacco, and for managing the day-to-day business in the fields, Mr. Matthews gets half the profits.

Mr. Matthews, 52, is a lifelong tobacco grower. A chain-smoking ox of a man, he was raised in Kentucky and remembers hauling tobacco in a tractor to wooden barns when he was 4 years old. He sold his tobacco farm in 2002 after realizing his children had no interest in farming. He now lives in Carmi part of the year, helping at least nine farmers grow tobacco. His local nickname: "The Kentuckian."

The partnership proved propitious for both men. Mr. Barbre says that at the time, he had "no clue" how to go it alone. He says he wasn't accustomed to dealing with unfamiliar pests like giant green hornworms, or to walking the fields to gauge the health of his crop rather than "windshield-scouting it" -- checking it while driving down the road.

Mr. Matthews says that in grain country, farmers like Mr. Barbre aren't used to tending crops the way tobacco needs to be tended. Tobacco planting starts in March, and the harvest and curing process doesn't end until December, a longer season than for most crops. Mr. Matthews jokes that local farmers are used to driving 4x4 trucks -- "they only drive them four weeks in the spring, and four weeks in the fall."

**Drilling for Oil**

Corn, soybeans and wheat are the dominant crops around Carmi. The town sits atop the oil-rich Illinois Basin, so some farmers also make money drilling for oil beneath their corn fields.

As more farmers start raising tobacco, a new culture is taking root. The tobacco growers lend each other advice and supplies. They get together Fridays for lunch at a local cafe called Billy Bob and Nina's to talk about their crops and to feast on a buffet featuring fried catfish, coleslaw and baked beans.

But tobacco has brought new challenges. While grain is harvested by machine, tobacco is picked mostly by hand. For Mr. Barbre, that means relying for the first time on migrant laborers, most of them Mexican, he says.

**Housing Laborers**

With the harvest in full swing, he currently has about 40 laborers. He houses them all in rented rooms and in an old Army barracks outside Carmi that he helped rebuild. He says the town is still getting used to the influx of foreigners.

Some local residents are unhappy that farmers are growing a crop used for a product that causes cancer. Mr. Vaughan's mother, Carol, says when her husband and son started growing tobacco, she resigned from the board of a local tobacco-free coalition that passed out literature about smoking. "To me it would have been a conflict of interest" to stay, says Mrs. Vaughan.

But Mr. Barbre says the opposition has quieted. Overall, he doesn't have any moral qualms growing tobacco, he says. "Somebody's going to grow it," he maintains. "People are smoking it."

<http://www.truthabouttrade.org/article.asp?id=8226>

**2. Martha Stewart Lends Name to Wine, Will Sell for About $15**
**Home diva Martha Stewart, who has stamped her name on all things domestic from sheets and towels to pots and pans, will be serving up another edition: wine.**

*Associated Press*
September 16, 2007

Martha Stewart Living Omnimedia (MSO) said late Friday that it forged a partnership with E.&J. Gallo Winery to develop a brand of wines under the label "Martha Stewart Vintage" to be offered in six cities beginning in January. The wines will sell for about $15.

The initial launch of 15,000 cases will include three wines: 2006 Sonoma County Chardonnay, 2005 Sonoma County Cabernet Sauvignon and 2006 Sonoma County Merlot. The wines will be offered in Atlanta, Boston, Charlotte, Denver, Phoenix, and Portland, Ore.

"Wine is an important part of entertaining and cooking," said Elizabeth Estroff, spokeswoman for Martha Stewart Living. "We have a lot of credibility and a strong brand equity in these categories."

In May, Martha Stewart announced that it signed an agreement with Costco Wholesale (COST) to sell a cobranded line of frozen and fresh food under the label Kirkland Signature by Martha Stewart. Kirkland is a key store brand for the wholesale club operator.

Over the past year or so, Martha Stewart Living has stepped up a number of initiatives from magazines like Blue Print to developing branded homes with KB Home (KBH), one of the nation's largest home builders. In May, it launched its new Martha Stewart Crafts line of paper-based crafting and storage products in more than 900 Michael's stores, with plans to roll out the line to independent dealers later in the year.

In August, the company launched Martha Stewart Collection of home products that is being sold exclusively at Macy's stores and on macys.c

**3.** **Battle of the Buds***Forbes*September 14, 2007

It might be the end of the long cold war over a cold one. Anheuser-Busch is said to be looking at an acquisition of Budvar, the Czech brewery that has for years battled the St. Louis company over the right to use the Budweiser name. A takeover would end the legal dispute and help the Czech Republic's privatization program, but local pride in what is considered to be a superior brew is likely to be a complicating factor.

It would not be the first time Anheuser-Busch (nyse: BUD - news - people ) has considered buying out Budvar, a 673-employee strong brewery based in the Czech town of Budweis, in order to protect its trademark. But the Czech government has always proved reluctant to sell its cash cow, which brought in $126.5 million in sales last year. (See "Bud Battle Bubbling Over")

That could change: Budvar is one of the jewels in the Czech Republic's crown that is set to be privatized, along with other national assets like electric utility CEZ, CSA Czech Airlines and the Prague airport. Czech officials are busy preparing plans of action; on Wednesday Prime Minister Mirek Topolanek said Prague airport would become fully privatized by 2008.

According to a report on Friday published in German magazine Euro am Sonntag, which cited a member of the Czech parliament, Anheuser-Busch is already in negotiations with the Czech government to acquire Budvar.

The article said that Trade Minister Martin Riman valued the brewery at 1.1 billion euros ($1.5 billion), but that could be a high price designed to forestall criticism of the deal. Anheuser-Busch, its Belgian rival InBev (other-otc: INBVF - news - people ) -- also said to be interested in Budvar -- and the smaller London-based brewers Fuller, Smith and Turner and Young & Co. Brewing all trade at about 2.5 times their annual sales, indicating a more realistic price for Budvar would be in the $300 million range. You might double that to account for expanded distribution and the value to Busch of ending the trademark dispute, but it's hard to see how the brewery would be worth 12 times its sales.

In any case, the American company wasn't talking. "It is our policy to not confirm, deny or speculate on reports of potential investments," said Dave Peacock, vice president of business operations at Anheuser-Busch.

The rivalry between St Louis, Missouri-based Anheuser-Busch and the Czech brewer Budweiser Budvar has lasted an impressive 96 years, leading to several court battles for the rights to the Budweiser brand but no overall winner.

The brewers currently follow a compromise agreement in which Budvar uses the Budweiser trademark in Eastern Europe, while Anheuser-Busch uses it in the United States. In the rest of the world, the two players have found ways of defending their turf; in France, for example, Anheuser-Busch markets its pale beer as simply "Bud."

The problems started when Adolphus Busch started brewing beer in the United States, using a special malted barley hops formula he learned from around that Czech town, also known as Ceske Budejovice. It's a place where beer brewing has been going on since the 13th century. Meanwhile, around the same time Busch was making his brew the Czech company sold beer as well, also calling it Budweiser. As both beer companies became successful, the name became increasingly important to their business.

Anheuser-Busch's portfolio also includes Michelob and Grolsch, which it distributes in the U.S. on behalf of Dutch company Royal Grolsch (other-otc: GHBWF - news – people.

<http://www.forbes.com/maserati/billionaires2004/160.html>

**4.**  **Bev/Al Spending on Radio Ads Fell 38% in 5 Years: CMY Study**

*Beverage News Daily*September 18, 2007

Alcohol industry spending on radio advertising fell 38% between 2001 and 2006, according to a study by the Center on Alcohol Marketing & Youth. But, the study also found, “more than a third of alcohol radio ads were more likely to be heard by underage youth than by adults, on a per-capita basis.

The study said 8% of alcohol radio ads were placed where more than 30% of the audience was underage, the study said. In five markets – Washington, DC; Seattle; Philadelphia; Portland, Ore., and Salt Lake City – more than half of alcohol product ads were placed where youth were likely to hear them.

“The assumption that iPods and the Internet have displaced radio as a primary source of entertainment for young people is wrong,” said David Jurnigan, CAMY executive director. “Young people 12-17 are the most likely grouop to be listening from 7 p.m. to midnight,” he added.

Carol Clark, vp, Anheuser-Busch Inc. dismissed the study: “Preventing underage drinking is about preventing youth access to alcohol, not about what a teen does or doesn't hear on the radio. If teens can't get alcohol, they can't drink it," she said.

Clark added the Federal Trade Commission didn’t support CAMY's push to restricting advertising to audiences that include just a 15 percent share of minors because that standard would "prevent the companies from advertising in media where there is substantial adult interest."

Beer Institute President Jeff Becker said in a statement that brewers don’t violate the beer industry's voluntary guidelines. The rules say beer ads should reach a listening audience in which people younger than 21 compose no more than 30% of the total.

"If a brewer finds following a new report that an ad placement no longer meets the 70 percent standard, brewers will, as soon as practicable, make schedule adjustments, cancellations, or other appropriate changes," Becker's statement said.

**II. IOWA NEWS****5. Colleges Must Get a Handle on Student Drinking***Des Moines Register*September 19, 2007

Administrators at the University of Iowa deserve an "A" on their latest project to reduce students' binge drinking by shifting more mandatory classes to Fridays next spring ("Can Books Replace Binges at U of I?" Sept. 6).

The move is designed to cut down on the number of students who start their weekends early by consuming excessive amounts of alcohol Thursday nights.

Research by the Harvard School of Public Health College Alcohol Studies Program found: Two out of five college students binge drink at least once per week; alcohol has been linked to one-half of all campus crime; and college students spend more annually on alcohol than on soft drinks, tea, milk, juice, coffee and schoolbooks combined.

Given the fact that alcohol is Iowa's No. 1 drug of abuse, the rate of binge drinking is above the national average and binge drinking is especially problematic in college communities, the U of I's action is a good one.

Ironically, a couple of the students quoted in the Register article as having participated in Thursday-night drink specials and voicing criticism of the addition of Friday classes are under the age of 21, and therefore cannot drink legally.

More needs to be done as no one action will solve the large and complex problem of alcohol abuse. However, this is a very reasonable step in the right direction.

Best of luck to those who graduate with a degree in three-day drinking weekends. Their four-day work week will hardly keep them up to speed with foreign competitors.

It's hard to imagine how college students can afford to binge drink due to the cost of higher education. Furthermore, the hazards of DUIs (driving under the influence) and other related alcohol issues will certainly follow many of these students. Colleges have a big task ahead to rein in the three-day drinking weekends. Hopefully students will awaken to the seriousness of the folly.

<http://desmoinesregister.com/apps/pbcs.dll/article?AID=/20070919/OPINION04/709190343/1035/OPINION>

**6.** **21-Only Creates Fissure**Melanie Kucera *Daily Iowan*September 14, 2007

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| http://media.collegepublisher.com/media/paper599/stills/b54qh7oy.jpg |

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Thursday night's forum about the controversial 21-ordinance was as polarized as ever, with both camps firmly sticking to their positions and agreeing on very little.

The forum, which took place at the IMU, was hosted by the Roosevelt Institution, a national nonprofit student-run organization.

In favor of 21-only: UI senior Phonsavanh Lovan and UI clinical Professor of family medicine Rick Dobyns argued the ordinance is for the greater good, citing the high rate of local binge drinking.

Against: UI junior Atul Nakhasi and Bo-James owner Leah Cohen said the ban would just push the problem elsewhere, specifically to harder-to-patrol house parties.

"Parents do not know what goes on at these house parties," Cohen said, adding that ultimately, we are "throwing these kids to the wolves."

Nakhasi used Iowa City police understaffing as an argument against the ban.

"If we can't take care of the sexual assaults on campus, how are we going to take care of the students going into residential, less-supervised areas," he asked.

On the other end of the spectrum, Dobyns argued for more nonalcoholic venues. He pointed out the 46-0 ratio between bars who serve alcohol and those who do not.

Dobyns said West Lafayette, Ind., the home of Purdue University, and Madison, Wis., the site of the University of Wisconsin, among others, have 21-ordinances, and they saw a decrease in binge drinking among students.

"The community needs to take the initiative to change the image and atmosphere of being a party school," Lovan said. "What's going to push [the UI] to have these nonalcoholic venues? We're going to keep waiting and waiting."

On Nov. 6, Iowa City voters will decide whether to allow people under 21 in the bars.

Both sides agreed that eliminating 18- and 19-year-olds from the bars could potentially create more danger for students venturing into the house-party world.

But each side had a different spin.

"Do I give my patients medicine that can produce negative effects? Yes," Dobyns said. "But they take the medicine for the longer and greater good”.

Cohen took the opposite approach, saying the 21-ordinance would result in the "destruction of neighborhoods as well as more drug activity and assaults."

# grapes<http://www.dailyiowan.com/home/index.cfm?q=21-Only+Creates+Fissure&event=displaySearchResults&buttonPushed=1&x=9&y=7> 7. UNI Students Charged with Bootlegging Near CampusTwo University of Northern Iowa students were charged with bootlegging Friday night after police broke up a party near campus.*WCF Courier*September 17, 2007

# The Cedar Falls Police Department said Walker Bosch, 22, and Kathryn Jacobson, 21, both of 2616 Walnut St., were selling alcohol without a license to do so at a party on the same block.

# Officers from the department's alcohol enforcement team found more than $150 in cash at the party, the department said. They also seized a keg of beer at the party. The pair were also allegedly serving alcohol to minors.

# Bootlegging, which is defined as selling alcohol to minors or without a license, is a serious misdemeanor punishable by up to a year in jail and a $1,500 fine.

# This was the third time the alcohol enforcement team has investigated parties in the area, the department said.

# grapes<http://www.wcfcourier.com/articles/2007/09/17/news/breaking_news/doc46ed289ceb088414066529.txt> 8. Vodka Returns to Iowa Premium Clear Heart is the first bottled in the state since Prohibition

# Tom Perry*Des Moines Register* September 19, 2007

# http://cmsimg.desmoinesregister.com/apps/pbcsi.dll/bilde?Site=D2&Date=20070919&Category=ENT02&ArtNo=709190369&Ref=AR&Profile=1039&maxw=264Iowa can now boast another corn byproduct: Clear Heart Vodka from Cedar Rapids.

# Handcrafted 10 gallons at a time from Iowa-grown corn and apples, it's the first and only legal post-Prohibition vodka distilled and bottled in Iowa.

# Clear Heart is one of four spirits produced by two-year-old Cedar Ridge Winery and Distillery, owned by Jeff and Laurie Quint.

# "For the most part, I am trying to create a local product for my customers, many of whom are interested in supporting local farmers,'' said Quint, 44.

# Clear Heart, which is at the low end of the premium price range, is comparable in taste to other top-shelf brands, according to Colleen Graham, cocktails guide at About.com.

# Clear Heart "deserves to be in the super-premium category and is as good as most of the more nationally known vodkas available,'' she said.

# Graham, 28, of Cedar Falls, has lived in Iowa for 10 years and has been writing about cocktails and distilled spirits at the Web site for a year and a half.

# She said she was happy when she discovered that she would be able to vouch for a locally made spirit made at Iowa's first licensed post-Prohibition distillery.

# Clear Heart "has set the benchmark for spirits from our state and reached the mark of a great spirit, no matter where it's made,'' Graham said. "It's a vodka I'm proud to tell my colleagues nationwide about."

# Clear Heart's customers are likely to be among the cluster of consumers willing to pay premium prices for a high- quality, locally made product, Quint said.

# Because Clear Heart is made in small batches, it can be difficult to find beyond the Cedar Rapids area, Quint said. Several liquor stores in the Des Moines area carry it as do some Hy-Vee and Dahl's stores.

# Quint also produces a number of wines, apple brandy, grappa and limoncello. He's working on two more Clear Heart products - gin and lamponecella. Both will feature Iowa-grown juniper berries and raspberries respectively.

# Clear Heart's leading seller is its limoncello, according to state sales records.

# A sweet liqueur, beloved in Italy, limoncello is made from lemon rinds, sugar, alcohol and water. Quint said he would feel happier if Clear Heart limoncello were made of all local products, "but it is really hard to get Iowa lemons.''

# grapes<http://desmoinesregister.com/apps/pbcs.dll/article?AID=/20070919/ENT02/709190369/1039/LIFE> 9. Regulator Adds to Razamatazz License Suspension *Des Moines Register*September 14, 2007The Iowa Alcoholic Beverages Division has added to the suspension of an Urbandale bar’s liquor license.Administrator Lynn Walding announced Friday that the liquor license for Razamatazz Grill & Bar, 2301 Rocklyn Drive, will be suspended for 30 days, from 6 a.m. Oct. 15 to 6 a.m. Nov. 14.Iowa Administrative Law Judge Margaret LaMarche had originally imposed a 21-day suspension. Walding requested review of the decision because he said the 21 days is less than the standard penalty.Both LaMarche and Walding said in their decisions that the bar’s management knowingly allowed more than the posted occupancy in the bar on Feb. 18.Urbandale police and fire officials testified at a hearing that they counted 233 people leaving Razamatazz on Feb. 18, more than 70 beyond the posted fire code limit of 160. Walding’s decision is final unless one of the parties files a petition for judicial review with the Iowa District Court within 30 days.

# grapeshttp://desmoinesregister.com/apps/pbcs.dll/article?AID=/20070914/NEWS/70914041/10 Bar to appeal 30-day suspension 10. Bar to Appeal 30-day Suspension

**Manager Says State Action Could put Razamatazz out of Business**Elizabeth Ownes
*Des Moines Register*September 20, 2007A regulator's decision to suspend alcohol sales at an Urbandale bar for 30 days will be appealed, according to the manager of Razamatazz Grill & Bar.

# Scott Twaddle said Tuesday an appeal of the decision by the Iowa Alcoholic Beverages Division would likely be filed this week.

# The decision by the beverages division states the bar's management knowingly allowed more than the posted occupancy in the bar in the early morning of Feb. 18.

# "There's no evidence to that," Twaddle said.

# Twaddle said that if the bar, 2301 Rocklyn Drive, is closed for 30 days, it probably will go out of business.

# Lynn Walding, administrator of the Iowa Alcoholic Beverages Division, announced last week that the suspension for Razamatazz would be extended from a proposed decision of 21 days to 30 days.

# Walding chose to review Iowa Administrative Law Judge Margaret LaMarche's proposed decision because he said the 21 days was less than a typical penalty.

# Jennifer Rhone, the licensee for Razamatazz, also had asked for review of LaMarche's decision.

# Razamatazz has 30 days from Sept. 14 to file a petition for judicial review with the Iowa District Court. The suspension would not start until 6 a.m. Oct. 15, Walding said.

# Urbandale police and fire officials testified at a hearing that they counted 233 people leaving Razamatazz on Feb. 18, more than 70 beyond the posted fire code limit of 160.

# Twaddle testified at a hearing that there's no way the tally of police and fire officials, who performed the count in their heads, could be accurate. Razamatazz employs Factor Security, which uses a clicker to do a count, and security officer Scott Shamblen testified they've never been told by Razamatazz management to exceed capacity.

# "Anybody with any kind of common sense wouldn't come up with that ruling," Twaddle said Tuesday.

# Walding said his decision took into account that Razamatazz had had previous warnings about overcrowding and on Feb. 18 management tried to evade law enforcement officers by letting people out the back door.

# Razamatazz's liquor license was set to expire Sept. 13 and needs to be renewed through the city of Urbandale. The City Council, on the recommendation of City Attorney Bob Laden, deferred action on the license at its Sept. 11 meeting.

# Laden said in an interview this week there are "other pending matters" with Razamatazz, and the City Council will not take up its liquor license until those matters are complete. He said he could not elaborate on the pending matters, but the liquor license is not expected to be on this Tuesday's City Council agenda.

# Until the city makes a decision on Razamatazz's liquor license, Razamatazz is allowed to continue selling alcohol because the owners filed for renewal in time, Walding said.

# The city tried once previously to prevent the bar from operating. In April 2001, the Urbandale City Council denied Razamatazz's renewal liquor license application, citing numerous violations.

# The Iowa Alcoholic Beverages Division ultimately reversed the city's decision in February 2002.

# If the city were to deny Razamatazz's liquor license again, Walding said he could ask for review of the decision, or Razamatazz could appeal.

# Twaddle said he thinks "there's a real good chance the city of Urbandale is not going to renew our liquor license."

# grapes<http://desmoinesregister.com/apps/pbcs.dll/article?AID=/20070920/NEWS/709210354/1001/NEWS> 11. Man gets five-year Prison Sentence for Running over Pedestrian

# Rob Daniel*Press Citizen*September 14, 2007

# A man convicted of running over three pedestrians with his car while drunk in December has been sentenced to five years in prison.

# Mark Russell Moore, 52, was convicted in July of serious injury with a vehicle. On Dec. 3, 2006, Moore, who had recently moved to Iowa City from Kansas, struck three pedestrians with his car while driving on Burlington Street, according to Iowa City Police. One of the pedestrians, Keri Knudson of Madison, Wis., suffered a compound fracture of her right leg that required surgery.

# Moore’s blood-alcohol content was measured at .223, nearly three times the legal limit of .08, police said.

# Serious injury by motor vehicle is a class D felony punishable by up to five years in prison and a $7,500 fine.

# Judge Fae Hoover-Grinde, while pronouncing sentence, called Moore a “very lucky man.”

# “You could’ve killed them,” she said. “You made some bad choices that led to this point. You have some time to think about those choices. This is an accident that would not have happened if not for your level of intoxication.”

# Moore, who declined to comment in court, also was fined $750 and had his driver’s license revoked for one year. He also was sentenced to 20 days in the Johnson County Jail on a domestic abuse charge he pled guilty to following an Aug. 3 arrest. The 20 days were considered time served since he has been in custody, Hoover-Grinde said.

# Knudson, who had a statement read in court by assistant Johnson County Attorney Iris Frost, said afterward Moore should be happy with the sentence.

# grapes“I think he should be grateful he only got five years,” said Knudson, who had attended the University of Wisconsin in Madison before the accident. “It could have been worse.”<http://www.press-citizen.com/apps/pbcs.dll/article?AID=/20070914/NEWS01/70914007/1079> 12. Drivers Injured In Head-On CollisionPolice Say Oldsmobile Crossed Centerline

# *KCCI*September 14, 2007

# AHubbell Head-On Collision  head-on collision resulted in crews using the Jaws of Life to rescue both drivers.

# Police were called at about 7:58 p.m. Thursday to the 3800 block of Hubbell Avenue on a crash.

# An Oldsmobile driven by Veronica Brown, 50, of Des Moines, was westbound on Hubbell Avenue and collided head-on with a Chevrolet Cavalier driven by Rex Hill, 20, of Des Moines, headed eastbound, according to a news release from Des Moines police.

# The Oldsmobile appears to have crossed the centerline, the release said.

# Brown was taken to Mercy Medical Center. She is in serious condition with two broken ankles.

# Hill was taken to Iowa Methodist Medical Center with serious injuries. Three of his passengers suffered minor injuries.

# grapes<http://www.kcci.com/news/14112588/detail.html> 13. Hawkeye’s Suspend Strong Safety after Drunk Driving ArrestHawkeyes Suspend Strong Safety After Drunk Driving ArrestBecky Ogann*KCRG*September 17, 2007

# The University of Iowa has suspended a fourth football player ahead of next weekend's game against the Badgers.

# They say Lance Tillison will miss the next two games. University Heights police arrested Tillison Saturday night for drunken driving. Tillison is a red-shirt freshman.

# He has been listed as the number two strong safety and has played in all three games. In addition to the suspension, he will also have to perform community service.

# grapes<http://www.kcrg.com/news/local/9832301.html>III. OTHER STATE NEWS14. Tough DUI Law to Begin (Arizona)This week Arizona will enact one of the toughest DUI laws in the nation.

# *Arizona Republic*September 16, 2007

# Hardest hit are first-time violators and a new class of "super extreme" DUI offenders whose blood-alcohol concentration registers 0.20 percent or above, which is more than double the legal limit of 0.08 percent.

# Beginning Wednesday, new penalties include mandatory ignition-interlock devices for first-time offenders, increased fines and a minimum of 45 days in jail for super extreme DUI convictions.

# The law was modeled after legislation passed in New Mexico in 2005 requiring interlock devices for all people convicted of driving under the influence. Officials there linked a 4 percent decrease in alcohol-related fatalities to interlock use in the year following the law's passage.

# Although lawmakers hope for a similar result in Arizona, DUI attorneys say the higher stakes will lead to increased court caseloads and an extreme inconvenience in the lives of "super extreme" and first-time offenders.

# The Arizona Motor Vehicle Division expects about 17,000 first-time drunken drivers in the coming year. They all will have to pass a breath test before getting behind the wheel.

# Rep. David Schapira, D-Tempe, realizes the bill he sponsored may not win him votes in popularity, but he hopes the law will make Arizona's roads safer.

# One Arizona State University student said during a recent chat with legislators " 'Gosh, that DUI bill is just ridiculous. Whose idea was this?' " Schapira said.

# The negative response is understandable, he said, given that the penalties are meant to be strong deterrents.

# Schapira, the Legislature's youngest member at 27, and his staff came up with a DUI bill earlier this year after learning about New Mexico's success. Although a victim of an alcohol-related crash in 1996, Schapira said he hadn't fully realized the problem of drunken driving in Arizona.

# National Highway Traffic Safety Administration records show Arizona had the sixth-highest number of alcohol-related fatalities in the nation. There were 585 alcohol-related fatalities statewide in 2006, up 15 percent from 2005.

# Overall, drunken driving has significantly decreased in the past 20 years, but the state has hit a plateau, said Ericka Espino, executive director for Mothers Against Drunk Driving Arizona.

# "Saturation patrols certainly help, as do sobriety checkpoints, and we're thankful," Espino said. "Unfortunately, Arizona's numbers are not going down. . . . We need to figure out what's going on. We truly believe ignition interlock is the solution for us: It takes the weapon out of the hands of the drunk driver."

# The law, which was signed by Gov. Janet Napolitano in May, made Arizona the second state to require ignition-interlock devices for first-time offenders. Louisiana and Illinois also followed suit.

# Interlock devices are wired beneath the dash of a vehicle and require a clean breath sample to start the car. Most units will prevent the car from starting if a blood-alcohol content of 0.03 percent or above is detected. A person has three tries to blow a clean sample before the device shuts down and requires a technician to recalibrate it.

# About 100,000 people in the U.S. use the devices; about 7,000 of those are in Arizona, according to MVD records. Most, if not all, users in Arizona are repeat offenders.

# The harsh new stance on drunken drivers has its share of detractors.

# Critics say interlock devices are expensive to maintain and provide a short-term answer to a long-term problem.

# The offender pays for the device, which typically costs $100 for installation and about $80 a month to maintain. Most first-time offenders will have the device for 12 months. That cost is in addition to the more than $1,000 in fines imposed for a DUI conviction.

# And studies have shown that while interlock devices are effective while in use, drivers tend to slip into old habits once the units are removed.

# "We recognize that many offenders may have an alcohol dependency that underlies their drinking-and-driving behavior," said Anne McCartt, vice president for research at the Insurance Institute for Highway Safety. "Even if interlocks don't prevent drinking and driving when they're removed, it can reduce drinking and driving while they're installed, and we think that's important."

# DUI defense attorney Mark Weingart said clients have been clamoring for information on whether the new law will affect pre-existing cases. It doesn't, but Weingart warned that he expects courts to see a spike in the number of DUI cases that are challenged.

# Most of Weingart's clients have been arrested on suspicion of having a blood-alcohol content over the legal limit or are in the new "super extreme" category with a blood-alcohol content of 0.20 percent or above.

# Under the new law, the sentence for a first-time conviction of super extreme DUI nets at least 45 days in jail and a judge is prohibited from suspending any part of the jail time. Previously, a judge could suspend most of the sentence upon completion of a court-sponsored drug or alcohol program.

# "Now I think defense lawyers are going to have to learn to exploit all of the potential for error there is in blood or breath testing," Weingart said. "We're talking about a situation here where if somebody has a blood test of .1999, you have 10 days in jail. If it's one-thousandth of a point higher, it's 45 days.

# "I think people are going to have to fight these DUIs harder than ever before."

# In New Mexico, that's exactly what happened.

# David Crum, a DUI attorney in Albuquerque, said more first-time-offense cases have gone to trial since the 2005 interlock law was enacted.

# Although first-time offenders see interlocks as inconvenient, multiple offenders embrace the device, Crum said.

# "For a lot of people, it's been helpful," Crum said. "I know it's probably weird to hear me say that. When you get repeat offenders in New Mexico, it's easier for me to say we can make a deal where you can still drive anytime, anywhere as long as you have an interlock in your car."

# Advocates hope that the state's new law will be tough and inconvenient enough to deter drunken driving.

# grapes"The biggest argument we kept hearing is it's such an inconvenience for the first-time offender," Espino said. "It's either an inconvenience or someone possibly injuring or killing themselves or others. To me, it's no question. Ultimately, it will save lives."

# <http://www.azcentral.com/news/articles/0916interlock0916.html> 15. State Gets $10 Million Federal Grant for Alcohol Abuse Prevention(Illinois)

# *Associated Press*September 16, 2007

# The state of Illinois has received a 5-year $10 million federal grant for alcohol abuse prevention programs.

# The state Department of Human Services will distribute the money, which will be split among 18 statewide organizations.

# The groups will use the funding for programs aimed at reducing dangers such as underage and childhood drinking, alcohol-related vehicle crashes and binge drinking.

# Officials say the grants will allow the state and the organizations to work together to develop community-based programs.

# grapesThe U.S. Department of Health and Human Services awarded the grant.

# <http://www.wqad.com/Global/story.asp?S=7082637&nav=menu132_2> 16. Another Wet-Dry Vote Sought (Kentucky)

# *Courier-Journal*September 17, 2007

# Another swath of metro Louisville could be drying up next year.

# Metro Council member Mary Woolridge, D-3rd District, is organizing a meeting Oct. 2 that proponents of a wet-dry referendum are expected to attend.

# They'll discuss how to proceed with a vote that could put liquor stores out of business and take beer, wine and alcohol off menus in some of the district's 20 precincts.

# Woolridge isn't sure how many precincts want the elimination of alcohol sales, but any such vote would not include Shively.

# She has received complaints -- for years, she said -- about liquor sales along Dixie Highway, Wilson Avenue, Oak Street and Millers Lane. She said Dixie Highway north and south of Algonquin Parkway could be part of any referendum.

# She also said the Kentucky Alcoholic Beverage Commission doesn't communicate well with her or her constituents, and that has contributed to the frustration because it is difficult to fight new liquor permit applications.

# "Repeatedly, there have been liquor applications, and by the time we get notice it gives us all of 25 days to do a petition drive," Woolridge said. "That's really not enough time. So I have been approached with e-mails and (by) individual constituents saying we need to do a wet-dry vote."

# The meeting comes on the heels of a vote in four precincts of the 5th District to halt alcohol sales there. It took about six months from the time the campaign organized until the vote Sept. 11.

# A similar effort to ban alcohol sales was attempted unsuccessfully several years ago in Tom Owen's 8th District, which includes the Bardstown Road corridor. Owen, a Democrat, said last week that a wet-dry vote in his district would only happen "over my dead body."

# "It's radical surgery, if you ask me," Owen said.

# Michael Wirth watched the 5th District wet-dry vote closely and was afraid one might come his way. Wirth bought Big Time Liquors at 2412 Dixie Highway about nine months ago.

# He said a special effort has been made to ensure that people don't loiter outside his store. He said such a vote would be unfair.

# "That disturbed me seeing the vote go the way it did," Wirth said "A lot of stores have loitering, but we don't allow that here. It would anger me if we were affected by this vote when we go out of our way to run an up-front business."

# Christopher Lilly, executive director of the Kentucky Office of Alcoholic Beverage Control, said he will be at the October meeting to explain policies and procedures. Lilly said communication is sometimes a problem.

# "We've got seven people taking care of 11,500 licenses," Lilly said. "It's frustrating to us too."

# He said he would tell residents how to go about getting the wet-dry question on the ballot.

# "Those folks should take some heart of the outcome of the four precincts that voted earlier," he said. "But they'd be putting people out of business, and you shouldn't do that lightly either. But we do understand the perception these places provide places for people to loiter and sell drugs."

# Any precinct that wants to have a wet-dry vote must collect the signatures of registered voters equal to 25 percent of the number of people who voted in the last general election.

# Bishop Walter Smith Jr., of the New Horizon Full Gospel Baptist Church at 2202 Dixie Highway, said he'll be leading the charge. There are liquor stores to the left and right of his church, he said.

# grapes"For decency's sake, you ought to be able to limit them within a certain mileage," Smith said. "We're right in the midst -- there's one below us (on Dixie Highway) and there's one right past us. Now someone is trying to open one up where a bakery was. Every time you get a vacant building, people want to turn it into a liquor store." 17. Louisiana Alcohol & Tobacco Control Case Results in Police Chief Conviction of Malfeasance (Louisiana)*Louisiana Office of Alcohol & Tobacco Control*September 14, 2007

# Baskin Police Chief Tommy Hendry has been convicted in state district court of one count of malfeasance in office.

# Hendry's felony conviction results in an automatic suspension from the police department, said Franklin Parish District Attorney Billy Coenen.

# "We send convictions to the secretary of state, and they handle it form there," Coenen said after Thursday's verdict. "During his period of suspension, the town will appoint a new chief."

# Hendry was arrested Jan. 6, 2006 by agents from the Louisiana Office of Alcohol & Tobacco Control, on two counts of malfeasance in office stemming from an incident the previous September.

# On Sept. 13, 2005, Hendry went to a grocery store in Baskin and bought beer for then 19-year-old Travis Blackmon, also of Baskin, authorities said. On the same day, he was accused of going into the store and intimidating two clerks into selling a second case of beer to Blackmon, court documents show.

# Blackmon was also arrested on two misdemeanor counts of possession of alcohol by an underage person. The status of his case was not immediately known.

# A six-person jury Thursday voted unanimously to convict Hendry, who can appeal, Coenen said. Hendry, who began his tenure as chief in 2003, was re-elected to the office last year.

# grapesSentencing is scheduled for Nov. 27, 2007.18. 65-Year-Old Gets Carded in Supermarket (Maine)*Local News Watch*September 8, 2007

# A 65-year-old woman who went into a Farmington supermarket to buy wine was turned away because she didn‘t have an ID with her. But Barbara Skapa of Mount Vernon says that won‘t happen again.

# She normally carries her license. But with her leg in a cast, Skapa was being driven by a friend when she went into the Hannaford Bros. market last week in and picked up several items, including a few bottles of wine.

# A spokeswoman for the supermarket chain, Rebecca Howes, said Hannaford‘s new policy is to check IDs of anyone who looks under 45 and wants to buy alcohol. The previous policy was to check for proof of age of those who look younger than 30.

# In 2005, the state Legislature passed a law that requires identification from those who look under 27 years old before they can buy either.

# Earlier this year, some Portland establishments tightened their ID policies following an undercover sting of dozens of bars and convenience stores that led to 20 summonses for selling alcohol to underage customers. One restaurant, the Flatbread Co., told employees to card anyone ordering drinks who looks under 40.

# grapes<http://www.localnewswatch.com/jordanfalls/stories1/index.php?action=fullnews&id=52738> 19. Statewide Crackdown Gets About 1,500 Alcohol-Related Arrests (Michigan)

# *Associated Press* September 17, 2007

# Law enforcement officials say they arrested about 1,000 drivers for drunken driving during a recent statewide crackdown.

# Another 500 motorists were arrested for alcohol-related offenses, such as open liquor in vehicles.

# In addition to alcohol-related arrests, authorities say the crackdown also included 390 felony and 2,170 misdemeanor arrests.

# grapes<http://www.fox28.com/News/index.php?ID=25118> 20. Tobacco Ban Gives Smokers Few Options (Missouri)

# Crystal Britt*KFVS*September 13, 2007

# http://kfvs12.images.worldnow.com/images/7072234_BG1.jpgIt's becoming the norm, more and more hospitals are going smoke-free. One year ago this month Southeast Missouri Hospital in Cape Girardeau banned all tobacco use not just outside the building but you can't even smoke on its property.

# If you've been to Southeast, or driven by you know it's right in the middle of a residential/business community. The tobacco ban has been in effect since September of 2006. The hospital is just now cracking down on the rules now that people have had plenty of time to get used to them.

# So where are smokers going? Tamela Jones says in front of her home. She lives across the street from the hospital and tells Heartland News that over the last few days large groups have gathered near her lawn. She's spent the last few mornings picking up cigarette butts. She contacted the hospital to complain and admits things are a little better. She even empathizes with the smokers.

# "I'm a smoker. I understand the frustrations these poor people have being run off hospital property. However, I don't feel it's my responsibility being one of the hospital's residential neighbors to become their smoking section or have my home become their smoking section," said Jones.

# The hospital does not have any plans to put in designated smoking areas and apparently sidewalks are off limits too because Southeast maintains them. The hospital released the following statement.

# "In September 2006, with the encouragement of the Missouri Hospital Association, Southeast Missouri Hospital, along with most other hospitals in Missouri, adopted a tobacco-free policy inside and outside. The action was endorsed by Southeast's board of trustees. Hospital leadership believes that this action is in keeping with Southeast's mission to improve the health of those we serve, not only patients, families and visitors, but also those who work at Southeast. It is not the hospital's intent to take away an individual's right to smoke or use tobacco. We are simply asking that tobacco not be used on hospital properties. We regret any problems this may have created for some of our neighbors; however, hospital staff is limited to tobacco policy enforcement on hospital properties only. To make this transition less difficult, patients during their stay at Southeast are able to receive at no charge nicotine replacement products based on physician orders. Southeast employees and others affiliated with the hospital may enroll in tobacco cessation classes offered by Southeast's wellness services. When the tobacco-free policy was implemented, a decision was made to allow those who use tobacco time to acclimate. A year has passed, and we are now going to take a more active approach toward enforcing the policy."

# Heartland News checked the smoking policies at other Heartland hospitals.

# Heartland Regional Medical Center in Marion went totally smoke-free this summer and no word yet on any problems. Carbondale Memorial are went smoke-free. You can't smoke any where inside or out and they don't have designated smoking areas.

# grapesAt Lourdes in Paducah and St. Francis in Cape Girardeau you can't smoke inside at all. At St. Francis, you can't smoke within 50 feet of entrances. However, both of those hospitals do have places for people to light up. <http://www.kfvs12.com/Global/story.asp?S=7072234&nav=8H3x> 21. Forty-Seven Businesses Caught Selling Alcohol To Minors In St. Joseph (Missouri) Tom Lawrence*Fox 4*September 17, 2007

# St. Joseph police and the Buchanan County Sheriff's Department checked every place that sells alcohol in the county, looking for places that sell alcohol to inors.

# Police said it was the biggest sweep of it's kind, ever, in Missouri. A total of 92 restaurants, bars and convenience stores were checked. Forty-seven of them, more than half, were caught selling alcohol to minors.

# The alcohol crackdown was no secret, but some clerks still sold to underage customers. One of four Speedy's Convenience Stores were busted and the owner is definitely not happy about that.

# http://www.myfoxkc.com/myfox/photo_servlet?contentId=4382452&version=1&locale=EN-US&subtype=MIMG&siteId=1020&isP16=true"We strive real hard to be good retailers, responsible retailers and not do those type of things that would get you into trouble, and are obviously not what the community wants you to do," John Rowe said.

# Rowe holds training seminars for his employees, to teach them how to spot phony IDs, but sometimes even that doesn't help.

# "Most of our employees try to do a good job, some of them just don't care," Rowe said.

# One employee who does care, according to her boss, is Crystal Allen and even she got caught selling to minors.

# "And he came down here and I just went brain dead, and I rung it up and I asked him for his ID and I just stood there and I stared at him, and I asked him for his ID again, and I sold it," she said. "I felt really stupid at the time about it happening. The ID said '87, and it's supposed to be '86 and I felt really stupid. It was embarrassing."

# Her boss is using this as a learning experience, having her educate and train other employees to not sell alcohol to minors.

# In the first six months of this year, St. Joseph has had as many "minor in possession" of alcohol cases as they did all of last year.

# grapes<http://www.myfoxkc.com/myfox/pages/News/Detail?contentId=4381683&version=2&locale=EN-US&layoutCode=TSTY&pageId=3.2.1> 22. Council Approves Alcohol Sales Certification, Tobacco Sales Next (Nebraska) Frank Graham *North Platte Bulletin*September 19, 2007

# The North Platte City Council is serious about the sell of age-restricted products to under-aged buyers.

# The council passed an ordinance requiring people who sell alcohol to be certified by the police department and also passed, on the first reading, an the same ordinance for people who sell tobacco products.

# The program that will certify alcohol and tobacco servers is run by the North Platte police. The 1-1/2 hour program is called the Responsible Server Training Program and it’s been in affect for about two years, according to Martin Gutschenritter, North Platte Chief of Police.

# The program is designed to educate employees serving alcohol to ensure booze and tobacco is kept out of the hands of minors. Gutschenritter said North Platte would be the first community in Nebraska that has enacted such an ordinance but anticipated that others would follow suit.

# The new ordinance would make the server’s certification good for three years but it lacks enforcement directions should a certified server be cited for sale of an age-restricted product to a minor.

# Gutschenritter said minors in possession of alcohol and tobacco remains a serious problem in the community.

# Gutschenritter said both the tobacco and alcohol training will be held at the same time. He said he intend to get a letter out Sept. 19 to businesses impacted by beverage and alcohol training.

# Gutschenritter said three classes will be upcoming and held at the McKinley Center.

# grapesBonnie Thompson, of Community Connections, thanked the council for passing the ordinances and including tobacco in the age-restricted requirements for certification. The council unanimously passed both ordinances but the tobacco ordinance requires two more readings. <http://www.northplattebulletin.com/index.asp?show=news&action=readStory&storyID=13008&pageID=3> 23. Student Leader Charged with DUI after Defending Party (Pennsylvania)

# *CNN*September 16, 2007

# Bloomsburg University's student government president was charged with drunken driving just weeks after saying the media has unfairly portrayed students as irresponsible.

# Christopher Bevan, 21, was pulled over last weekend after a campus police officer said he saw the student driving more than 50 mph in a 15-mph zone.

# A breath test showed Bevan's blood-alcohol level was .147 percent, authorities said. The legal limit for drivers in Pennsylvania is .08 percent.

# Bevan recently wrote a letter to the Press Enterprise of Bloomsburg about media coverage of the central Pennsylvania college's annual Block Party, an event critics have described as rowdy and alcohol-fueled.

# The stories have "painted BU students with a broad and negative brush and are both inaccurate and extremely unfair to the thousands of responsible, mature Bloomsburg students who are an asset to the school and this community," Bevan wrote.

# Reached Friday, Bevan declined to say if he would step down from his position. He also would not comment on the arrest.

# College spokeswoman Liza Benedict called the arrest out of character for Bevan.

# "Up to this point, Chris has set a great example for the students and worked well with the university," she said.

# Bevan was charged with driving under the influence, driving at an unsafe speed and careless driving.

# grapes<http://edition.cnn.com/2007/US/09/16/student.charged.ap/> 24. At Colleges, Hitting the Bottle Binge Drinking Remains High, but Initiatives at Area Schools are Raising Awareness (Pennsylvania)Lini S. Kadaba*Philadelphia Inquirer*September 18, 2007

# St. Joseph's University substance-abuse specialist Ellen Trappey makes her point. Some pragmatic new initiatives on campuses emphasize smart choices and moderation rather than abstinence.

# More images The self-proclaimed "crazy alcohol lady" at St. Joseph's University is standing before a freshman Spanish class, waiting for a volunteer to finish mixing her a vodka-cranberry cocktail.

# Not to drink, but to illustrate a point.

# Ellen Trappey - a substance-abuse specialist whose presentations have helped the school garner national praise - then drains the 80 proof "vodka" (actually water) that 17-year-old Maegen Brady has poured into an 18-ounce plastic cup and measures it with a shot glass.

# It's more than two drinks' worth of booze. At a party, Trappey says, the liquor-to-juice ratio would likely be much higher.

# "With that one drink," she warns her captive audience, "I'm already halfway to being legally intoxicated in the state of Pennsylvania."

# Around the region this time of year, counselors like Trappey rush to educate freshly minted collegians anxious to celebrate their freedom with a raised glass. Yet despite a battery of pragmatic new initiatives that emphasize smart choices and moderation rather than abstinence, researchers have seen little improvement in the epidemic of student alcohol abuse.

# College drinking remains an intractable problem that contributes to about 1,700 student deaths, 599,000 injuries, and 97,000 cases of sexual assault or date rape annually, according to the National Institute on Alcohol Abuse and Alcoholism (NIAAA).

# In March, a Rider University fraternity pledge died of alcohol poisoning. The case attracted widespread attention when the school's dean of students and director of Greek life were among five people indicted in connection with the freshman's death.

# Though charges against the administrators were recently dismissed, they called attention to the role of schools in policing alcohol use.

# "It's tricky," said psychologist Aaron White of Duke University Medical Center, who studies underage drinking.

# "The heaviest-drinking students in college tend to be the heaviest drinking students in high school," he said. "If parents and communities can't prevent these kids drinking heavily underage, it's very difficult to imagine what a school can do."

# Fifty-two percent of binge drinkers - typically defined as men who have more than four drinks in two hours and women who have more than three - are between 18 and 20 years old, according to the Centers for Disease Control and Prevention.

# The first six weeks of the school year are particularly high-risk. By late October of 2006, according to a survey by AlcoholEdu for College, 50 percent of freshmen said they had done alcohol shots in the previous two weeks - more than double the rate respondents admitted to 3 1/2 months earlier.

# Most colleges tackle the problem with a combination of education, policy enforcement and treatment, though it may be unrealistic to expect underage and binge drinking ever to be eliminated.

# Many require freshmen to take interactive online courses such as AlcoholEdu and Alcohol-Wise, which lay out the consequences of the student's personal drinking habits. Since its debut seven years ago, the three-hour AlcoholEdu program, which White helped write, has spread to more than 500 schools, including the University of Pennsylvania, St. Joseph's, Princeton and Villanova universities.

# "It raises awareness," said Chris Dukich, 18, a North Andover, Mass., freshman at St. Joseph's, where students began AlcoholEdu yesterday. "People tend to forget the hard facts."

# Nationally, 450,000 students - about one in four freshmen - have completed the course so far this year, said Erika Tower of Outside the Classroom, which developed the program.

# Student antipathy is not uncommon. "I honestly don't think it did much for me," said Penn sophomore Paul Richards, 19, of Carlisle, Pa.

# Speaking Wednesday night outside of Brownie's, the popular Main Line college bar, Matt Delaney, 22, pointed out one limitation of AlcoholEdu.

# It makes him think about safe habits, said the St. Joseph's senior, of Cheshire, Conn. "But not while I'm drinking," Delaney said.

# Nonetheless, a 2005 evaluation by the University of Illinois found that students who completed AlcoholEdu had half as many instances of public vomiting, attending class hung over and other negative consequences from drinking than those who did not.

# "For years, all we did was pummel people with information: 'Don't do this, do this,' " said Mary Jane Rogan, who coordinates substance-abuse programs at West Chester University. It was "really not very effective."

# Now West Chester, like many schools, employs a combination of strategies across campus and targets groups considered high-risk, such as athletes and sorority and fraternity members.

# Last year, the school began requiring Alcohol-Wise. Data suggest "fewer nasty things are happening as a result of people drinking," Rogan said, citing a survey of students who reported fewer fights and regrets due to alcohol.

# Penn and pioneer Rutgers University have special housing for those recovering from alcohol or drug addiction.

# Drexel University received a Pennsylvania Liquor Control Board grant to teach faculty how to introduce alcohol information into courses.

# And at La Salle University, freshmen gather at a social event where peers act out drinking scenarios. Afterward, students break into discussion groups.

# "We know all the best practices" to guide students, said Kate Ward-Gaus, coordinator of La Salle's Alcohol and Other Drug Education Center. Yet the problem "is as big, or bigger, than it ever was."

# The NIAAA did not evaluate alcohol-education approaches until 2002. Information alone was found to be ineffective. Better were programs that also taught skills to cope with social situations. Social-norming campaigns - to remind students that most of their peers drink in moderation, if at all - added positive reinforcement.

# But colleges face formidable challenges, including a batch of new faces every year.

# "Our students have to take personal responsibility," said Princeton spokeswoman Cass Cliatt. In 2005-06, 16 Princetonians were suspended for serious violations, many of which involved alcohol.

# Temple University and other schools have started to call violators' parents, leading some to suggest that they are returning to an in loco parentis model.

# Colleges also are breaking the silence that has allowed alcohol-related rituals to endure. Penn State University wrestlers received community service, were assigned to write reflection papers and had their parents notified in the spring following an investigation into hazing activities and underage drinking captured in photos posted on a social networking site.

# Some campuses make accommodations for students who can legally imbibe. Lincoln University sets aside space in one dorm for students 21 or older who have declared their desire to drink.

# The school offers the option because alcohol is served at campus alumni events, said William Bynum, a vice president. "We're not going to be hypocritical," he said.

# But the amount of alcohol allowed in dorm rooms is limited, Bynum said, and students who violate alcohol policies must take an online course and pay its $30 cost.

# At Widener, the conversation continues beyond freshman year. "They have short memories," said Lynn Nelson Russom, director of student health.

# In talks with athletes, the focus comes down to alcohol's effect on game-day performance, Russom said. In the future, Widener's law school may hold a mock trial to illustrate the criminal consequences of drinking.

# At St. Joseph's, Trappey and the unconventional roadshow she takes to classrooms, orientation, and athletic team meetings are the school's latest weapons in its escalating war against risky drinking.

# The administration pumped up its initiative after a spike in alcohol-poisoning cases in 2005, when 29 students landed in emergency rooms during the first six weeks of school.

# "It really created a crisis," said Joan Ryan, who was hired as assistant director of substance abuse, prevention and intervention. The following year, Trappey came on.

# Last academic year, alcohol-poisoning cases dropped to nine in the opening weeks. Ryan would not give the number of incidents since students returned in late August, but said it was on par with 2006-07.

# As Trappey talked to the Spanish class, she made sure the group knew that there are "lots and lots of students at St. Joe's who do not drink."

# With humor and a penchant for talking like her audience, the 27-year-old Trappey laid out the facts, including how to calculate - based on weight and gender - the number of drinks it would take "to get buzzed, wasted or drunk."

# grapes"It's not to teach them how to drink," Trappey said afterward. "It's to show them how close those numbers can be."<http://www.philly.com/philly/hp/news_update/20070918_At_colleges__hitting_the_bottle_Binge_drinking_remains_high__but_initiatives_at_area_schools_are_raising_awareness_.html> 25. Smoking on Campus (Pennsylvania)Some Penn State Harrisburg students are getting an unexpected lesson in health and courtesy.

# Sherry Christian*WHP-TV*September 14, 2007

# That lesson comes in the form of a newly implemented tobacco free policy for certain areas of the campus. It's a policy that has sparked debate among smokers and non-smokers alike.

# Two years ago, Penn State Harrisburg administration started hearing from students that cigarette smoke from smokers in the entrance of buildings was creeping in through the windows. So a task force was set up to create a policy and establish zones that were to be smoke free.

# This tobacco free zone policy was actually two years in the making, but students didn't find out about it until the second week of school through emails and on the campus website.

# There were rumors that anyone who was found smoking in the zone would be fined, but Sam Monismith who co-chaired the task force says they're counting on a voluntary compliance and they won't slap a penalty on anyone who doesn't abide by the zone rule.

# That doesn't matter to smoker David Reinbold who we found smoking in the tobacco free zone.

# “We pay tuition, we pay taxes, we're the same as everybody else so why not give us our right to smoke,” says David, a junior.

# One of the concerns of smokers is there aren't any receptacles outside of the tobacco free zone to throw away their butts. That concern is being addressed by campus officials.

# “We need to have proper receptacles for disposing of cigarette butts and things like that and that's in the process,” says Sam Monismith, D.Ed, Tobacco Free Zone Task Force.

# As for enforcement, Monismith says he's hoping peer pressure will work in a positive away here by having non-smokers point out the policy to so called zone cheaters.

# But, that may come with time which is not soon enough for freshman Kneshay Harper. Ironically, as CBS 21 News interviewed her in the tobacco free zone smokers lit up right behind her.

# “Security needs to start being more forceful. Some students do step off but it's not being enforced. Until it is enforced it's not going to be changed,” says Kneshay.

# Campus officials tell us that the tobacco free zone will be expanding to include more areas in the years to come.

# So what other public universities in our area have comprehensive smoking policies?

# We found that Millersville University had a smoking ban inside all academic buildings, but outside there was no restrictions on where smokers lit up.

# The same is true at Shippensburg. No smoking in any campus buildings, but there is no restrictions on where individuals light up outside.

# grapes<http://www.whptv.com/news/local/story.aspx?content_id=acd941a3-f022-4efe-ab70-6d25ca4b77bb>26. Radio Ads Target Underage Drinking, Drunk Driving (South Dakota)

# *Sioux City Journal*September 17, 2007

# PIERRE, S.D-New radio announcements timed to coincide with the new school year are aimed at underage drinking and drunk driving, according to Attorney General Larry Long.

# "The fact is, drunk-driving crashes are 100 percent preventable," Long said in a release. "This initiative reminds adults that we all play a part in preventing drunk driving and that one of the easiest and most effective ways to do that is by designating a driver. By doing so, South Dakotans are joining the millions of adults nationwide who have been or have used a designated driver."

# The 30-second public service announcements will air more than 1,200 times between now and October. The announcements' production and placement was provided by Anheuser-Busch Cos., and no public funds were used to make or run the messages, according to Long's release.

# The announcements remind parents it's important to talk with their teenage and college-age children about underage and abusive drinking. Long also urges parents not to host underage parties with alcohol.

# "With school back in session, now is the perfect time for parents to talk with their teens about drinking," Long said. "Parents have a tremendous influence on their teens' decisions about whether or not to drink. By communicating openly and honestly, setting a good example and not providing alcohol for their teens or their teens' friends, parents play a critical role in ensuring their children make smart, safe choices."

# grapes<http://www.siouxcityjournal.com/articles/2007/09/17/news/south_dakota/9dd709611101ebf3862573590011d412.txt>27. Budweiser‘s Help Sought on Reservation (South Dakota)Carson Walker*Associated Press*September 19, 2007

# Organizers of an effort to keep booze off South Dakota‘s Pine Ridge Indian Reservation — where alcohol is banned but alcoholism is rampant — plan to take their case to the nation‘s largest beer company.

# Some Oglala Sioux tribal members and those affiliated with the activist group Nebraskans for Peace have twice tried to set up roadblocks to stop vehicles entering the reservation and confiscate any alcohol.

# Budweiser products account for 86 percent of alcohol sales in Whiteclay: 356,283 wholesale gallons in 2006, compared to 38,559 gallons from the Pabst distributor and 17,298 from Coors, according to the Nebraska Liquor Control Commission.

# "They‘re not taking a serious look at what it‘s doing to people in Whiteclay," he said.

# "At Anheuser-Busch, we brew our beers to be enjoyed responsibly by adults. No company benefits when its products are misused. That‘s why, since 1982, Anheuser-Busch and our 600 wholesalers nationwide, including the wholesaler serving this area, have invested more than $675 million to promote responsibility and fight alcohol abuse," Clark‘s statement read.

# But Mark Vasina, president of Nebraskans for Peace, said beer companies need to be more of a player and could do more, short of pulling their products off the shelves.

# Vasina plans to accompany Martin to St. Louis and encourage Budweiser to consider funding an alcohol treatment program or detoxification center, for example.

# Demand for alcohol has led to sales to minors, bootlegging, selling on credit, and exchanging alcohol for sexual favors, Vasina said. It has also contributed to accidents, violence, sexual abuse and suicide, according to the alcohol and drug program for the reservation.

# Shannon County, where most Pine Ridge residents live, is home to less than 2 percent of South Dakota‘s population but had 19 percent of the fatalities caused by drunken driving in 2005 — 14 of the 74 deaths statewide, according to the South Dakota Department of Public Safety.

# Whiteclay is one of several so-called drinking hubs where nearby residents of the nation‘s roughly 500 dry communities congregate to drink.

# Malt liquor is the beverage of choice, and one of the popular products is Hurricane Malt Liquor, a Budwesier product with 6 percent alcohol.

# "I could almost guarantee if you went into a poor, low-income neighborhood, you‘re going to find a lot more malt liquor beer," said Ricky Bluthenthal, senior social scientist with the RAND Corp.

# He led a 2005 study in South Los Angeles, Calif., that found malt liquor drinkers differed from people who drink regular beer or hard liquor.

# The research, funded by the National Institute on Alcohol Abuse and Alcoholism, concluded that malt liquor drinkers were more apt to be homeless, unemployed and live in public housing.

# Malt liquor users also reported drinking daily or nearly every day and consuming more alcohol than other drinkers, the study found.

# Compared to regular beer, malt liquor has a higher alcohol content, usually is sold in larger containers and is cheaper, Bluthenthal said.

# "If it had the same alcohol content as regular beer, it would probably be less harmful to the people who drink it," he said. "They‘re drinking 40 to 50 percent more alcohol than if they drank a regular beer."

# grapesSome Internet reviews rate Hurricane OK on taste and great for a cheap buzz — and also allude to its popularity on reservations. h[ttp://www.localnewswhatch.com/jordanfalls/stories1/index.php?action=fullnews&id=60788](http://www.localnewswatch.com/jordanfalls/stories1/index.php?action=fullnews&id=60788) 28. Ex-Liquor Chief Wants to Abolish Quotas on Licenses for Restaurants (Utah)

# *Salt Lake Tribune*September 17, 2007

# The former director of the agency that controls liquor sales in Utah is calling for quotas to be abolished so that local municipalities can decide whether restaurants can serve wine and beer.

# The state is down to two "limited" licenses it can issue that would allow an eatery to sell beer and wine.

# "People who go to restaurants don't go there to get drunk," said Kenneth Wynn, who resigned in June after serving 30 years as director of the Utah Department of Alcohol Beverage Control. He made the remarks during a Friday public hearing.

# The earliest lawmakers can consider increasing quotas for additional licenses will be weeks or months into next year, and laws usually don't go into effect until the spring, at the earliest.

# Wynn asked liquor-control commissioners to also abolish quotas for "full-service" licenses that allow eateries to sell beer wine and spirits. The state is down to 21 such licenses.

# The five-member commission has discussed whether to ask the Utah Legislature to increase quotas, but did not comment on Wynn's suggestion.

# grapesThe number of limited licenses is based on one license per per 11,000 statewide population. The quota for full-service licenses is less strict, requiring less than half the population figure as required for limited licenses.<http://www.sltrib.com/ci_6918746> 29. 99 Bottles on the Wall: If it's 3.2 Percent Alcohol, it Should be Allowed in Stores (UTAH)

# *Salt Lake Tribune*September 17, 2007

# If it gives a buzz like a beer, and contains 3.2 percent alcohol by weight like a beer, it's a Utah beer. Or a flavored malt beverage. Either way, the Utah Alcoholic Beverage Control Commission should continue to allow the drink to be sold in grocery and convenience stores.

# The liquor commission is concerned that flavored malt beverages, such as Smirnoff Ice, Bacardi Silver and Jack Daniels' Original Hard Cola, may be luring young people to drink alcohol.

# George VanKomen, longtime chairman of the self-appointed Alcohol Policy Commission, calls the flavored beverages "alcohol on training wheels" and says they are "teaching our kids to drink."

# Abbie Vianes, coordinator of the Salt Lake City Mayor's Coalition on Alcohol, Tobacco and Drugs, calls the fruity malt beverages "alcoholic training bras."

# We share these concerns, which is why we have argued before that these beverages should be clearly labeled as containing alcohol, as the federal Treasury Department requires, and that the print should be large enough and explicit enough that it can't be missed or misconstrued.

# We also believe that these drinks should be cased in stores right next to the beer, so that customers know what they're buying. Maybe signs should mark the case as containing alcoholic beverages.

# We also agree that any alcoholic beverage can be abused, whether by kids or adults.

# But we part company with Attorney General Mark Shurtleff, who says that flavored malt beverages should be removed from grocery store shelves. Confining sales of these products to state liquor stores and package agencies would cut down the possibility of illegal sales to kids, but it would not stem alcohol abuse. Kids would abuse something else, probably 3.2 beer or hard liquor mixed in a sweet soft drink, as they have for generations.

# The thing that sets the fruity malt beverages apart is that they are relatively new to the market. Our bet is that kids know exactly what they are, even if their parents don't. Young adults may not know how to drink responsibly, but you can't teach that by restricting where certain products are sold.

# If underage kids are buying or drinking alcohol, they are breaking the law. It doesn't matter whether the beverage is a 3.2 beer or a 3.2 malt beverage.

# grapesSo long as both have the same alcohol content, they should be allowed on the same grocery store shelf.<http://www.sltrib.com/opinion/ci_6914206> 30. Alcohol Density Plan Passes (Wisconsin)The Madison City Council put a lid on the number of new liquor licenses in downtown Madison on a vote of 13-6, with one abstention, early this morning.*Capital Times*September 19, 2007

# The alcohol license density plan, which has been under development for nearly a year, seeks to address alcohol-related public safety issues downtown. Alcohol-related problems consume a significant share of police effort every weekend, the mayor's office has stressed, drawing officers away from other neighborhoods that need police services.

# The plan would prevent new bars and liquor stores from opening between Blair and Lake streets unless they replace existing businesses that have liquor licenses. The goal is to gradually reduce the density of bars in the area through attrition.

# Restaurants — defined as generating less than 50 percent of their sales from alcohol — grocery stores and hotels would be exempt.

# Despite protests about the ordinance from businesses and university students, proponents told the council that public safety should come first.

# "This ordinance is no magic bullet, but what we are looking for is to try to stop the bleeding," said UW-Madison Assistant Police Chief Dale Burke.

# He said the number of incidents and the level of violence have increased in the last few years. "Crimes that are being reported to us are overwhelmingly alcohol-related," he said. "And we believe it's time to draw the line."

# Joel Plant, the city's interim alcohol policy coordinator, said there has been a 125 percent increase in liquor licenses downtown in the past 10 years.

# He added that the alcohol license density plan is just one piece of the puzzle and needs to go hand-in-hand with enforcement and education for bar owners and patrons.

# "This is a strategy that is designed to decrease alcohol-related problems over time," he said. "A lot of communities have enacted laws along these lines and they have reported positive results. It's not a panacea, but in conjunction with these other pieces, it's a comprehensive approach."

# Richard Brown, a family doctor and faculty member at the UW School of Medicine and Public Health, urged a "yes" vote.

# "This community has an alcohol problem and there's lots of denial about this," he said, adding that the high density of alcohol outlets downtown contributes to violence, property destruction and other crimes.

# But Mary Carbine, executive director of Madison's Central Business Improvement District, said after the vote today that despite improvements made to the plan during the past year, her board still sees the ordinance as unnecessary on top of the powers the city's Alcohol License Review Committee already has to regulate taverns.

# One of the group's primary concerns, she said, is that the ordinance puts a great deal of time pressure on property owners to find new tenants. Despite an increase in the amount of time — from 120 days to one year — that a new operator will have to secure a liquor license, she said handling the complex details of opening a new business can take up to two years.

# A number of UW-Madison students spoke in opposition to the plan Tuesday night, arguing that restricting new liquor licenses in the downtown area would drive more students into underground, unregulated house parties. It would also foster new bars directly outside of the density plan area, they said.

# The existing downtown bars would have too much market power, causing rising food and drink prices, said UW student David Lapidus. "This would be difficult for a lot of students to cope with," he said.

# "Students are going to drink, whether there are bars or not bars," said UW student Steven Lawrence, describing house parties where guests pay $5 for an unlimited cup of beer and $1 for shots.

# Ald. Eli Judge, a UW student who represents the campus as well as a large portion of the central commercial district, echoed the concerns of the student speakers.

# "To quote some blogs in the area, we doubt the students are going to go home and play Scrabble," Judge said. "A house party is far harder to police than any bar."

# If the ordinance is put in place, what is the purpose of the city's Alcohol License Review Committee, he asked.

# Ald. Mike Verveer, who sponsored the ordinance, reminded the council that the ALRC recommended the plan unanimously.

# grapes"Public safety, first and foremost, is what this is about," he said. "If something doesn't change, State Street will take on more of the look of a Bourbon Street."<http://www.madison.com/tct/news/246754> 31. Wisconsin/Report: Wisconsin an Alcohol-Soaked State (Wisconsin)State Leads the Nation in Binge Drinking and Rate of Adult Drinkers

# *Associated PressSeptember 17, 2007*

# When he gives lectures on how alcohol harms Wisconsin communities, Dr. Paul Moberg starts by showing an editorial cartoon he calls "sobering."

# The 1994 cartoon by Green Bay Press-Gazette cartoonist Joe Heller shows University of Wisconsin-Madison mascot Bucky Badger in front of a blackboard bearing a series of ignominious state rankings: Wisconsin leads the nation in binge drinking and in percentage of adult drinkers.

# "Hello," the caption says, "My name is Bucky and I have a drinking problem."

# Apparently little has changed -- 13 years later, the state is still No. 1 in those categories.

# "Wisconsin has a very serious set of problems related to alcohol use," said Moberg, a senior scientist in population health sciences at the University of Wisconsin-Madison. "And this has been going on for a long time."

# Moberg was a lead researcher on a report released today by the UW Population Health Institute. It tells a familiar story.

#  Wisconsin has the highest rates in the nation for high school student and underage drinking. Forty-nine percent of high school students drink, while

# 39 percent of those under 21 do.

# About 2,100 Wisconsin residents die annually from accidents or diseases related to alcohol or drug use, and almost $190 million in public funds are spent on related hospitalizations and treatment.

# The figures are based on the most recent data available for each category, either from 2005 or 2004.

# The numbers didn't surprise Kari Kinnard, the state executive director of Mothers Against Drunk Driving.

# "It's disappointing and frustrating but sadly, it's not a shock," she said. "What we really need to do is change the accepted norms."

# The report did have some good news. The portion of high school students who began drinking before age 13 decreased to 24 percent in 2005 from

# 29 percent in 1997. The 2005 figure was 2 percentage points better than the national average.

# Also, the number of high school students who reported using marijuana in the previous 30 days was 16 percent in 2005, 5 percentage points lower than in 1997.

# grapes<http://www.thonline.com/article.cfm?id=173391>