

# *Initiative No. 205 to the People..*

## **\*OFFICIAL BALLOT TITLE**

### **AUTHORIZING TAVERN SPIRITUOUS LIQUOR LICENSES**

**AN ACT** Relating to spirituous liquor licenses, making taverns eligible for a new class of license allowing the sale of spirituous liquors including mixed drinks and cocktails, providing for regulation, fees and disbursements thereunder.

\* As issued by John J. O'Connell, Attorney General.

## **OFFICIAL ARGUMENT **FOR** INITIATIVE MEASURE NO. 205**

### **What is Initiative No. 205 ?**

It will permit licensed taverns of the state to sell mixed drinks and cocktails in their establishments.

### **What Will It Do ?**

1. It will allow equal opportunity to all citizens, especially the workingman, to purchase mixed drinks and cocktails in places of their choice.
2. Taverns are the **ONLY** licensed premises where minors are not allowed.
3. Initiative 205 will modernize our laws and make them comparable with our neighboring states.
4. A modern liquor law will greatly benefit the tourist industry in the State of Washington.
5. The additional license fees will be used for medical research.
6. It will create jobs within the taverns, as well as jobs for allied industries in improving and modernizing tavern facilities for the benefit of the community.

**INITIATIVE 205 WILL INCREASE STATE REVENUE  
WITHOUT ADDITIONAL INDIVIDUAL TAX BURDENS.**

#### **COMMITTEE APPOINTED TO COMPOSE ARGUMENT **FOR** INITIATIVE MEASURE NO. 205**

**BEN C. BRADLEY**, President  
Washington State Licensed Beverage  
Assn.  
20314 Ballinger Road  
Seattle 55, Washington

**MICHAEL R. ALFIERI**, Attorney  
Washington State Licensed Beverage  
Assn.  
563 Olympic National Building  
Seattle 4, Washington

**JACOB H. MILLER**, Exec. Secretary  
Washington State Licensed Beverage  
Assn.  
20314 Ballinger Road  
Seattle 55, Washington

**EXPLANATORY COMMENT ISSUED BY THE ATTORNEY GENERAL AS REQUIRED BY LAW**

**THE LAW AS IT NOW EXISTS:**

Under the present law, spiritous liquor (other than wine and beer) may be sold by the drink only by retail establishments having "Class H" liquor licenses. The present law specifically limits the issuance of "Class H" licenses to bona fide restaurants, hotels and clubs and to dining, club and buffet cars on passenger trains, and to dining places on passenger boats and airplanes, and to certain other establishments operated and maintained primarily for the benefit of tourists, vacationers and travelers.

**EFFECT OF INITIATIVE MEASURE NO. 205 IF APPROVED INTO LAW:**

The passage of this act would make taverns (which under the present law may sell only wine and beer at retail by the drink) also eligible to sell, by the drink, other spiritous liquors, including mixed drinks and cocktails. This is to be accomplished by making taverns eligible for a new class of "liquor by the drink" license, to be known as the "Class T" license.

NOTE: Complete text of Initiative Measure No. 205 appears on Page 20.

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**OFFICIAL ARGUMENT AGAINST INITIATIVE NO. 205**

**WHAT IS INITIATIVE 205?**

It is an act to legalize sale of hard liquor by-the-drink in taverns.

**WHY YOU SHOULD VOTE AGAINST INITIATIVE 205!**

(1) If Initiative 205 should pass, additional licenses allowing hard liquor by-the-drink could immediately be issued to raise the total to 4,040 outlets as compared to 828. This would allow the establishment of 1 bar for every 699 men, women and children in the State, compared to 1 cocktail lounge for each 3,411 residents as of June 30, 1960.

(2) It would set up a new class of hard liquor by-the-drink places with special privileges and without the safeguards and restrictions the voters put into the present law, such as the requirement of food service, restriction on location and others.

(3) Initiative 205 would legalize sale of hard liquor by-the-drink in taverns, many of which are located in rural areas, and in areas which are primarily residential, some near schools and churches, some along dangerous stretches of highway, thereby creating law enforcement problems and endangering public safety.

(4) It would create conditions comparable to or worse than those in the old saloons which people of Washington said by law should never be returned to our state.

**\* \* \* VOTE AGAINST INITIATIVE 205 AND ASK YOUR FRIENDS TO DO SO \* \* \***

COMMITTEE APPOINTED TO COMPOSE ARGUMENT **AGAINST** INITIATIVE MEASURE NO. 205

W. DELMORE McDOWELL, President  
Alcohol Problems Assn. of Washington  
910 5th Avenue, Seattle

KENNETH R. FISHER, Chairman  
Citizen's Committee for Moderation  
500 Wall Street, Seattle

DR. MARTIN L. GOSLIN, Minister  
Plymouth Congregational Church  
1217 6th Avenue, Seattle

## COMPLETE TEXT OF Initiative Measure No. 205

**AN ACT relating to spirituous liquor licenses, making taverns eligible for a new class of license allowing the sale of spirituous liquors including mixed drinks and cocktails, providing for regulation, fees and disbursements thereunder.**

*Be It Enacted by the People of the State of Washington:*

**Section 1.** (1) Spirituous liquor, as used in this act, means liquor as defined in R.C.W. 66.04.200, except "wine" and "beer" sold as such.

(2) Tavern, as used for Class T license purposes, means any establishment with special space and accommodation to serve draft beer, bottled beer, malt liquor, wine, and spirituous liquor, by the individual glass at retail for consumption on the premises, including mixed drinks and cocktails compounded and mixed on the premises only.

**Section 2.** There shall be added to Chapter 217, Laws of 1937, as amended by Chapter 220, Laws of 1941, and to Chapter R.C.W. 66.24 a new section, to read as follows:

There shall be a tavern liquor license to be designated as a Class T license, to sell spirituous liquor by the individual glass at retail for consumption on the premises, including mixed drinks and cocktails compounded or mixed on the premises, only. Only holders of a Class A and/or B license or transferee from a holder of a Class A and/or B license as of November 1, 1959, shall be issued a Class T license, in addition to any other licenses held. The annual fee for a Class T license, whether inside or outside of incorporated cities or towns, shall be \$300.00.

**Section 3.** Section 5, Chapter 5, of Laws of 1949, is amended to read as follows:

Each Class H and T licensee shall be entitled to purchase any spirituous liquor items saleable under such Class H and T licenses from the Board at a discount of not less than 15 per cent of the retail price fixed by the Board, together with all taxes.

**Section 4.** There shall be added to Chapter 217, Laws of 1937, as amended by Chapter 220, Laws of 1941, and to Chapter R.C.W. 66.24 a new section, to read as follows:

The total number of Class T licenses to be issued by the Board shall not at any time exceed one license for each 1,500 of the population of the State determined according to the last avail-

able federal or county census. This provision is for the issuance of future licenses under this act and shall have no effect on the eligibility of the Class A and/or B licensees to receive the Class T license under the provisions of Section 2 of this act; *provided that*, notwithstanding the foregoing provisions, the Board shall have the authority to issue a Class T license to anyone who receives a new Class A and/or B license after November 1, 1959, where, in the opinion of the Board, because of the increase in population of any particular locality or for any other reason, the reasonable needs of the community of a particular locality permit.

**Section 5.** This act shall be under the supervision of the Washington State Liquor Control Board, and the Board shall have the same power to make regulations not inconsistent with the spirit hereof as is provided by R.C.W. 66.08.030 and RCW 66.08-.040.

**Section 6.** Section 10, Chapter 5, Laws of 1949, shall be amended to read as follows:

Moneys in the liquor revolving fund shall be distributed by the Board at least once every three months; *provided that* the Board shall reserve from distribution such amount not exceeding \$500,000.00, as may be necessary for the proper administration purposes; *provided, further*, that all license fees, penalties and forfeitures derived under this title from Class H and T licenses or Class H and T licensees shall, every three months, be disbursed by the Board to the University of Washington and to Washington State University for medical and biological research only, in such proportions as shall be determined by the Board after consultation with the heads of said state institutions.

**Section 7.** Section 11, Chapter 5, Laws of 1949, shall be amended to read as follows:

The Board shall set aside in a separate account in the liquor revolving fund an amount equal to 10 per cent of its gross sales of liquor to Class H and T licensees, and the moneys in said separate account shall be distributed in accordance with the provisions of R.C.W. 43.66-.090 to 43.66.110, inclusive; *provided*, that no election unit in which the sale of liquor under Class H and T licenses is unlawful shall be entitled to share in the distribution of moneys from such separate account.

**Section 8.** If any section or provision of this act shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the act as a whole, or any section, provision or part thereof, not adjudged invalid or unconstitutional.

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State January 8, 1960.

VICTOR A. MEYERS, *Secretary of State.*