



Referendum Measure 36

CHAPTER 100, LAWS OF 1973
(43rd Leg., Regular Session)

Minimum Age-Alcoholic Beverage Control

This Act lowers from 21 to 19 years the age at which a person may, without limitation as to purpose, purchase or consume alcoholic beverages and be admitted to establishments licensed by the state to sell such beverages. It also lowers from 21 to 18 the age at which a person may be employed to sell spirituous liquor, beer and wine in Class H licensed establishments. It further removes the present requirement for adult supervision of persons between 18 and 21 who sell beer and wine in establishments holding Class E and/or F licenses only (primarily grocery stores).

Vote cast by members of the 1973 Legislature on final passage:
SENATE: (49 members) Yeas, 31; Nays, 15; Absent or not voting, 3.
HOUSE: (98 members) Yeas, 80; Nays, 17; Absent or not voting, 1.

Statement for

For more than two years in Washington State citizens 18 to 21 years of age have had almost all legal powers, rights and responsibilities as members of the adult community. The one exception—they cannot legally buy or consume alcoholic beverages.

Legislature Studied and Approved Bill

After very careful consideration the legislature passed HB 240 to extend the remaining majority right to citizens at 19 years of age. While acting on the measure the legislature raised the minimum age from 18 to 19 on the reasoning that most citizens of that age are out of school and making their own way in the society.

Full Rights and Responsibilities are Presently Denied

These young adults are responsible for all the other decisions of majority. They may enter into contract, make a will, marry and divorce, sue and be sued, volunteer for military service, sit on juries and even vote on lowering the age of legal drinking. The only thing they cannot legally decide for themselves as an adult is the question of alcoholic beverages.

Other States Have Lead the Way

By October of 1973, thirty-five states had reduced the legal drinking age below 21 years. The overwhelming evidence from other states is that alcohol is no more of a problem with this age group than it is with any other group of adults.

Now Is the Time for Equality Under the Law

Our society has said that adults should decide for themselves whether or not to consume alcohol. By denying these young adults all the rights and responsibilities of majority we are treating them as partial citizens. These people clearly deserve and should be granted equality under the law.

Rebuttal of Statement against

The validity of the Michigan study is questionable because the test periods are not comparable — not only did the drinking age lower, the assumed level of influence dropped (0.15% to 0.10%) and the state police **began** aggressively recording information.

"Only one (state with an 18 yr. drinking age) shows an increase in the traffic death toll. The others actually have experienced a decline . . . statistical data seem to punch a large hole in the traffic death argument." Tacoma News Tribune editorial 1/24/73.

Committee **FOR** Referendum Measure 36 (Chapter 100, Laws of 1973-:

JOHN RABEL, State Representative, Republican and RAY VAN HOLLEBEKE, State Senator, Democrat.

The Law as it now exists:

At the present time the law requires a person to be at least twenty-one years of age to purchase, import, or be sold alcoholic beverages. In addition, with certain exceptions (for example, the use of liquor for medicinal or religious purposes) liquor may not be supplied to, nor consumed by a person under the age of twenty-one years. Other than as a professional musician who is eighteen years of age or older, a person under twenty-one is not permitted to enter or remain in certain establishments (mainly taverns and cocktail lounges) licensed by the state to sell alcoholic beverages and it is unlawful for any such person to misrepresent his age as being twenty-one or more years for the purpose of gaining admission to or remaining in these establishments.

Present law authorizes grocery stores and similar licensees holding only certain beer and wine licenses to allow their employees between eighteen and twenty-one years of age to sell beer and wine under direct adult supervision.

Effect of Ref. Measure 36 (Chapter 100, Laws of 1973) if approved into Law:

This act would lower from twenty-one to nineteen years the age at which a person may purchase, import, possess, consume, and be sold alcoholic beverages.

It would also lower from twenty-one to eighteen years the age at which a person may be employed to sell spirituous liquor, beer and wine in Class H licensed establishments such as restaurants, hotels and clubs. It would remove the present requirement for direct adult supervision of employees between eighteen and twenty-one who sell beer and wine in grocery stores and similar establishments holding Class E and/or F licenses only.

NOTE: Ballot title and the above explanatory comment were written by the Attorney General as required by state law. Complete text of Referendum Measure 36 starts on Page 21.

Statement against

This Law Would Increase Driving Problems and Accidents!

Michigan's lowered age for consumption of alcoholic beverages from 21 to 18 produced dramatic increases (18-20 year olds):

Driving Under the Influence of Liquor

Fatal accidents	54%	Under 18, arrests increased 98%
Injury accidents	104%	
Accidents	119%	Alcohol-related accidents in-
Arrests	132% -males	creased nine times faster in this
	332% -females	age group than all other age
		groups.

Roadside surveys showed drinking-driving increased 361%.

California's Department of Motor Vehicles reported drivers under 20 average twice as many accidents as adults, yet drive half as many miles. "Teenagers are more likely to use the car as an emotional outlet." Car insurance rates support these conclusions.

Laws Do Not Provide "Instant Maturity" or "Good Judgment", Therefore Rights, Responsibilities, Restrictions Vary with Age.

Airline pilots and patrolmen must be 21, Congressmen 25. Federal Drug administrators declare harmful substances illegal and remove them without considering age, rights, or ability to make mature choices. Washington's youth do not need America's number one narcotic, depressant drug — alcohol — already identified as major safety, drug, health, moral, and social problem.

Let's Not Reward Poor Citizenship and Violations of the Laws!

Because many under 21 are drinking and driving is no reason to condone it! Removing legal restrictions would make it more difficult for those who respect the law to resist peer

pressure. The 14 to 20 year old has enough "growing up" problems already.

Authorities Believe and Are Convinced by Facts They Have Compiled that No Community Is Improved by Increased Drinking of Alcohol.

Washington State's Division of Health reported approximately 70% of municipal law enforcement is involved apprehending and caring for drinking offenders. Alcohol is involved in 40% juvenile and family court cases, 50% violent crimes, homicide, divorce, mental illness, brain damage, billions in industrial costs, and family heartaches unlimited.

Rebuttal of Statement for

LEGISLATURE'S "very careful consideration" . . .

. . . produced contradictory, inconsistent bill permitting 18 year olds to serve/sell liquor without adult supervision — allowing 19 year olds to drink. How many 18-20 really "making own way in society.?"

FOLLOW OTHERS LEAD?

. . . with more accidents, crime, divorce, and juvenile delinquency? No "overwhelming evidence" to back "no more problem" statement. Statistics contradict proponents' statements:

New Jersey—arrests increased 145%

Memphis—accidents increased 25%

Minnesota, North Dakota, Manitoba officials say: "Nothing but problems."

Committee **AGAINST** Referendum Measure 36 (Chapter 100, Laws of 1973):

TED G. PETERSON, State Senator, Republican; HAL ZIMMERMAN, State Representative, Republican; LLOYD C. TREMAIN, Chairman, Citizens United for Responsible Legislation.

Advisory Committee: MATTHEW HILL, Former Chief Justice, State Supreme Court; SAM C. GUESS, State Senator, Republican; JOE STORTINI, State Senator, Democrat and football coach, Tahoma High School; BRIAN STERNBERG, N.W. area, Fellowship of Christian Athletes; LESTER WETZSTEIN, Exec. Director, Alcohol Problems Association.

Referendum Measure

36

CHAPTER 100, LAWS OF 1973
(43rd Leg., Regular Session)

Ballot Title as issued by the Attorney General:

MINIMUM AGE — ALCOHOLIC BEVERAGE CONTROL

THIS ACT lowers from 21 to 19 years the age at which a person may, without limitation as to purpose, purchase or consume alcoholic beverages and be admitted to establishments licensed by the state to sell such beverages. It also lowers from 21 to 18 the age at which a person may be employed to sell spirituous liquor, beer and wine in Class H licensed establishments. It further removes the present requirement for adult supervision of persons between 18 and 21 who sell beer and wine in establishments holding Class E and/or F licenses only (primarily grocery stores).

LEGISLATIVE TITLE
(House Bill No. 240)

ALCOHOLIC BEVERAGE CONTROL — USE — LEGAL AGE LOWERED

AN ACT Relating to alcoholic beverage control; amending sections 1, 3, and 4, chapter 126, Laws of 1895 as last amended by section 37, chapter 292, Laws of 1971 ex. sess. and RCW 26.28.080; amending section 1, chapter 38, Laws of 1967 and RCW 66.12.110; amending section 7, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 15, Laws of 1971 ex. sess. and RCW 66.16.040; amending section 3, chapter 67, Laws of 1949 as last amended by section 4, chapter 15, Laws of 1971 ex. sess. and RCW 66.20.180; amending section 6, chapter 67, Laws of 1949 as last amended by section 7, chapter 15, Laws of 1971 ex. sess. and RCW 66.20.210; amending section 2, chapter 70, Laws of 1955 and RCW 66.44.270; amending section 3, chapter 70, Laws of 1955 and RCW 66.44.280; amending section 4, chapter 70, Laws of 1955 as amended by section 1, chapter 49, Laws of 1965 and RCW 66.44.290; amending section 1, chapter 78, Laws of 1941 and RCW 66.44.300; amending section 36-A added to chapter 62, Laws of 1933 ex. sess., by section 1, chapter 245, Laws of 1943 and RCW 66.44.310; amending section 1, chapter 38, Laws of 1969 ex. sess. and RCW 66.44.340; adding a new section to chapter 66.44 RCW; repealing section 2, chapter 49, Laws of 1965 and RCW 66.44.291; creating a new section; and repealing section 1, chapter 250, Laws of 1969 ex. sess. and RCW 66.44.315.

BE IT ENACTED, by the Legislature
of the State of Washington:

Section 1. Sections 1, 3, and 4, chapter 126, Laws of 1895 as last amended by section 37, chapter 292, Laws of 1971 ex. sess. and RCW 26.28.080 are each amended to read as follows:

Every person who:

(1) Shall admit to or allow to remain in any concert saloon, or in any place owned, kept, or managed by him where intoxicating liquors are sold, given away or disposed of — except a

restaurant or dining room, any person under the age of eighteen years; or,

(2) Shall admit to, or allow to remain in any dance-house, public pool or billiard hall, or in any place of entertainment injurious to health or morals, owned, kept or managed by him, any person under the age of eighteen years; or,

(3) Shall suffer or permit any such person to play any game of skill or chance, in any such place, or in any place adjacent thereto, or to be or remain therein, or admit or allow to remain in any reputed house of prostitution or assignation, or in any place where opium or any preparation thereof, is smoked, or where any (~~narcotic drugs~~) controlled substance is used, any persons under the age of eighteen years; or,

(4) Shall sell or give, or permit to be sold or given to any person under the age of (~~twenty one~~) nineteen years any intoxicating liquor, or to any person under the age of eighteen years any cigar, cigarette, cigarette paper or wrapper, or tobacco in any form; or

(5) Shall sell, or give, or permit to be sold or given to any person under the age of eighteen years, any revolver or pistol; Shall be guilty of a gross misdemeanor.

It shall be no defense to a prosecution for a violation of this section that the person acted, or was believed by the defendant to act, as agent or representative of another.

Sec. 2. Section 1, chapter 38, Laws of 1967 and RCW 66.12.110 are each amended to read as follows:

A person (~~twenty one~~) nineteen years of age or over may bring into the state from without the United States, free of tax and markup, for his personal or household use such alcoholic beverages as have been declared and permitted to enter the United States duty free under federal law.

Sec. 3. Section 7, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 15, Laws of 1971 ex. sess. and RCW 66.16.040 are each amended to read as follows:

Except as otherwise provided by law, an employee in a state liquor store may sell liquor to any person over the age of (~~twenty one~~) nineteen years for beverage purposes and may also sell to holders of permits such liquor as may be purchased under such permits.

Where there may be a question of a person's right to purchase liquor by reason of his age, such person shall be required to present any one of the following officially issued cards of identification which shows his correct age and bears his signature and photograph:

(1) Liquor control authority card of identification of any state.

(2) Driver's license of any state or "identocard" issued by the Washington state department of motor vehicles pursuant to RCW 46.20.117.

(3) United States active duty military identification.

(4) Passport.

The board may adopt such regulations as it deems proper covering the acceptance of such cards of identification.

No liquor sold under this section shall be delivered until the purchaser has paid for the liquor in cash.

Sec. 4. Section 3, chapter 67, Laws of 1949 as last amended by section 4, chapter 15, Laws of 1971 ex. sess. and RCW 66.20.180 are each amended to read as follows:

A card of identification shall be presented by the holder thereof upon request of any licensee for the purpose of aiding the licensee to determine whether or not such person is at least (~~twenty one~~) nineteen years of age when such person desires to procure liquor from a licensed establishment.

Sec. 5. Section 6, chapter 67, Laws of 1949 as last amended by section 7, chapter 15, Laws of 1971 ex. sess. and RCW 66.20.210 are each amended to read as follows:

No licensee or the agent or employee of the licensee shall be prosecuted criminally or be sued in any civil action for serving liquor to a person under (~~twenty one~~) nineteen years of age if such person has presented a card of identification in accordance with RCW 66.20.180 as now or hereafter amended, and has signed a certification card as provided in RCW 66.20.190.

Such card in the possession of a licensee may be offered as a defense in any hearing held by the board for serving liquor to the person who signed the card and may be considered by the board as evidence that the licensee acted in good faith.

Sec. 6. Section 2, chapter 70, Laws of 1955 and RCW 66.44.270 are each amended to read as follows:

Except in the case of liquor given or permitted to be given to a person under the age of ~~((twenty one))~~ nineteen years by his parent or guardian for beverage or medicinal purposes, or administered to him by his physician or dentist for medicinal purposes, no person shall give, or otherwise supply liquor to any person under the age of ~~((twenty one))~~ nineteen years, or permit any person under that age to consume liquor on his premises or on any premises under his control. It is unlawful for any person under the age of ~~((twenty one))~~ nineteen years to acquire or have in his possession or consume any liquor except as in this section provided and except when such liquor is being used in connection with religious services.

Conviction or forfeiture of bail for a violation of this section by a person under the age of ~~((twenty one))~~ nineteen years at the time of such conviction or forfeiture, shall not be a disqualification of such person to acquire a license to sell or dispense any liquor after such person shall have attained the age of ~~((twenty one))~~ nineteen years.

Sec. 7. Section 3, chapter 70, Laws of 1955 and RCW 66.44.280 are each amended to read as follows:

Every person under the age of ~~((twenty one))~~ nineteen years who makes application for a permit shall be guilty of an offense against this title.

Sec. 8. Section 4, chapter 70, Laws of 1955 as amended by section 1, chapter 49, Laws of 1965 and RCW 66.44.290 are each amended to read as follows:

Every person under the age of ~~((twenty one))~~ nineteen years who purchases or attempts to purchase liquor shall be guilty of a violation of this title.

Sec. 9. Section 1, chapter 78, Laws of 1941 and RCW 66.44.300 are each amended to read as follows:

Any person who invites a minor into a public place where liquor is sold and treats, gives or purchases liquor for such minor, or permits a minor to treat, give or purchase liquor for him; or holds out such minor to be over the age of ~~((twenty one))~~ nineteen years to the owner of the liquor establishment shall be guilty of a misdemeanor.

Sec. 10. Section 36-A added to chapter 62, Laws of 1933 ex. sess., by section 1, chapter 245, Laws of 1943 and RCW 66.44.310 are each amended to read as follows:

(1) It shall be a misdemeanor,

(a) To serve or allow to remain on the premises of any tavern any person under the age of ~~((twenty one))~~ nineteen years;

(b) For any person under the age of ~~((twenty one))~~ nineteen years to enter or remain on the premises of any tavern;

(c) For any person under the age of ~~((twenty one))~~ nineteen years to represent his age as being ~~((twenty one))~~ nineteen or more years for the purpose of securing admission to or remaining on the premises of any tavern.

(2) The Washington state liquor control board shall have the power and it shall be its duty to classify the various licenses, as taverns or otherwise, within the meaning of this title, except bona fide restaurants, dining rooms and cafes serving commercial food to the public shall not be classified as taverns during the hours such food service is made available to the public.

Sec. 11. Section 1, chapter 38, Laws of 1969 ex. sess. and RCW 66.44.340 are each amended to read as follows:

Employers holding class E and/or F licenses exclusively are permitted to allow their employees ~~((, between the ages of eighteen and twenty one years,))~~ eighteen years of age or over to sell beer or wine in, on or about any establishment holding a class E and/or class F license exclusively: ~~((PROVIDED, That there is direct supervision by an adult twenty one years of age or older in an adjacent check stand.))~~ PROVIDED, That minor

employees under the age of eighteen may make deliveries of beer and/or wine purchased from licensees holding class E and/or class F licenses exclusively, when delivery is made to cars of customers adjacent to such licensed premises but only, however, when the minor employee is accompanied by the purchaser.

NEW SECTION. Sec. 12. There is added to chapter 66.44 RCW a new section to read as follows:

Employers holding a class H license are permitted to allow their employees, who are eighteen years of age or older, to take orders for, to serve and sell liquor in any part of the licensed premises, and to perform clean-up work in any part of the licensed premises.

NEW SECTION. Sec. 13. The following acts or parts of acts are each hereby repealed:

(1) Section 2, chapter 49, Laws of 1965 and RCW 66.44.291; and

(2) Section 1, chapter 250, Laws of 1969 ex. sess. and RCW 66.44.315.

Passed the House February 17, 1973.

Passed the Senate March 1, 1973.

Approved by the Governor March 14, 1973.

EXPLANATORY COMMENT

Referendum Measure No. 36 filed in the office of the Secretary of State as of April 4, 1973.

Sponsor filed 79,389 supporting signatures as of June 7, 1973 to prevent newly enacted legislation (Chapter 100, Laws of 1973) from becoming effective law.

Signatures found sufficient. Measure then certified to the November 6, 1973 state general election for approval or rejection by the voters.

COMPLETE TEXT OF

Referendum Bill

32

CHAPTER 199, LAWS OF 1973

(43rd Leg., 1st Ex. Sess.)

Ballot Title as issued by the Attorney General:

Shall county auditors be required to appoint precinct committeemen of major political parties as deputy voting registrars upon their request?

LEGISLATIVE TITLE

(Substitute House Bill No. 894)

VOTER REGISTRATION—PRECINCT COMMITTEEMEN—REGISTRATION AUTHORITY

AN ACT Relating to elections, voting, and voter registration; amending section 29.07.010, chapter 9, Laws of 1965 as amended by section 4, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.010; adding a new section to chapter 29.07 RCW; repealing section 29.07.040, chapter 9, Laws of 1965, section 6, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.040; and providing for a referendum.