

**H**undreds of junior and senior high school students from across Texas gathered at Stephen F. Austin University in Nacogdoches and Texas Christian University in Fort Worth during July for the MADD/TABC "Power Camps." This year the TABC partnered with MADD in conducting the camps for young leaders interested in learning about successful prevention strategies to target substance abuse.

In a letter to camp participants, Governor George W. Bush, Jr. noted that "many of the threats facing young people today are not a matter of chance but a matter of choice. Texans under the age of 21 must understand that alcohol and drug use is never a right choice. It is illegal and wrong, and driving under

the influence or getting into a car with someone who has been drinking or taking drugs, can be a fatal mistake. I applaud

Hamilton. The camps featured interactive skills clinics, family group sessions, "power" panels and presentations by some of

in cosponsoring these camps in an attempt to create greater public awareness of the problems associated with



underage drinking and reach out to young leaders to solicit their input on approaches to address this problem. "These young people can truly make a difference in their schools and their communities and we want to work with them in developing educational initiatives that truly work," says Hamilton.

In his letter to the campers, Administrator Doyne Bailey challenged each camper to "tackle the problems associated with underage drinking in a creative and powerful manner. We pledge to you our continued efforts to target these problems aggressively and without compromise."

"MADD is committed to helping young people advocate for lifestyles that are free from alcohol use and reaching young people today to avoid tragedies tomorrow. We look forward to a strong and productive partnership with these camps in the years to come," says Hamilton. ♦

the student leaders attending this camp for your eagerness to tackle the problem of youth substance abuse."

The camps also drew a delegation from South Africa and representatives from Louisiana, Hawaii, Nebraska and Washington.

"As the name implies, the Power Camps are designed to empower youths to not only take a stand against drugs and alcohol abuse, but also to raise the level of awareness about the dangers associated with substance abuse," notes Enforcement Chief Greg

the leading motivational speakers in the country today. Participants were offered sessions on self-esteem, crisis intervention, media relations, binge drinking, DWI awareness, zero tolerance and other laws that govern underage drinking.

"It's hard to describe the level of energy and enthusiasm displayed by the campers with each passing day. Many times this energy is fueled by the fact that these young people have seen close friends affected by drinking or drinking and driving," says Hamilton. He adds that TABC joined MADD

## Inside ♦♦♦♦♦

- ◆ At Issue ..... 2
- ◆ Laws ..... 3
- ◆ Rules ..... 3
- ◆ You Asked ..... 4

# Administrator's Corner



**B**ert Ford was mayor of McGregor, Texas and a state representative from McLennan County. In 1936 he was appointed to be the second administrator of the Liquor Control Board. During his tenure he promoted a cooperative spirit between the agency and the citizens it served.

In 1994, we decided that it was a fitting tribute to Mr. Ford to name an award after him and to use it to recognize people with whom we currently work that have demonstrated the benefits of cooperative efforts.

In a communication to all employees of the Texas Liquor Control Board which he issued on September 30, 1938 Mr. Ford said, "Over a period of years I have gathered the following pithy sayings which have appealed to me. I hope at least some of them will be of interest to you, and probably

beneficial." One of these pithy sayings was, "**Rejoice at other's success and study his methods.**"

The presentation of the three most recent Bert Ford Commendations makes that saying as meaningful today as it was sixty-one years ago.

Aramark Corporation, a national catering service, has taken a bold step in its service of alcoholic beverages at the Astrodome. In addition to carding every single buyer of alcoholic beverages they utilize a mystery shopper to check their employee compliance with this policy. They increase supervisory personnel for certain performances and solicit the cooperation of the local TABC agents in their campaign not to serve minors or people who are intoxicated. Reginald Davis, general manager, of Aramark said in his introduction of Joseph Pistone, area president, that Mr. Pistone made it very clear at a recent staff meeting that Aramark does not want to make one dime from the sale of alcoholic beverages to minors or people who are intoxicated. Sergeant Randy Donahoo and Agent Michael Lockhart recommended Aramark for

the recognition and a presentation was made recently in Houston.

Charles Sims of Spirits Liquor in San Marcos took extraordinary steps to protect his business against selling to minors and to keep minors from obtaining alcoholic beverages. He implemented his own version of Cops in Shops by hiring off duty deputy sheriffs to work under cover inside and outside his stores. Mr. Sims praises Sheriff Don Montague (another Bert Ford Commendation recipient) for his cooperation in the execution of the plan. According to his detailed records, the officers made an average of 1.4 arrests per hour and the highest percentage of those arrests were for incidents where adults made a purchase and delivered it to the minors in an adjacent parking lot. Mr. Sims received his commendation at this year's Texas Package Stores Association Meeting in Dallas.

Lieutenant Mannon Mints nominated Sheriff Mike Ratcliff of Victoria for the Bert Ford Commendation for a Texas Sheriff. Sheriff Ratcliff has been a driving force in the community effort to change attitudes about alcohol violations. In addition he has always been generous in sharing his resources for combined operations. Attorney General John Cornyn made the presentation to Sheriff Ratcliff on behalf of the TABC at the Sheriffs' Association of Texas annual conference held in El Paso.

We bring these businessmen and public servants to your attention in the hopes that you will help us "rejoice in their success" and "study their methods." ♦

*Doyne Bailey*



## AT ISSUE: SERVER TRAINING PROGRAM

**I**ncreasingly, there is a growing body of scientific research into the effectiveness of server-training programs and detection/intervention techniques. A comprehensive review of the rules governing the agency's seller-training program is currently being conducted by staff. In considering what changes can and should be made to the agency's regulatory structure, three goals have been identified: develop a program that promotes the adoption of responsible hospitality principles and practices; develop a program

characterized by knowledgeable, committed and competent alcoholic beverage seller-servers and develop a program that encourages the use of effective teaching techniques by qualified, competent staff. A series of discussions will be held with representatives from community groups, retailers and seller-server schools to solicit their input. Any additional suggestions and comments may be directed to the Server Training Section, Compliance Department at the Austin Headquarters. For more information contact Buck Fuller. ♦

# 76th Legislature Adopts Changes To Alcoholic Beverage Code

The winds of change are blowing again. Come September 1, 1999 there will be a few changes to the Alcoholic Beverage Code.

As previously reported, we will try and update changes in the Texas Alcoholic Beverage Code made by the 76th Legislature in this edition. The big news is that this session did not make any sweeping changes. There were 17 bills passed and signed into law amending the code this year. All become effective September 1, 1999.

Some of the major changes are listed below:

**HB 1814** changes the local option provision of the code to allow for the legal sale of mixed beverages in restaurants by food and beverage certificate holders only. This allows a city or other legal jurisdiction to call a local option for restaurants only to sell mixed beverages. If legalized, these establishments must qualify for a food and beverage certificate. The requirement for a petition to hold an election of this type was lowered from 35 percent of the registered voters to 25 percent and this type of election may be called in a city which resides in two or more counties as well as the normal city/county jurisdictions.

**HB 2856** does away with the arcane statutory limitation that prohibited the sale of over five (5) gallons of wine in any single transaction by a package store.

**HB 3598** requires the posting of public notices for on-premise locations that have not previously held a license or permit to sell alcohol. This notice must be posted **60 days prior** to making an application for a license or permit.

**SB 63** changes the expiration dates of all permits issued to a location so that they all expire on the same date rather than having secondary licenses that sometime expire at different times than the primary license.

**SB 222** prohibits the activity commonly known as "taxi dancing" where persons under the age of 18 dance with customers in exchange for payment.

**SB 603** allows holders of winery and wine bottler's permits in Texas to avoid putting up a bond if they establish a 36 month timely payment of excise taxes.

**SB 1102** allows certain permittees who sell wine up to 14% by volume to sell wine up to 17% under certain circumstances. This bill has some tricky language and the agency will be providing additional information on this to the affected permit holders since we must verify the wet-dry status for each account to make this change.

**SB 1676** changes an old prohibition in the code so it will now be legal to produce raisin wine.

To obtain copies of specific bills listed here or other actions of the Texas Legislature go to [www.capitol.state.tx.us/](http://www.capitol.state.tx.us/) on the Internet. ♦



## New Cigarette Taxation

Bringing back some cigarettes from Mexico? Be prepared to pay a \$.41 tax on each pack (\$.10 per carton) effective September 1, 1999. Under current law, a person who is 18 years of age or older is allowed to import one carton (10 packs) of cigarettes into the state from a foreign country without paying a tax. However, a measure adopted by the 76th Legislature amends the cigarette excise tax law by requiring persons to pay the cigarette tax for each pack of cigarettes.

"The new law requires TABC taxpayer compliance officers stationed at all major Texas-Mexico border crossings to affix a stamp on each individual package of cigarettes to show payment of the tax," notes TABC License & Compliance Director Jeannene Fox. The Office of the State Comptroller estimates that an additional \$4 million in cigarette excise taxes will be collected as a result of this new provision.

The TABC reminds citizens that taxpayer compliance officers are authorized to confiscate and destroy cigarettes in the possession of persons under the age of 18 years. ♦

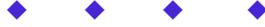
## Rules..Rules...Rules....

The agency is approximately halfway through its rule review project. The purpose of the project, which will last until December 2000, is to review all of the agency's rules to determine if they are necessary, or should be amended in some way. To date the agency has revised Chapters 31, 33, 35, 36, 37 and 39 of its rules. Between September and December 1999 the agency will be soliciting public comment about its rules contained in Chapters 41 and 43 of Title 16 of the Administrative Code. These chapters govern records and reports by licensees and permittees and accounting procedures. Comments on needed modifications to these rules should be submitted to the agency's General Counsel Lou Bright. ♦

**You Asked...** *questions about alcoholic beverage regulations*

***Are minors allowed to buy non-alcoholic beer in the State of Texas?***

Non-alcoholic beer, defined as being a malt beverage with an alcoholic content of 0.5% or less, is not considered an alcoholic beverage by the State of Texas. Minors can, therefore, buy products of this type.



***Does TABC have a list of pending applications?***

The TABC does not currently maintain such a list. All retail applications first go to the county judge's office in the county where the premises are located. Neighboring groups and other interested persons can contact the county judge's office providing addresses that they are interested in protesting and then the judge will notify them when an application comes in. Interested persons can also contact the TABC providing addresses they wish to protest and the TABC will notify the interested persons when an application is received.



***Is it legal to sell alcohol in bouquet arrangements? If so, what permits would be required to sell and transport the products to customers?***

It could be legal if: (1) you have the appropriate license/permit; (2) restrict your deliveries to areas where the sale of alcohol is legal; and (3) you make absolutely sure that no deliveries are made to persons who are intoxicated at the time of delivery or to persons under the age of 21. Contact your local TABC office for more information.



***Are there any regulations requiring the availability of food where alcohol is served?***

State law requires food service in private clubs, in on-premise establishments that are serving alcoholic beverages between the hours of 10:00 a.m. and noon on Sundays and in businesses that are trying to qualify for a food and beverage certificate. Details can be found in the Alcoholic Beverage Code.

Allan Shivers, Jr., Chairman  
Martha Dickie, Commissioner  
John T. Steen, Jr., Commissioner  
Doyle Bailey, Administrator

The *TABC Today* is an external publication of the Texas Alcoholic Beverage Commission. We welcome comments, suggestions and/or questions from our readers. To report a possible violation of the Alcoholic Beverage Code, call toll-free 1-888-THE-TABC (Voice/TDD).

**Editor: Rolando Garza**  
**Assistant: Merry Ruppert**

The Texas Alcoholic Beverage Commission is an equal opportunity employer and does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment, or in the provision of services, programs, or activities. In compliance with the Americans with Disabilities Act, this newsletter may be requested in alternative formats by contacting the TABC at (512) 206-3220, (512) 206-3270 (TDD), (512) 206-3350 (fax) or by writing Post Office Box 13127, Austin, Texas 78711-3127.

**TABC TODAY**



Texas Alcoholic Beverage Commission  
P. O. Box 13127  
Austin, Texas 78711-3127  
<http://www.tabc.state.tx.us>

