

# BOONE COUNTY LOCAL BALLOT INITIATIVE

To Allow the Sale and Manufacture of Alcoholic Beverages in Boone County, Arkansas.

## BALLOT TITLE:

To repeal the abolition of the sale and manufacture of intoxicating liquors within Boone County, Arkansas, and to allow the director of the Alcoholic Beverage Control Division of the State of Arkansas to grant licenses for the sale or manufacture of intoxicating liquor to include alcoholic beverages of every kind and type including, but not limited to, beer, vinous, spirituous and malt liquor within Boone County, Arkansas, pursuant to applicable Arkansas State Law and Regulations related to alcoholic beverages.

## Why is the initiative on the ballot?

Article 5 of the Constitution of the State of Arkansas provides initiative and referendum powers of the people to place measures on state and local ballots. The county initiative and referendum process is further governed by Arkansas Code (A.C.A. §§ 14-14-914 – 14-14-919). Voters of any county, through a petition process, may order a referendum upon any local measure. The number of signatures required is computed based on the total vote cast for the office of Circuit Clerk.

Local option elections regarding alcoholic beverages are further governed by Arkansas Code, Title 3. It states if the county clerk certifies that 38% of qualified voters have filed petitions calling for an election to determine whether or not licenses shall be granted for the manufacture, sale, or other distribution of intoxicating liquors, the question shall be placed on the ballot (A.C.A. § 3-8-205). On Friday, August 20, 2010, the Boone County Clerk's office certified that "Citizens for the Future of Boone County" had sufficiently met the signature requirement to place the issue on the ballot."<sup>1</sup>

## What would this ballot initiative do?

If passed, this initiative would legalize the sale and manufacture of alcoholic beverages in all of Boone County, subject to regulation and the issuance of permits by the Alcoholic Beverage Control (ABC) Division of the State of Arkansas and Arkansas Law.

**Conflict of Interest:** This fact sheet was prepared to provide the citizens of Boone County with information to help them in making an informed decision on Election Day. An effort has been made to ensure that information is presented in a fair and balanced way that best represents the facts associated with this ballot issue. As part of this effort, we are obligated to divulge potential conflicts of interest and to recognize their influence on the educational programs and material we produce. The University of Arkansas Division of Agriculture and Boone County Cooperative Extension Service office are partially funded by state and county general funds. As such, any law affecting revenues of the state or county has the potential to affect the Boone County Extension office.

<sup>1</sup> "Alcohol initiative certified for ballot; 350 above required total," HarrisonDaily.com, August 21, 2010.



## What state regulations govern alcoholic beverages?

Title 3 of Arkansas Code provides the legal basis for governance over the sale and manufacture of alcoholic beverages. It is accessible online at <http://www.lexis-nexis.com/hottopics/arcodes/>. It establishes regulatory oversight by the Alcoholic Beverage Control Board and Alcoholic Beverage Control Division and enforcement of laws by circuit judges and the Department of State Police. ABC rules and regulations are accessible online at <http://www.dfa.arkansas.gov/offices/abc/>.

## What is the “wet-dry” status of other counties in Arkansas?

The map below shows the unofficial status of counties in Arkansas as reported by the Alcohol Beverage Control Division of the Arkansas Department of Finance and Administration. In a wet county, the retail sale and manufacture of alcoholic beverages is legal. In dry counties, only a private club permit may be issued. In recent years, the number of private clubs in dry counties has increased.



\* Underlined county names on the map indicate wet counties with dry areas, such as townships or cities.

Source: <http://www.dfa.arkansas.gov/offices/abc/rules/Pages/UnofficialLocal.aspx>

**The following statements, with no validation of accuracy, represent what supporters and opponents of this ballot initiative say. The University of Arkansas or the Boone County Extension Office does not endorse or in any way validate these statements.**

### **What do supporters say?**

Citizens for the Future of Boone County has formed and registered with the Secretary of State's office to place this measure on the ballot. Supporters say:

- Sales of distilled spirits and other alcoholic beverages are a sizable source of economic activity, including revenue and jobs. Currently, Boone County is losing an estimated \$10 million per year in package store sales. Using an economic multiplier of six to account for indirect and other economic impacts, this represents approximately \$60 million in lost business revenue.
- Legalizing the manufacture and sale of alcohol will increase tax revenue to provide needed services in Boone County. It is estimated that seven out-of-county liquor stores are selling primarily to Boone County residents, which represents an estimated \$200,000 in lost city and county tax revenue.
- Being dry is a deterrent to most prospective new residents as well as prospective employers. In particular, having legal sale of alcohol will make it more feasible and economically attractive to open and operate restaurants in the county. Having more downtown restaurants has been identified as a key revitalization factor to help ease the flow of diners to Branson and create more economic opportunities locally.
- Studies, including one in nearby Texas, show that DWI citations and DWI-related fatalities are actually higher in dry counties than wet counties.

### **What do opponents say?**

Citizens for Responsive Government has formed and registered with the Secretary of State's office to oppose this measure. Opponents say:

- Whatever local tax revenue increases that do occur from the sale of alcoholic beverages are more than offset by the increased need for various social services. It is estimated for every dollar of local tax revenue generated by the sale of alcohol, the local government and other related social services will have to spend \$12.80 to cover the increased need for social services.
- Exposing youth to more advertising and easier access to the purchase of alcohol will encourage young people to drink more. National statistics and studies show that alcohol is a gateway drug, which may lead to the use of or the increased use of other illegal drugs.
- Making Boone County wet will not bring in the "big chain" restaurants that have been promised. It is not difficult to get a liquor license in Boone County. Those restaurants could already be here if they wanted to be. Whether Boone County is wet or dry is a nonissue for them. Those restaurant chains determine their location based on population density and year round traffic flow.
- According to Arkansas State Police Annual Traffic Statistics regarding DWI/drug-related fatalities as a percentage of total fatalities, Boone County has a ten-year decrease of 65%, while neighboring Carroll County has a ten-year increase of 600% and Arkansas overall has an increase of 44%.

### **Where can I find more information?**

A sample ballot can be accessed at [www.voterview.org](http://www.voterview.org) or by contacting the Boone County Clerk's office.

## **Exercising your voting privilege**

We live in a democratic society where voting is a privilege of citizenship. Democracy works best when informed citizens exercise their voting privilege. Election Day is November 2, 2010. Early voting begins on October 18, 2010. Please vote in this year's general election.

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