

**OMAHA COALITION MEETING**  
Wednesday, November 13, 2024  
9 a.m.

Please use to sign-in:



## AGENDA

- I. Welcome and Introductions
- II. Review of the October 9, 2024 Meeting Minutes  
*(please contact PEM staff with corrections)*
- III. Alcohol's Impact on the Nebraska Tribes Addressing Violence Coalition's Work  
*Kirby Williams, Executive Director*
- IV. Focus Area Updates
  - a. Local
    - i. Fred Zwonechek Celebration of Life on Friday, November 15<sup>th</sup> at 2:00 p.m. at the Butherus-Maser & Love Funeral Home (Lincoln, NE)
    - ii. Retail Alcohol Data Collaborative – January 9 - February 28
    - iii. Havana Garage
  - b. Policy
    - i. Interim Study
    - ii. LCC's Legislative Letter
  - c. Youth
    - i. YLN meetings with senators
    - ii. Leadership Network – Next meeting: November 18<sup>th</sup> at 7:00 p.m.
  - d. Awareness
    - i. November Research Summary available at [www.projectextramile.org](http://www.projectextramile.org)
    - ii. *Drinking is cheaper than it's been in decades. Lobbyists are fighting to keep it that way* (STAT News)
- V. Additional Discussion/Announcements
- VI. Adjournment and Next Meeting Date: **December 11<sup>th</sup>, 9 a.m.**  
*UNO's Community Engagement Center, Room 209*

### IMPORTANT UPCOMING EVENTS

Youth Leadership Network Meeting – November 18, 2024  
Nebraska Liquor Control Commission Hearings – December 3, 2024  
PEM's 30<sup>th</sup> Anniversary Recognition Dinner – March 12, 2025

## PROJECT EXTRA MILE

### OMAHA METRO AREA COALITION MEETING MINUTES

October 9, 2024

- I. Call to Order: Chris Wagner called the meeting to order at 9:00 a.m.
- II. Welcome and Introductions: Coalition members and speakers in attendance: Sharona Ernst, Sara Achelpohl, Mike Jones, Jeremy Welsch, Jeremy Leifeld, Ashley Meyers, Ashley Pick, Palistene Gray-Moore, Maggie Ballard, Daniel Rubin, Jordan Cedillo, Neil Cover, Toby Czapla, Lindsey Fox, Chris Foster, and Jeff Curry. Coalition members in attendance via Zoom: Elizabeth Woods, Jona Beck, Brian Ortner, Tom Safranek, Julie Chytil, Kathy Gonzalez, and Meaghan Wade. Staff members: Chris Wagner, Beatha Kliewer, and Liene Topko.
- III. Approval of Minutes: The minutes from the September 11<sup>th</sup> meeting were included in the coalition meeting packet. No additions or corrections were made.
- IV. Lancaster County DUI Court's Role in Preventing Impaired Driving: Jeff Curry, Chief Probation Officer with the Lancaster County DUI Court, shared that their program is currently a pilot program, started in June 2021. Those eligible must have a 3<sup>rd</sup> or 4<sup>th</sup> felony DUI offense. The program has graduated 53 individuals, with two reoffending since their graduation, 6-7 others were terminated for a variety of reasons. Participants take around 18-21 months to complete the five-phase program. Curry shared that the county attorney is the 'gatekeeper' for who enters the program; individuals must undergo an alcohol evaluation and be determined to have a dependency problem or are at great risk for it. Participants undergo weekly drug testing and daily alcohol testing; they must also attend treatment and AA meetings. All participants plead guilty to their crime as a condition of being enrolled in the program. Should they fail to complete the program, they are sentenced based on that guilty plea. If they successfully complete the program, the offense is reduced to a DUI first so that if they reoffend the history of DUI offenses and progressive penalties are not erased/reduced.
- V. Focus Area Updates
  - a. Local
    - i. Chris Wagner shared updates on two motor vehicle fatalities in Omaha where the drivers were under the influence of alcohol.
  - b. Policy
    - i. Wagner updated the coalition that the University of Nebraska Board of Regents voted to permanently allow alcohol sales at all university athletic events. After the initial ban was lifted, alcohol sales were determined on a case-by-case basis. PEM and three others opposed the item at the hearing citing concerns of underage drinking and sales to intoxicated. Wagner recommended limiting the drink number and size, tamper-proof wristbands, and allowing law enforcement to conduct compliance checks.
  - c. Enforcement
    - i. The Enforcement Work Group will meet following the coalition meeting.

- d. Youth
    - i. The Youth Leadership Network will meet on Monday, October 21<sup>st</sup> at 7:00 p.m. Coalition members were encouraged to share the information with youth they know and work with to increase group membership.
  - e. Awareness
    - i. The October Research Summary is available at [www.projectextramile.org/ResearchSummary](http://www.projectextramile.org/ResearchSummary)
- VI. Additional Discussion/Announcements: Chris Wagner announced that Chris Foster is this year's Extra Mile Day winner for all this does with the coalition and in his community. Maggie Ballard with Prevention Means Progress shared that October is breast cancer awareness month and the alcoholic products with pink ribbons are misleading as alcohol increases the risk of breast cancer in women. Liene Topko shared that the UNO Community Engagement Center is hosting an Open House on November 4<sup>th</sup> at 2-4 p.m. for community members to build collaboration with UNO and community partners.
- VII. Adjournment and Next Meeting Date: The meeting was adjourned at 10:00 a.m.



**Jim Pillen**  
Governor

# STATE OF NEBRASKA

**NEBRASKA LIQUOR CONTROL COMMISSION**

**Robert B. Rupe**  
Executive Director

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UPDATED

November 7, 2024

The Honorable Jim Pillen  
Governor of Nebraska  
and Senators of the Legislature  
State Capitol Building  
Lincoln NE 68509

Dear Governor Jim Pillen and Senators,

Pursuant to Neb. Rev. Stat. §53-117(9) it is the duty of the Nebraska Liquor Control Commission "to investigate the administration of laws in relation to alcoholic liquor in this and other states and to recommend to the Governor and through him or her to the Legislature amendments to the Act". The following are our recommendations. Although listed numerically, we believe them to be equally important to further the health, safety, and welfare of the people of Nebraska through the regulation of alcoholic beverages.

1. MANDATORY EDUCATION

The Commission believes that mandatory server training as well as mandatory education for bar owners or bar managers would be a benefit to the overall industry in the area of compliance and information which would lead to benefits for the safety and welfare of the general public. The Commission has seen an increase in violations in the sale of alcohol to minors and in the sale to intoxicated individuals. The Commission feels that mandatory server training will help address this alarming increase in those violations. With the implementation of POSSE, we would have the ability to have our own Education program. Statutory language would need to be updated so fees can be collected from a customer and paid out to the vendors.

2. ALLOW WHOLESALERS TO OBTAIN SHIPPING LICENSES

Currently, Out of State Wholesalers ship alcoholic products from their wholly owned entities to their licensed Wholesale entities in Nebraska. These Out of State Wholesalers do not currently have the ability to obtain licenses. The Commission would like these out of state Wholesalers to obtain a shipping license, so the Commission would have the ability to know what alcoholic products are shipped between these wholesale entities and to ensure all taxes are being paid.

**Kim Lowe**  
Commissioner

**Bruce Bailey**  
Chairman

**Harry A. Hoch**  
Commissioner

3. UPDATE THE BRAND REGISTRATION ACT: EXEMPT OUT OF STATE RETAILERS FROM BRAND REGISTRATION AND CREATE A RENEWAL FEE.

Nebraska allows out of state retailers to ship to Nebraska residents. These products will often be in the marketplace already and it makes sense to exclude out of state retailers from having to register brands as they are not the original importer nor a shipper of a domestically produced product.

In the original drafting of the Brand Registration Act, a renewal fee was assumed, and the Commission believes that it can charge a renewal fee. However, other parties are of the opinion that since a renewal fee was not specifically stated then a renewal fee may not be charged. The Commission requests this confusion be corrected and that a reasonable renewal fee be implemented by statute.

4. TECHNICAL UPDATES TO THE LIQUOR CONTROL ACT

The Commission has adopted and implemented a new agency wide computer managed system called POSSE. In anticipation of that adoption technical updates were implemented. Since implementation we have identified some areas that were missed or not considered. Changes to Neb. Rev. Stat. 53-124(2)(2), 53-130 (1)(1), 53-134 (7), and 53-131.01 are needed.

5. A. 3<sup>rd</sup> PARTY DELIVERY PERMITS: TO CONSUMERS

There have been issues with third parties taking possession of alcohol and making deliveries for retail licensees. The Commission's lack of authority over these entities is concerning. The Commission believes that those delivering alcohol should have a permit to ensure compliance with training and age requirements.

B. 3<sup>RD</sup> PARTY DELIVERY PERMITS: TO RETAILERS AND PRIVATE CARRIERS TRANSPORTING WITHIN THE STATE

Neb. Stat. 53-192 allows a person or common carrier to haul/transport alcoholic liquor as long as the required labeling or gauging fee, tax, duty, or license is paid, either in this state or the state where such alcoholic liquor was purchased. The Commission, based on 53-192, has determined private carriers are acting as authorized agents of the underlying liquor license holder and are not required to be permitted by the Commission to transport alcoholic beverages from the Nebraska wholesale distribution warehouse to the Nebraska retail liquor license holder or from the U.S. supplier/importer to the Nebraska wholesale distribution warehouse. However, the Commission has identified enforcement issues with private transport carriers such as multiple cases of alcoholic beverages becoming missing. The Commission has no jurisdiction to provide enforcement. Creating a requirement for these carriers to obtain a permit to transport alcoholic beverages would allow the Commission to have enforcement jurisdiction and would provide additional verification of taxable quantities. The Commission has seen an increase in improperly delivered products and alleged theft by the third part delivery companies.

6. AUCTIONS OF ALCOHOL REQUIRE A PERMIT

The Commission requests statutory authority to permit auctions and auction companies to sell alcoholic beverages if they are part of the auction and the Commission to create rules and regulations in this area. The Commission only anticipates a nominal fee for this permit.

7. INTOXICATING HEMP SHOPS/VAPE SHOPS

Since the change allowing hemp-based products to be sold in Nebraska. The Commission has seen an explosion of shops selling these unregulated products that contain THC of 3% or less. This marketplace is completely unregulated yet allows the sale of a mind-altering product which has similar characteristics to alcohol. Many other states are grappling with this issue as well and placing the retailers and manufactures under the regulation of alcohol beverage control agencies. The Commission believe that Nebraska should follow in those footsteps. Our new software would allow the Commission to readily expand its ability to regulate these products.

8. CANNABIS

If Nebraska makes the decision to allow recreational and/or medical cannabis, the Commission believes it should be regulated in a similar fashion to alcohol and that the Commission should regulate the product. The CAMP project will allow the Commission to effectively license and enforce Cannabis regulation.

9. ADDITIONAL NEBRASKA STATE PATROL INVESTIGATORS

The Nebraska State Patrol (Neb. Rev. Stat. 53-117(3)) provides principal investigation and enforcement services to the Commission. There are currently six (6) full time positions assigned to this division. However, more enforcement resources are needed especially in the urban areas with the highest number of licensed locations. The Commission requests that the NSP Liquor Investigators be increased to nine (9) positions with those positions being assigned to Troop H and Troop A. Nebraska alcohol investigators are carrying a much higher licensee to investigator ratio than most other states and an increase in higher populated troops areas should help address that concern.

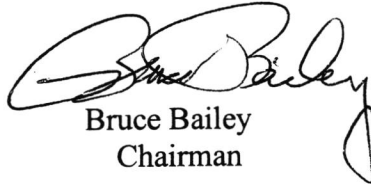
Thank you for your consideration of our recommendations. We will work with you on the drafting of language or provide you with any further information that is requested.

Sincerely,

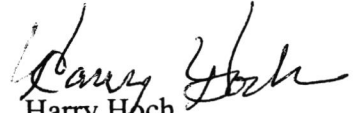
NEBRASKA LIQUOR CONTROL COMMISSION



Kim Lowe  
Commissioner



Bruce Bailey  
Chairman



Harry Hoch  
Commissioner

# YOUTH LEADERSHIP NETWORK

COMMUNITY ENGAGEMENT. ADVOCACY. AWARENESS. ACTION

## READY TO MAKE A DIFFERENCE IN YOUR COMMUNITY?



Youth in grades 8-12 in the Omaha Metro Area are invited to join Project Extra Mile's Youth Leadership Network. Members will learn about the harms of excessive alcohol use in our community, develop the leadership skills needed to make real change, and put those skills into action!

## FOCUSING ON EVERYTHING YOU NEED TO LEAD



Project Extra Mile has been creating community change for over 25 years and we are passionate about reducing alcohol-related harms in our community. In the Youth Leadership Network, we focus on teaching and practicing the skills needed to create change. Youth will receive expert guidance on projects that will utilize media literacy, public speaking, advocacy, problem-solving, and community organizing skills that they'll develop from this initiative.

## A YOUTH-LED APPROACH



We're serious about youth leadership, which is why all projects are planned and developed by the youth themselves. Youth projects over the last couple years have included hosting a town hall, meeting with state senators, creating media campaigns to raise awareness, and more!

**MEET AND LEARN FROM LOCAL AND STATE POLICYMAKERS**

**CREATE YOUR OWN MEDIA CAMPAIGNS**

**LEARN HOW TO USE YOUR INDIVIDUAL LEADERSHIP STYLE**

**MEET NEW FRIENDS AND DEVELOP SKILLS TO LAST A LIFETIME**







**GROW YOUR LEADERSHIP SKILLS AND MAKE FRIENDSHIPS THAT LAST A LIFETIME**

## **YOUTH LEADERSHIP NETWORK FALL MEETING SCHEDULE**

**JANUARY 28, 2025  
7-8 P.M.  
UNO CEC**

**FEBRUARY 24, 2025  
7-8 P.M.  
UNO CEC**

**RECOGNITION DINNER  
MARCH 12, 2025**

**YOUTH ADVOCACY DAY  
AT THE STATE CAPITOL  
APRIL 11, 2025**

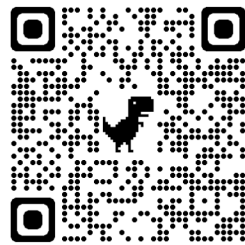
**APRIL 21, 2025  
7-8 P.M.  
UNO CEC**

**EXTRA MEETINGS  
AS NEEDED**

**YOUTH LEADERSHIP  
RETREAT  
JUNE 2025**

## **HOW TO JOIN**

The Youth Leadership Network is open to all Omaha-area youth in grades 8 through 12 who want to grow as leaders and are interested in preventing alcohol-related harms in our community with the skills they develop. To indicate your interest in joining us for our next meeting, please fill out the form using the QR code below. YLN is completely free to join!



**Register here!**

## **WHERE WE MEET**

The Youth Leadership Network meetings are held once a month at the Barbara Weitz Community Engagement Center (CEC) on the University of Nebraska-Omaha campus at 6400 Dodge Street, Omaha, NE. Parking is free and food and drinks are provided at each meeting (must register for food).

## **LEARN MORE!**

To learn more about the Youth Leadership Network, please visit [www.projectextramile.org/youth](http://www.projectextramile.org/youth) or contact us at [youth@projectextramile.org](mailto:youth@projectextramile.org) or (402) 963-9047

Find us on:





**RESEARCH SUMMARY**  
Date Compiled: November 2024

**Key takeaways from included research:**

- A research team in England examined time trends in alcohol expenditure among risky drinkers 2014-2023 to determine whether trends are impacted by changes in prices paid or volumes purchased. They found that the average expenditure on alcohol each week fluctuated with a notable decrease around the beginning of the COVID-19 pandemic in 2020 and an increase when restrictions were lifted. Patterns were driven by changes in price paid rather than consumption changes.
- A previous study found that cognitive behavioral therapy for insomnia (CBT-I) reduced alcohol-related problems among veterans. This follow-up study tested whether changes in negative emotionality could explain how improvements in insomnia symptoms led to better alcohol-related outcomes. They found that CBT-I did not improve negative emotionality, however both treatment conditions decreased insomnia symptoms which predicted decreases in alcohol cravings and heavy drinking.
- A new study assessed the relationship between mobile health (mHealth) technology use frequency and alcohol use outcomes. They found that participants used mHealth technologies (breathalyzer device/app, blood alcohol content estimator app, drink counting via text message) on 68% of drinking days. Analysis revealed that a higher percentage of study days with mHealth technology use was related to higher average weekly drinks, however a higher percentage of drinking days with mHealth technology use was related to lower average weekly drinks, percent of heavy and high intensity drinking days, and negative consequences. Researchers concluded that normalizing mHealth technology use could help curb the public health crisis around harmful alcohol use.
- A research team evaluated the incidence and proportional incidence of hospitalizations involving alcohol withdrawal syndrome (AWS) in adult primary care populations. They found the incidence of hospitalizations involving AWS was 169 per 100,000 person-enrolled-years overall, but as high as 15,347 per 100,000 in patients with other alcohol-attributable diagnoses. AWS hospitalizations were especially common in male patients, younger age groups, and individuals with high-risk alcohol use.
- A longitudinal study examined racial/ethnic differences in association of drinking firsts at home and with parental knowledge with alcohol use outcomes among underage youth. Researchers determined that drinking at home and with parental knowledge were negatively associated with all outcomes and with no differences by race/ethnicity. However, for first heavy episodic drinking (HED), drinking at home was positively associated with drinking frequency, especially for Black youth, parental knowledge of the first HED experience was significantly associated with greater alcohol use frequency and quantity later in life.

## More than 100 members of Congress call for US to ‘suspend’ controversial health study on alcohol

Written by Lisa Fickenscher

More than 100 members of Congress have called for the US government to “suspend” an influential study about the health risks of alcohol – as beer, wine and liquor makers raised concerns that a panel doing the research is staffed by anti-alcohol activists.

In a letter this week, US lawmakers including New York Reps. Nicole Malliotakis and Mike Lawler seized on the fact that the study is being conducted by a group called the Interagency Coordinating Committee on the Prevention of Underage Drinking — or ICCPUD.

Alcohol executives fear that the study could include tough recommendations against alcohol use as it advises on the US government’s Dietary Guidelines for Americans, which are due for a regular five-year update in 2025.

“There would be a ripple effect if the guidelines change and consumers could reduce their consumption of alcohol,” Michael Kaiser, executive director of trade group WineAmerica, told The Post. “People will buy fewer bottles for consumption at home and might wait until they go out on the weekend.”

Health and Human Services hasn’t publicly commented on its decision to hire ICCPUD for the study, and didn’t respond to The Post’s requests for comment.

“HHS has offered no explanation and that’s the heart of the problem,” Kaiser said. “All signs point to the anti-alcohol movement.”

The lawmakers – many of them from beer-, wine- and liquor-producing states including California, Washington and Kentucky – ripped “the secretive process at ICCPUD” and claimed the group’s researchers “were not appropriately vetted for conflicts of interest,” according to the Monday letter to Health and Human Services Secretary Xavier Becerra and USDA Secretary Thomas Vilsack.

Among the researchers is Dr. Tim Naimi, who has previously recommended that adult males consume no more than one drink a day — down from the two drinks a day that have been recommended since 1980 by the US government’s Dietary Guidelines for Americans. The DGA recommends one drink per day for women.

Others on the six-member DGA panel include Jürgen Rehm, senior scientist at the Center for Addiction and Mental Health; and Kevin Shield, a scientist who runs a World Health Organization center on addiction.

Last year, a WHO report concluded that “no level of alcohol consumption is safe for our health” — the first such dire warning from the influential global nonprofit.

Among the letter’s signatories is Rep. James Comer (R-Ky.), who subpoenaed documents from the USDA on Sept. 30 demanding more transparency from the agency on how ICCPUD’s findings were gathered and will be used to set new dietary guidelines.

A week later, 110 members of Congress asked both the USDA and HHS to scrap ICCPUD’s study entirely, noting that another group – the National Academies of Science, Engineering and

Medicine, or NASEM – has long handled research on alcohol consumption and also has been conducting a study that Congress had authorized.

They also griped that “interested stakeholders have had limited opportunities to comment and track all but one public meeting held in early August.”

Another trade group representing booze makers –The Distilled Spirits Council of the United States – accused ICCPUD of “overreach” and pushing an agenda from “biased anti-alcohol advocates.”

“We want it done like it’s always been done,” Kaiser said of NASEM’s decades-old role shaping alcohol recommendations.

Not all of the scientific community is lining up against alcohol.

“It’s tempting to assume that because heavy alcohol consumption is very bad, lesser amounts must be at least a little bad. But the science isn’t there,” according to a Harvard Public Health editorial in August.

In the 1980s and 1990s the wine industry – especially red wine – benefitted from research showing that drinking vino was healthy, “now the pendulum has swung so far in the opposite direction that contemporary narratives suggest every ounce of alcohol is dangerous,” according to the editorial.

“Now, we’re told you can die from drinking a glass at lunch,” wine importer Michael Yurch complained in an interview with The Post. “Why all of a sudden is it so bad for you?”

Wine consumption worldwide declined by 4% last year to a 27-year low as consumers were stung by higher prices due to inflation and as wine lost market share to spirits, industry experts say.

Consumption of spirits in the U.S. was down 3% and beer down 3.5% for the first seven months of 2024, according to IWSR, a global drinks data and analytics firm.

Younger people drink less than previous generations, according to reports, while non-alcoholic beverages are seen as a fast growing niche market. The legalization of marijuana in many states has also contributed to lower alcohol sales, experts say.

## **SEC threatens to end alcohol sales at Texas after disruptive fan behavior**

Written by Andrew Boardwine

The Southeastern Conference (SEC) handed down a \$250,000 fine to the University of Texas after fans disrupted the October 19, 2024, football game against Georgia Bulldogs.

The SEC cited a "significant breach of sportsmanship" after some fans threw debris onto the field, causing a lengthy delay and potentially endangering both players and officials. Although the game itself took a dramatic turn in Texas's favor, with an officiating reversal leading to a touchdown, the aftermath of the incident is where the real consequences lie.

With fans upset by a pass interference call, water bottles, beer cans, and other objects began raining down onto the field, forcing a halt in play. Texas head coach Steve Sarkisian personally had to intervene, heading to the end zone to calm the crowd and ask for the behavior to stop. Although the call was eventually reversed, allowing Texas to score and close the gap with Georgia, the damage had been done.

In the end, it was still the Bulldogs who came out the victor with a 30-15 win.

The SEC isn't letting the situation slide, as the actions of the fans created a dangerous environment and violated the conference's strict policies regarding game management.

"The throwing of debris and resulting interruption of play that took place Saturday night cannot be part of any SEC event," said SEC Commissioner Greg Sankey. "The SEC is assigned responsibility by its membership to enforce its sportsmanship and game management policies and these actions are consistent with that oversight responsibility, including the financial penalty and mandated reviews."

In response, Texas must now comply with several SEC-imposed actions. Aside from the financial penalty, the university is required to use all available resources—such as security footage and stadium video—to identify those responsible for throwing objects.

Once identified, these individuals will be banned from attending Texas Athletics events for the remainder of the 2024-25 academic year. The university is also required to review and update its game management procedures, including its alcohol availability policies, to prevent similar incidents from happening again.

Perhaps the most significant repercussion Texas now faces is the potential loss of alcohol sales at its athletic events. While the SEC has not yet suspended Texas's alcohol sales, the threat is very real.

If Texas doesn't meet the requirements set forth by the SEC, the university risks having alcohol privileges revoked entirely. This would deal a considerable blow, especially to revenue. The SEC's rules clearly state that if alcohol sales contribute to game management problems, like in this case where beer cans were used as projectiles, it will lead to immediate consequences.

Texas must submit a formal report to the SEC, outlining its efforts to identify and penalize those responsible for the disruption and detailing its updated policies to ensure compliance with SEC standards.

Moving forward, Texas faces the challenge of keeping its fanbase in line while ensuring that future events remain safe and enjoyable for all attendees. The university now finds itself in a position where it must not only deal with the financial and logistical consequences but also face the possibility of major changes to the game-day experience if further incidents occur.

## Drinking is cheaper than it's been in decades. Lobbyists are fighting to keep it that way

Written by Isabella Cueto

For years, it has been a reliable way to cut back on the consumption of cigarettes and sugary drinks: raise taxes on them. So it might seem an obvious tactic to apply to alcohol, which contributes to untold injuries, diseases and deaths in the United States each year.

That's the thinking of advocates and state legislators across the country, who also see it as a way to pull in more revenue. But at virtually every turn — including in Nebraska, Colorado, Oregon and New Mexico — efforts to raise taxes on alcoholic beverages have been thwarted by the alcohol industry, a vast and powerful coalition of corporate conglomerates, mom-and-pop producers, retail stores, hospitality workers, trade associations and their lobbyists. The result is a population with mounting alcohol-related woes and an ever-cheaper, more accessible supply of drink.

Researchers found a glass of the cheapest spirit cost the average worker less in 2011 than at any time in the previous 60 years. Between the end of Prohibition and 2018, researchers estimate excise taxes on wine, beer and distilled spirits (which are often passed down to consumers) declined by over 65% from their starting rate.

### Decline in alcohol tax revenue

Annual revenue from alcohol excise tax in 2023 dollars

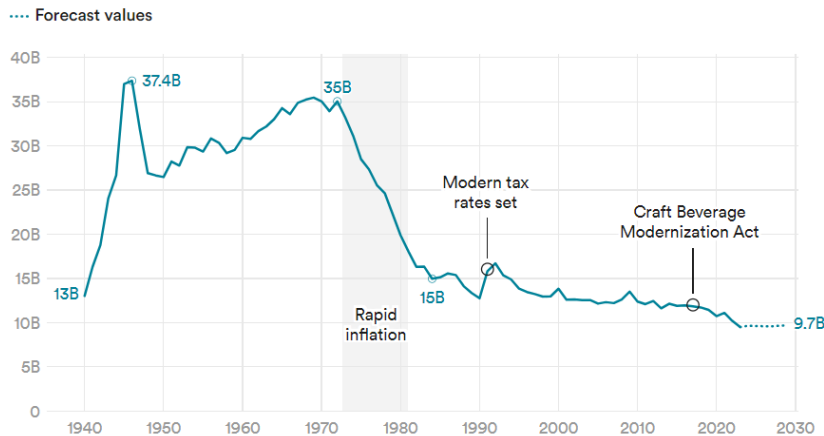


Chart: J. Emory Parker/STAT • Source: [Federal budget historical tables](#)

The cost of alcohol has dropped in part due to the cuts passed by the Trump administration, which slashed how much producers had to pay on the front end. But an important reason that state and local taxes on alcoholic drinks haven't even kept up with inflation is the alcohol industry's influence in statehouses and in contributing to political campaigns.

In Nebraska, for example, Gov. Jim Pillen was on a mission to slash property taxes by 50% and in his search for revenue, proposed quadrupling taxes on spirits. His plan to hike "sin" taxes on things like cigarettes and candy would have raised the excise tax on vodka, whiskey and other spirits from \$3.75 to \$14.50 per gallon, and generated an estimated \$200 million in new revenue for the state, on top of its budget of \$17.6 billion.

But when Pillen's idea to quadruple taxes went public in July, alcohol industry trade groups mobilized their tens of thousands of members in the state. Spirits United, an industry advocacy

group, blasted out marching orders and warned of “significant job loss” in Nebraska, and of local liquor stores losing business to bordering states if the tax increase passed. The Distilled Spirits Council of the U.S., a well-heeled national trade association, organized a campaign that led to more than 1,500 opposition letters sent to Nebraska senators. The Wine & Spirits Wholesalers of America got its members to send 6,000 emails.

By the end of a special session this past summer, the proposal had been gutted. Instead of increasing alcohol taxes, what emerged was a tax cut — a proposal to reduce the tax on spirits to \$2.75 per gallon for producers who made under 100,000 gallons per year, which includes every distillery in the state. In the end, alcohol taxes were dropped from the package.

“It’s kind of a joke,” Chris Wagner, a public health advocate who’s been trying for years to reduce alcohol-related harms in the state, told STAT. “The bill that would’ve done the most to raise revenue, it was essentially dead because they couldn’t get enough support.” Even an accompanying public hearing on alcohol taxes was indefinitely postponed.

The unraveling of Nebraska’s proposal mirrors the fate of similar efforts in other parts of the country.

In Colorado this spring, senators introduced a bill that would have imposed fees on alcohol in order to fund substance use disorder prevention, treatment and recovery. The funding mechanism would have collected about \$20 million per year, according to fiscal analysis by legislative staff. As soon as tax hikes were proposed, alcohol industry groups successfully lobbied to cut them, and mobilized brewers and other producers in-state to oppose the bill. In May, the legislation stalled without a clear path forward. Colorado has the second-lowest alcohol tax rate in the nation.

In Oregon, lawmakers have twice considered funding addiction treatment with an increase to beer and wine taxes — which are some of the lowest in the nation, and haven’t changed in decades. Their deliberations in 2023 were derailed by a scandal. Local reporters found that the state health authority had buried a report that showed increasing taxes wouldn’t make a dent in drinking problems. Then it was revealed that federal health officials questioned the report’s credibility, given its reliance on research funded by the alcohol industry.

An advisory panel meant to guide lawmakers’ decision on the alcohol tax failed to reach a consensus. Amid all the confusion, an industry PAC was throwing hundreds of thousands of dollars into the campaigns of top state officials, local news outlet Willamette Week reported.

With some notable exceptions, the industry and its allies have in recent years successfully smothered efforts in places with distinct political landscapes. Its strategy helps both to keep taxes low and maximize profits, and to discourage copycat attempts elsewhere, advocates say.

“They’re afraid if this happens in one place, it might happen in a lot of places,” Tiffany Hall, chair of the U.S. Alcohol Policy Alliance, a network of groups trying to reduce alcohol-related issues, said of the industry.

### *Loopholes, levies and less drinking*

Alcoholic beverages — including beer, wine, spirits and ready-to-drink cocktails — are taxed at the federal, state and local levels. But more and more, the issue of price is fought locally. Cuts in 2017 to federal excise taxes on alcohol were made permanent by Congress during the pandemic.



The Craft Beverage Modernization Act, the federal tax cut, was pitched as a way to help small producers. However, the alcoholic beverage industry is increasingly consolidated, with large conglomerates swallowing craft producers across the country. Loopholes in the law also allowed big producers to claim they made less alcohol than they did, granting them the reduced tax rate, said Adam Looney, a visiting fellow at Brookings and director of the Eccles Institute for Economics and Quantitative Analysis at the University of Utah.

“The ultimate beneficiary is not some artisanal local craftsman, but a multinational conglomerate,” he said. Data suggest the federal tax cuts mostly benefit large beer, wine and spirits producers, all while driving the price of drink lower.

(Alcohol taxes are one of a slate of proposals backed by Bloomberg Philanthropies’ Task Force on Fiscal Policy for Health. STAT receives funding from Bloomberg Philanthropies.)

There is by now overwhelming evidence that increasing the price of alcohol can decrease everything from alcohol-related car crashes to violence and sexually transmitted infections. It’s a policy based on basic economics: “When a product gets more expensive, people tend to buy less,” said Alex Wagenaar, a professor at Emory University’s Rollins School of Public Health.

After the Great Recession, several states increased their excise taxes on alcohol. Illinois passed the largest of those hikes. As a result, all drinkers, including heavy drinkers, reduced their purchases of alcoholic beverages, according to an analysis of 22,000 households’ buying habits before and after the tax change.

Higher taxes are one of the World Health Organization’s top recommendations for reining in alcohol-driven issues. Doing so in the United States could also be an economic boon. In 2022, staff of the Joint Committee on Taxation found raising all federal alcohol excise taxes to 25 cents per ounce of pure alcohol and indexing them for inflation could reduce the nation’s budget deficit. In 10 years, such a change could slash the deficit by \$114 billion, according to the report.

“I’m baffled that the public is so sanguine about it,” said Looney.

Advocates see it as a no-brainer: Reduce costs associated with alcohol while raising revenue to be used for substance use treatment or prevention or whatever else the citizenry wants. But they are also battling public perception of alcohol. People may see alcohol as harmful only in unusual or extreme circumstances — like wasted bar brawls or drunk-driving deaths — that don’t apply to them personally, Looney said.

However, data suggest when Americans do drink, many consume more alcohol than is recommended by health officials. An estimated 17% of adults binge drink, which means consuming four or more (women) or five or more (men) servings in one occasion. About a quarter of those who binge drink report doing so multiple times per month. Researchers found “excessive drinking” cost the U.S. nearly \$250 billion in 2010, the most recent year for which data are available. The median cost per state at the time was \$3.5 billion, and mostly driven by binge drinking.

“Everybody pays the costs in extra policing, and all the car crashes in our car insurance, we pay for it in our health insurance, all the cancers caused by drinking,” Wagenaar said. About 5% of cancer cases in adults over 30 are attributable to alcohol use, recent studies suggest.

Even just adjusting tax rates for inflation could have a substantial effect, experts say. But that requires going against alcohol companies with a business incentive to keep taxes low.

*Case study: Industry wins again*

The results of cheap alcohol are clearly visible in rates of heavy drinking, defined by the Centers for Disease Control and Prevention as more than one drink per day for women, or more than two drinks per day for men. Rates of alcohol-related injuries, diseases and deaths, some of which increased during the pandemic, are concerning public health officials. More people in the U.S. die every year of alcohol-related causes than of opioid overdose. Increasingly, alcohol is harming and killing young people — one in five deaths among people 20 to 49 years old is attributable to drinking, according to CDC data.

Nowhere is the toll more evident than in New Mexico. The state has for decades endured the highest rates of alcohol-related deaths in the country — up to three times the national average. In 2022, a seven-part series published in *New Mexico In Depth*, a local online publication, laid bare exactly how much alcohol was costing the state. The year after the series ran, the statehouse took up the issue and passed a small alcohol tax increase. Then Gov. Michelle Lujan Grisham, a Democrat, vetoed the legislation.

That sequence of events did not shock Dede Feldman, a former New Mexico senator who served for 16 years. While leading the health and human services committee, Feldman saw it as her ethical obligation to decline financial contributions from tobacco, pharmaceutical companies and, for a while, alcohol makers. She made an exception in the late '90s, when she wanted to increase driver's license requirements for teenagers. Feldman needed help from Anheuser-Busch InBev, the multinational giant that owns over 600 beer brands, including Corona and Budweiser.

"In New Mexico, it's all a question of personal relationships. We're a small state," she said. For decades, lawmakers didn't have staff to help with policy research and writing when they were out of session. Lobbyists, some of them former lawmakers themselves or representing clients on various issues, happily stepped in. "They are there to help you do everything from take your jacket to the dry cleaner to provide you with a brief on why the alcohol taxes should never be raised," said Feldman, who now works with the nonpartisan group Common Cause New Mexico.

The resulting cozy dynamic makes it extraordinarily difficult to combat special interests and resist the industry's influence, she said. That, along with money. Between 2013 and 2023, New Mexico legislators got nearly \$500,000 in contributions from the alcohol industry and its allies, according to a report Feldman co-wrote for Common Cause NM. In 2023 alone — when the tax increase was being considered anew — alcohol lobbyists spent an estimated \$75,000 entertaining representatives in both houses of New Mexico's Legislature, especially lawmakers on tax-related committees, she said. (Grisham, the governor, was a frequent recipient of campaign contributions from the industry.)

Owners of craft breweries, bars and restaurants flocked to the statehouse to oppose the bill, often pointing to the economic difficulties they weathered during Covid. The industry also argued, as it has elsewhere, that a tax increase would hurt poor people the most.

Experts say while it is technically correct to call alcohol taxes regressive since they consume a larger share of a poorer person's income, the label can be used to mislead. People with higher incomes tend to buy and consume more alcohol, but low-income people bear the brunt of many

societal costs of alcohol. The public health benefits outweigh the burden of the tax, advocates argue.

Everyone in New Mexico might agree that alcohol is a problem, and listen to the doctors talking about extremely high rates of alcohol-associated liver disease and drunk driving. But when it comes time to vote, “It’s just not enough in the face of all this other stuff,” Feldman said.

Where taxes have prevailed, it’s taken persistence and sometimes, outmaneuvering the industry.

#### *How advocates outgamed industry*

In “control” states like Utah and Alabama, the supply of alcoholic products is more tightly regulated and can be priced at the state’s discretion with markups on the sales price. This year, Utah increased the markup charged by state liquor stores on spirits, wine, malt liquor and beer. Lawmakers also passed an incremental increase on the beer tax, to a high of \$14.10 per barrel in 2027. Alabama increased the sales tax rate for products sold at state-controlled stores, a change that’s projected to increase revenues to counties and municipalities by over \$5 million.

Changes are trickier in other places. Boosting the alcohol sales tax had come up multiple times in Anchorage, Alaska, but never made it far. Then, in 2019, the mayor of Anchorage got the issue on the ballot. Hall, executive director of Recover Alaska, scrambled to run an educational campaign in support. It was too little, too late, she said. The industry had set its sights on “teeny, tiny Anchorage,” and tapped into its vast resources to run a campaign against the tax increase. Voters rejected the measure.

The following year though, Hall was prepared. The ballot measure had failed, but not by much. Her group did polling to find out exactly what policy Anchorage voters wanted, and what they wanted the money to be used for. Recover Alaska hired a firm to run fundraising and marketing, and Hall did the rounds talking to assembly members. It also happened that around this time, the alcohol industry was focused on the state capitol in Juneau, where a massive overhaul of state alcohol laws was coming to a head.

The Anchorage tax made it on the ballot again. This time, it passed, placing a 5% tax on every drink sold in Anchorage and raising nearly \$14 million in the first year. “Everything just lined up for us,” Hall said.

Public health advocates in many states look to Maryland as an example of what they could do. The state was one of the first to update its alcohol taxes, passing a 3 percentage-point increase to its 6% sales tax in 2011. The tax has stayed in place since and, since it’s a sales tax, risen with the price of alcoholic beverages. Vincent DeMarco, president of Maryland Health Care for All, is widely credited with securing that tax increase using an ingenious strategy.

As candidates for the Maryland state house and senate mounted their campaigns in 2010, DeMarco and his team at the Maryland Citizens’ Health Initiative surveyed them: Would they support an increase in the alcohol tax? Then, they made those 140 pledges public and used polling data to show there was strong support for an alcohol tax. Even though the alcohol industry activated its members in opposition, by the time the tax hike came up in the legislature, lawmakers had publicly committed to passing it and knew they had support from their constituents.

Being in a very blue state helped, but the candidate work changed the course of the issue, which had stagnated for decades, DeMarco told STAT. “Until we did that election work, it was impossible to overcome those lobbyists,” he said. DeMarco is also an adjunct professor at the Johns Hopkins Bloomberg School of Public Health.

*Try, try again*

In Hawaii, where two tax efforts have died in recent years, advocates are weighing a game of hard ball: Morphing into a 501(c)4 organization in order to make campaign contributions and endorse politicians. “I’m not supposed to say this, but money talks,” said Rick Collins, director of the Hawai’i Alcohol Policy Alliance.

In New Mexico, a sponsor of the failed 2023 tax bill is planning to introduce another version in the new year. Its exact shape is still under construction, but the bill will probably include an excise tax update and an added sales tax, Sen. Antoinette Sedillo López told STAT.

And in Oregon, where dramatic revelations have tainted alcohol tax reform, legislators are set to take the issue up again in January.

## Scotland curbed alcohol deaths by raising prices on cheap booze. Will Europe follow suit?

Written by Gabriela Galvin

Scotland saved lives by raising prices on cheap supermarket alcohol, but the policy isn't a silver-bullet solution.

When Scots walked into their local supermarket in late September, the cheapest bottle of whisky they could find was £14 (€16.80). The next day, it was £18.20 (€21.84).

The change is the result of Scotland's minimum unit pricing (MUP) law, which set a floor price for alcohol bought at supermarkets to try to discourage the kind of risky drinking that lands people in the hospital.

First implemented at £0.50 (€0.60) per unit in 2018, lawmakers agreed in April to raise the floor to £0.65 (€0.78) this autumn to match inflation.

It also marked an important moment in a country that continues to struggle with the health consequences of excessive drinking.

"I saw [low-cost alcohol] cut a swathe through my patients," said Dr Peter Rice, a psychiatrist who was working at an alcohol clinic in rural Scotland when he noticed a worrying trend around the year 2000. Rates of fatal liver disease were rising, just as older men with alcohol problems were increasingly shifting from beer or whisky to very strong, dirt-cheap cider they drank at home.

"You could see the tide shifting," Rice told Euronews Health.

"Once this stuff started to appear on the shelves, they just morphed over to that and they drank more heavily .... [and] that really brought home to me the importance of price".

Along with other doctors and public health advocates, Rice started campaigning to raise the floor price for the cheapest alcohol. They weren't after bars or restaurants, which already have a markup, but rather the bottom-barrel supermarket booze.

It took more than a decade to pass MUP legislation, but today it is the most comprehensive alcohol pricing policy in Europe – and it appears to be paying off despite the severity of the problem.

An analysis from Public Health Scotland (PHS) and the University of Glasgow shows that although alcohol-related deaths have continued to increase across the UK in recent years, they've risen at a slower pace in Scotland.

MUP has driven alcohol-related deaths down by an estimated 13.4 per cent (156 deaths per year) and alcohol-related hospitalisations down by 4.1 per cent (400 admissions per year) through the end of 2020, according to the analysis.

Most of the averted deaths were related to liver disease and concentrated among the poorest neighbourhoods in Scotland.

However, the policy doesn't appear to have helped reduce deaths from alcohol poisoning. And last year, 1,277 people died from alcohol-specific causes, the highest level since 2008.

"What we drew from that was that it was delivering benefits to people who were at a very high risk of death ... but alone, it's not enough as a policy to reverse the trajectory that we're on," Dr Tara Shivaji, a PHS consultant focused on alcohol and drugs, told Euronews Health.

European pricing policies for alcohol

The Scottish policy has inspired others nearby, including Wales and Ireland, which introduced MUP for alcohol in 2022. Meanwhile, Northern Ireland's health ministry said earlier this month that it is moving forward with its own MUP policy.

A few former Soviet countries also have minimum pricing for some types of alcohol, like vodka.

Others, for example, the Netherlands, have debated MUP in recent years.

The World Health Organization (WHO) wants other countries to consider it as well, but it hasn't been on the agenda in most places.

Many countries already impose heavy taxes on alcohol, and take other steps to address retail costs. For example, England bans supermarkets from selling alcohol at below-cost prices – a strategy sometimes used to get people in the door.

But setting floor prices goes even further.

"For alcoholic beverages that have a very low price, that are very cheap, even a large tax doesn't increase the price to the point that would put off consumers," Franco Sassi, director of Imperial College London's centre for health economics and policy innovation, told Euronews Health.

Minimum pricing does have some drawbacks. Because it isn't a tax, it doesn't generate money for the government that could be used to fund alcohol abuse programmes.

And while many people are discouraged by higher prices, those with alcohol dependence may end up prioritising booze over household necessities anyway.

Shivaji said that while it's important to keep an eye out for the "unintended consequences" of this kind of policy, Scotland hasn't seen an increase in black market or cross-border liquor sales, and people haven't been shifting from alcohol to drugs as a result of MUP.

Other strategies to reduce harmful drinking

Beyond pricing, Sassi pushed for health warning labels on beer, wine, and liquor, which will be required in Ireland from 2026 but were roundly opposed by the alcohol industry at the EU level.

Meanwhile, Shivaji said treatment and other resources should also be made available to help people quit drinking.

But they acknowledged that it is an uphill battle to impose any kind of restrictions on alcohol.

"The science is very clear today – alcohol is harmful from any level of consumption," Sassi said.

“But alcohol is so ingrained in our societies and in our culture that it's extremely difficult to persuade people that we can do without it”.

Meanwhile, Rice said tackling affordability, whether through taxation or minimum pricing, is key to meaningfully reducing the health risks from alcohol.

“You can do all the rest of the stuff, and educate the public and so on and so forth,” Rice said.

“If they then stroll into a store and beer is 30 per cent off, that's very likely to undermine all the other stuff that you do. So I think price controls enable the other things to have a greater effect”.

## Woman accused of driving drunk in Omaha crash that killed 4, including her 3 children, booked into jail

Written by Molly Ashford

Rachel Bickerstaff, the Omaha mother accused of driving drunk and speeding when she caused a fiery crash in downtown Omaha that killed her three young children and a Council Bluffs man, was booked into the Douglas County Jail on Thursday.

Bickerstaff, 33, had been receiving treatment at a hospital in Kansas since the deadly crash on Sept. 27. She was booked into the Douglas County Correctional Center at 12:35 p.m. on Thursday and faces four counts of DUI — motor vehicle homicide with a prior DUI conviction and one count of DUI causing serious bodily injury.

Each of the motor vehicle homicide charges carry a minimum of one year and a maximum of 50 years in prison. Bickerstaff is scheduled to make her first appearance in court on Friday.

Police and paramedics responded to a two-vehicle crash near 10th and Douglas Streets at 1:23 a.m. on Sept. 27. Two children, 11-day-old Amilia and 5-year-old Amiliana, were trapped in Bickerstaff's burning car and died at the scene. Michael Sales, 70, who was driving home from his job at FedEx when his car was struck by Bickerstaff, also died at the scene.

Bickerstaff, front seat passenger 38-year-old Erivel Partida and 18-month old Amia were able to escape the burning vehicle and were taken to a hospital in Kansas with burn injuries.

Amia died four days after the crash. In an arrest affidavit, police said emergency room staff described Amia's injuries as "haunting."

An arrest affidavit and crash investigation report allege that Bickerstaff was driving her Jeep Cherokee eastbound on Douglas Street at between 105 and 116 mph in an area where the speed limit was 35 mph. Her blood alcohol content was 0.216 — nearly three times the legal limit of 0.08, according to the affidavit.

Rachel Bickerstaff's vehicle is labeled '1' in the diagram, and Michael Sales' vehicle is labeled '2.'

Bickerstaff rear-ended Sales' Subaru Outback at extremely high speeds near the Interstate 480 onramp past the intersection of 10th and Douglas Streets, according to the crash investigation report. The force of the collision caused Sales' Subaru to strike a light pole as Bickerstaff's vehicle struck a nearby tree. Both vehicles caught on fire.

Bickerstaff was previously convicted in Douglas County of a DUI in April 2020. She was placed on probation for six months and had her license revoked for 60 days.



## **Fred Zwonechek dedicated life to saving lives on Nebraska roadways**

Written by Kevin Cole

Fred Zwonechek never forgot that there were families grieving behind every traffic death during his more than four decades as administrator of the Nebraska Highway Safety Office.

"Fred worked tirelessly in traffic safety helping improve safety for all travelers," said Bill Kovarik, the current administrator. "He was instrumental in improving laws for seat belts, impaired driving, distracted driving, teen driver education, speeding and many more issues."

Zwonechek retired in 2019 after 37 years leading the office. Under his leadership, alcohol-related traffic fatalities decreased by more than 70%, seat-belt usage soared to over 80% and total crashes dropped by 24%.

Eric Koeppel, president and chief executive officer of the National Safety Council in Nebraska, said in 2019 World-Herald article that Zwonechek was keenly aware that every traffic fatality was a tragedy.

"Fred always pointed out that there were people behind the numbers," Koeppel said when Zwonechek retired. "We'd talk a lot about (traffic) fatalities and the number of people injured. Fred would say, 'There are families and friends behind those numbers. Victims that are hurting.' "

Zwonechek, 77, died suddenly at home in Lincoln on Oct. 28. A celebration of life will be held Nov. 15, at 2 p.m. at Butherus, Maser and Love Funeral Home at 4040 A St., Lincoln.

He was born Feb. 2, 1947 in Omaha and grew up in DeWitt, Nebraska. There he enjoyed trapping, served as a lifeguard in nearby Beatrice and mowed yards, setting a clear path for his committed working years ahead. After graduating from DeWitt High School in 1965, Fred continued his education at the University of Nebraska at Lincoln, graduating with a bachelor of arts degree in 1970.

Zwonechek, who never married, started with the Highway Safety Office in 1974 which at the time was part of the Department of Motor Vehicles. That office was later moved to the Nebraska Department of Roads which later became the Nebraska Department of Transportation.

He worked with numerous state and national organizations, including the Governors Highway Safety Association, the National Highway Traffic Safety Administration, the National Safety Council of Nebraska, AAA, Nebraska State Patrol Foundation, Project Extra Mile and the Nebraska Sheriffs Association. Project Extra Mile is a statewide network of community partnerships in Nebraska that works to reduce alcohol-related traffic incidents.

Rhonda Lahm, the director of the Nebraska Department of Vehicles, nominated Zwonechek in 2017 for the prestigious Martha Irwin Award for Lifetime Achievement in Highway Safety. She noted that Zwonechek's four keys for safety were education, enforcement, engineering and emergency medical services.

Programs begun under Zwonechek's tenure included drug recognition expertise, researching teen driving behaviors, standardized field sobriety training, motorcycle safety training, rumble bars on the state's highways and interstate, distracted driving legislation, seat belt simulators, 24/7 monitoring of DUI offenders, drug courts, move over legislation, interlock legislation, multi-state

enforcement efforts, alcohol license compliance checks, dynamic messaging signs and safety grants for law enforcement.

"Fred has not only spent his professional career devoted to making the highways in Nebraska and around the country safer for everyone, it is his personal passion," Lahm wrote. "It is an honor to work with him as a highway safety professional."

Diane Ribbe, a former director of Project Extra Mile, and Linda Kearns, a former secretary at the Nebraska Highway Safety Office, worked together to write a memorial for Zwonechek that appears on the mortuary website.

"It goes without saying for people who knew or worked with him, but for those who simply happen upon these words, Fred was a man whose contribution to the world will outlive the sound of his frequent and deep laughter and his joyful spirit," they wrote. "He began his highway safety work for the State of Nebraska in 1974 and became the administrator of the Nebraska Office of Highway Safety in 1981, honorably serving that agency and the people of Nebraska for 44 years. Under his leadership, alcohol-related traffic fatalities decreased by more than 70% and seat belt usage soared to over 80%, saving countless lives and sparing families the deep pain of senseless loss."

Zwonechek's main assets were the courage to pursue safety initiatives and the intelligence to ably administer them. Overall, he was just very good at what he did, according to friends and colleagues.

"He was kind. He worked hard. He was dogged in his vision to save lives. He didn't dispense judgment on others (unless you were a policymaker with a substantially bad idea)," Ribbe and Kearns wrote. "He lived well, had a great laugh, and enjoyed auctions, collecting everything from fishing poles and lures to antique furniture, all while pursuing the next great classic car for his collection. To the countless friends, colleagues, and loved ones he leaves behind, you're encouraged to carry Fred's tenacity and joy of spirit with you."

In retirement, Zwonechek spent more time working on his classic car collection and fishing. He also continued to work on traffic safety issues, Kearns said.

"I know that he was working with other states writing traffic safety reports," she said. "His goal was always to save lives and that was what was so special about Fred."