A Heated Debate:
The Changing of the Drinking Age in Wisconsin During the 1970s and 1980s

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Abstract

This paper is about the drinking laws in the state of Wisconsin. It starts with the statutes that were first set up in state through to the 1980s. The 1970s to 1980s had issues dealing with the changing of the drinking age that happened due to the Twenty-sixth Amendment which lowered the voting age to eighteen. A common idea in many states was to lower many other aspects of adulthood from twenty-one to eighteen. One of those changes was with the drinking age. The changes in the drinking age did not occur in every state causing many problems across the country leading to the changes that happened in the early 1980s. Along with the patchwork drinking age across the country, Wisconsin had another problem of a lack of community support to keep alcohol out of underage students’ hands. There was major public interest and support for a change in the drinking age in Wisconsin, but the greatest pressure for the change came from the federal government in the mid 1980s.
Introduction

Since 1971, there has been a great deal of activity by many of the 50 State Legislatures on the legal drinking age. After passage of the 26th Amendment to the U.S. Constitution in 1971, which lowered the national voting age from 21 to 18, there were 28 states which lowered their legal drinking age.¹

Throughout the history of the United States, even before Independence, brewing has been a major industry. Beer has been embedded into the culture in the United States, and Wisconsin is one of the reasons why. In the twentieth century alcohol was targeted at an increased rate that caused many changes in laws throughout the country. Congress has used whatever power they have in order to control the states’ laws over the brewing and the liquor industry. The liquor industry does have a negatives side that needs attention brought to it because of the effects that occur when it is abused. At the same time the liquor industry does provide an economic benefit to the state and the country, as well as providing jobs for many citizens. Although there is some benefit from the liquor industry, there is the flip side that does cause tremendous damage and hardships when it is abused.

Most historians who write about the liquor or brewing industry focus more on the early years when it was just starting out or the era of when prohibition occurred in the United States. Prohibition is an era that gets the most attention from historians who write about drinking and the liquor industry with good reason. This was a major time in the brewing industry where many breweries had to adapt or close for good. The breweries during this time transformed in order to continue employing people and still make a profit. The Pabst Brewery used their

finances to change their focus away from brewing beer to making soft drinks, syrups, processed food, or manufacturing. As a result of historians focusing on these large areas there is little written about the changing of the drinking age in Wisconsin or the United States history.

The twentieth century has brought major advancements in technology that has made drinking even more dangerous. The easy access to motorized vehicles increased the risk of injury or death at large rates that the federal government felt the need to change the drinking age try to lower the risk of young people getting in an accident. Since this is a recent topic, there has not been much historically written about the change to lower the drinking age in the 1970s and 1980s. Most of what has been written was done by people in the fields of political science or economics.

There were two main sources that provided much of the information for this paper. The papers from Patrick Lucey, who was governor of Wisconsin from 1971 to 1977, provided most of the information during the initial change. He was the governor that signed the Age of Majority Bill, which will be described later, which lowered the drinking age. This was an important issue that happened early in his time as governor. The other major source is from the Wisconsin State Assembly’s papers from the late 1970s and early 1980s, these folders contained information about the public’s outcry for change and reports made by several organizations that deal with alcohol abuse and their thoughts about changing the drinking age. It also contained many papers from the committee dealing with the bills brought forward in the state that tried to change the drinking age.

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The focus of this paper will be on the change of the drinking age in Wisconsin after the Twenty-sixth Amendment in the early 1970s through the mid 1980s. There were many problems that occurred with these dramatic changes to the state and the safety of this younger population. This paper deals with the political and social history surrounding the drinking age in the state of Wisconsin in the 1970s and 1980s. The Twenty-sixth Amendment created new ideas about what it meant to be an adult. Having the ability to vote at eighteen led to the changes that lowered the age of parental and state control from twenty-one to eighteen. A possible domino effect did not happen with this new concept about adulthood throughout the United States, which created a patchwork of varying legal drinking ages across the country.

The change to a lowered drinking age seemed to make more community leaders turn their back on the problems and instead of fixing those problems they just wanted the drinking age increased. Many underage people then took advantage of the police and community that ignored the problems and the laws. This created many of the problems that parents and school officials brought to the attention of Wisconsin and Federal political leaders. This protest by the public caused these two legislatures to act in different ways. The change in the drinking age in Wisconsin in the 1980s was due to federal pressure based on having a uniform drinking age across the country, not to the internal pressure from the local communities in the state. The internal conflict in the state was filled with half truths and unexpected decisions from state run organizations.
Brewing and Liquor Industry in Wisconsin

1848 was the year that Wisconsin gained its statehood. Wisconsin had many major industries throughout the years; logging, dairy, and mining that have given the state its identity across the country. Wisconsin has another industry that gets much attention, but usually in a negative light, the brewing industry that has thrived in the state since the mid nineteenth century. The brewing industry in Wisconsin has flourished for many years without getting much positive response as compared to the other major industries in the state.

The diversity of people who came to America each had their own style of brewing which therefore created different flavors and consistencies of beer. The main differences between the styles of beer that are created in the U.S. were based on two different areas in Europe. Beer produced with an English style is often referred to as ale, while the other major input of brewing came from German immigrants. The main region that German immigrants flocked to was Wisconsin, and the Milwaukee area seemed like the perfect place for them to flourish. The large German population allowed the brewers to make a permanent industry in the Milwaukee region. Milwaukee was such an important part in the brewing industry due to the large grain business and the access to water and rail transportation.

Eventually in the late 1800s the larger breweries in Wisconsin were able to create containers that could be shipped greater distances without the product becoming damaged. This helped to expand the area that breweries delivered shipments to across the country.

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making Milwaukee well-known in the United States.\textsuperscript{5} This was the start of Wisconsin becoming famous for its beer industry and making it a part of Wisconsin’s history and identity. For the most part many of the breweries in the state were only locally known because the methods of shipping and the containers did not allow for long distance shipping. The ability to transport alcohol long distances changed the shape of the state. The small local breweries started to disappear because they could not keep up with the competition from the larger brewing companies such as Miller and Pabst.

Wisconsin’s rich history with the brewing industry could be contributed to later drinking statutes which were more lenient to younger people. The brewing industry was tied into Wisconsin culture creating a view that beer was available for everyone. Laws pertaining to the drinking age will be pointed out in the next pages. There are times in the state’s history when beer and spirits had different legal drinking ages, that is also another possible reason for a lowered drinking age in the 1970s.

\textbf{Previous Drinking Age Laws in Wisconsin}

Wisconsin changed the legislation surrounding the drinking age multiple times in an effort to find the best laws to protect people and still allow citizens the freedom to have an alcoholic beverage. There have been times when the drinking age was less enforced due to the lack of administration to carry out the penalties. When Wisconsin was a territory and early on in statehood, there were not statutes that prohibited minors from drinking beer, but a person

\textsuperscript{5} Zeitlan, Germans in Wisconsin, 25.
had to be eighteen to purchase wine and liquor (spirits). At the same time a minor could have purchased wine or spirits with the permission of their parent or guardian. This law was created when Wisconsin was still a territory, but it was carried over to the state legislation in 1848. This early law shows the citizens of Wisconsin did not object with how old a person had to be to purchase alcohol.

The beginning of the constant alternating laws began soon after the Civil War. A new drinking law was created in 1866 which raised the drinking age of all types of alcohol to twenty-one. This law prevented the sale to minors, but it did not mention whether or not parents could purchase alcohol for minors. This was a drastic change from the previous drinking law. The reason for the change is hard to determine, but was great enough for the increase in the drinking age. The new drinking age law lasted until the early 1900s.

After World War I a new amendment was created by Congress and approved by the states. The year 1919 brought with it the Eighteenth Amendment which started the era of Prohibition in the United States. The Eighteenth Amendment made the “manufacture, sale, or transportation of intoxicating liquors” illegal in the states. This effectively stopped any other legislation in the state that dealt with the drinking age issue. In 1932 a new act was passed in the United States called the Cullen Beer Act that allowed for the sale of wine and beer that had an alcohol content of three percent or less. A short time later Wisconsin changed their legislation to allow taverns to sell the low alcohol content beverages. At this time stores and

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7 Ibid.
taverns were not allowed to sell alcohol to anyone under the age of eighteen except if the minor’s parents or guardian were with them at the time of purchase.  

Shortly after the Cullen Beer Act was passed the Eighteenth Amendment was repealed and new legislation about drinking laws were made to fill the gap that was left when all the other bills that dealt with drinking were removed during Prohibition.  

Even before the repeal of Prohibition, the governor of Wisconsin was setting up committees to work on new legislation so it would be ready when the repeal of the Eighteenth Amendment was official. The laws that the committee came up with were based of the legislation that was in place from the Cullen Beer Act, which allowed the sale of beer that contained three percent of alcohol. Governor Schmedeman, who was in office at the time, responded to the committee by saying:

I recognize that there is a great difference in the several kinds of alcoholic beverages and that this difference should not only be recognized in our statutory system, but should be utilized to lessen the evils of the traffic by encouraging and facilitating the sale and use of the less injurious kinds of beverages by making use of restrictions on the sale and use of the more injurious kinds.  

The governor wanted the sale of beer more available and to keep the sale of liquor unavailable to the younger people. The committee felt the same way and even thought that by giving eighteen to twenty year olds the right to purchase beer it would promote temperance, and lower the cause to need to drink hard liquor.  

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10 Ibid.
Starting in 1933 the new law regarding drinking was brought back almost to what it was before Prohibition started. The new legislation that was created, Section 176.30, set the drinking age at twenty-one for spirits and wines, while eighteen was the limit for malt beverages or beer. This was the overall accepted legislation across the state, but municipalities were given the option to set their own drinking ages for the consumption of beer. Many other cities and small towns would just create bars or taverns that had either just beer or liquor. The beer-only taverns would allow the eighteen year olds in and give them a place to have a drink that was away from their home. These different drinking ages in municipalities that were adjacent to each other caused “beer islands to form.” These “beer islands” increased the number of minors that drove to farther places to be able to drink beer. This made it more possible for accidents to happen.

In 1943 a new idea was passed in the state which required people to present identification cards when purchasing alcoholic beverages. Before this new law there was no required identification for proof of age in the state. A decade later the Wisconsin legislature also made it illegal for anyone under the age of twenty-one from neighboring states to be able to purchase liquor in the state. Although, there were exceptions to this rule where any college student or military personal that is living in the state due to those reasons could purchase liquor with identification showing that they live in the state for certain periods of time.

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13 Ibid, 3.
14 Ibid, 3.
The border issue is the first time that Wisconsin created legislature to try and stop increased travel to the state just for drinking. This problem would become bigger when the state lowered the drinking age to eighteen.

26th Amendment and the Age of Majority Bill

The early 1970s brought a new amendment to the Constitution. The Twenty-sixth Amendment lowered the voting age to eighteen. New legislation was passed to increase voter turnout with the new group of adults that were able to vote. The age of majority was lowered with the Twenty-sixth Amendment in Wisconsin from twenty-one to eighteen. This not just lowered the drinking age, but it allowed eighteen to twenty year olds many more privileges and made them more independent. The idea to change the age of majority was a surprised change in the United States, and many states followed this new idea including Wisconsin.

Wisconsin was caught up in the new push to lower the age of majority for many aspects of a person’s life to eighteen. Wisconsin was not the first state to create new legislation to lower the age of majority, but the state legislature embraced the concept and hurried to get the new bill passed. The Age of Majority Bill had many provisions that were generally thought to be radical. Legislation that related to the bill was hastily researched and pushed quickly through the state senate for approval. A report made by the governor’s office mentions that it was a bi-partisan effort that was introduced and was passed in the state assembly by a margin of 88-8. The bill contained many problems that were not about the lowered drinking age, but
regarded many of the other provisions. In a letter to a citizen, Dave LaRock, on March 3, 1972 Governor Patrick Lucey mentions that the bill was passed to quickly in the legislature and he hopes to study more about the bill and the possible changes that can be made before he signs the bill.

Two groups lobbied for and against the new piece of legislation. In favor of this new bill and all the rights that were being given to eighteen year olds were the Young Republicans and Young Democrats. They wanted the bill to be approved so they could be considered adults, since eighteen year olds to twenty year olds were still under their parents’ control until they turned twenty-one. Opponents of the bill were the beer-only tavern owners; their argument was about how they would lose business if eighteen year olds were allowed to drink all types of liquor. Beer-only tavern owners would not be able to accommodate the new law since they did not have the same liquor licenses as the regular bars and taverns across the state. Along with the beer-only tavern owners, a small group of people that lived in border towns to Minnesota and Illinois also had problems with the idea of a lowered drinking age.

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17 The Age of Majority bill allowed eighteen to twenty year olds the freedom to be able to enter contracts, expanded employment opportunities, expanded health related rights, the ability to sue or be taken to court, and many other rights that were previously granted once a person turned twenty-one. Lucey, Governor Records 1971-1977, Box 174, Folder 30.
Their problems though were more about border crossing and the problems that become present with people drinking in Wisconsin then driving long distances to get back to their home state that does not allow eighteen year olds to drink.\textsuperscript{19}

When the bill reached the governor’s office, Governor Lucey took the time to study the possible effects of giving so many rights to eighteen year olds. He had a staff assistant, Mark Barbash, send letters to all states that had lowered the age of majority to eighteen to gather information about their legislation and the effects that happened with the change. Many of the states responded back informing them of what changes were made in those states and the different provisions on each state’s bill. Not every state made the same changes in lowering the age of majority. Many of the states lowered everything but the drinking age, but these states did not give reasons behind the changes. The state that gave the most information to Wisconsin was Michigan. Michigan sent the most information about the change they made and the reasoning behind it and the effects.\textsuperscript{20} Michigan even created a special commission to work on the age of majority. In a letter to Barbash on February 28, 1972 they mention that the commission found, “There has been no significant alcohol-induced increase in the incidence of traffic accidents among the 18-to-21-year age group, and the Michigan Chamber of Commerce reports that young people have performed admirably in meeting their contractual responsibilities.”\textsuperscript{21} Along with that letter a report by Michigan’s Governor William Milliken’s Special Commission on the Age of Majority was sent to Wisconsin Governor’s office. In that report a surprising comment was made about minors:

\begin{flushright}
\textsuperscript{19} Ibid.
\textsuperscript{21} Ibid.
\end{flushright}
The commission commenced its report in this area by stating that any consideration of the drinking age question should begin with the acceptance of one fact: many eighteen, nineteen, and twenty year olds do drink. Many, of course, do not. The point is that they have already made their decision whether to drink or not before they reach twenty-one.22

This comment takes into consideration that politicians already were viewing a percentage of minors as drinkers. But during this time, Wisconsin allowed eighteen year olds the right to purchase beer without parental permission. It would be common for legislatures to know that a person at the age of eighteen could already be drinking beer. The local ordinances had the option to permit eighteen to twenty year olds to drink beer, depending on the whether or not the city kept the legal age at eighteen.

The Twenty-sixth Amendment brought forward many ideas of what it meant to be an adult. Not every state had the same ideas or reasons behind the legislative changes that dealt with the new amendment and what it meant to be an adult. There were a couple of reasons why the Michigan legislature passed their own version of an age of majority bill and expressed those ideas in their letter to the Wisconsin Governor’s Office, but the main one was expressed in the same report. The reasons do not just focus on being able to vote, but are more of a variety of reasons that extend to many facets of adulthood.

Today the eighteen year old may be called upon to give his life for his country. He may be taxed and sent to prison. The country has begun in the right direction by giving the eighteen year old the right to vote in state and federal elections. Justice and equality for our millions of young people aged eighteen through twenty will not be complete, however, until we have extended to them full rights and responsibilities of adulthood.23

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Not every state senator was eager to give eighteen to twenty year olds the rights that everyone else over the age of twenty-one had. State Senator Walter Chilsen voted against Senate Bill 453, Age of Majority Bill, but he was one of the few who voted that way. In a letter to Debbie Wargolet he mentions that he does not believe that, “our society is quite ready to extend all privileges of adulthood to those who are 18.”²⁴ There were many provisions to the Age of Majority Bill other than allowing eighteen to twenty year olds the right to drink that was caused problems with citizens in Wisconsin.

Terry Willkom, a politician from the Chippewa Falls area, also pointed out the problems with the bill passed by the state senate. Willkom focused more on the issues dealing with health related concerns and employment problems.²⁵ The Age of Majority Bill lowered the age for many areas of life for eighteen to twenty year olds and caused more problems for this younger age group. The bill permitted them to work in hazardous areas and took away health support from their parents and the state.²⁶

Eventually Governor Lucey signed the bill and this new group of adults was granted the privileges that they previously had to wait for until they were twenty-one to receive. On March 23, 1972 the Age of Majority Bill went into effect and it was the beginning of the push in the next decade to a complete change in the drinking age.²⁷ Eighteen to twenty year olds in Wisconsin finally were considered adults much like many other states across the country. The new legislation though did not take in to account the border crossing issue that would later

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²⁵ Terry Willkom, Papers, 1971-1974, UW-Eau Claire Archives, Box 1, Folder 1.
²⁷ Paolino, The Minimum Drinking Age in Wisconsin, 3.
become a serious problem that would lead to many changes. The bill was a time for celebration for many young people in the state, and the surrounding states as well.

**Eighteen Year Old Drinking Age**

In Wisconsin from 1933 to 1972 persons under the age of twenty-one, but at least eighteen, could only have purchased beer and could not enter any establishment where spirits were sold without being accompanied by their parents or guardian. Some counties and cities had the drinking age set different than others regarding beer, so when the change to eighteen happened there was a big rush to the bars. The new adults headed to the nearest bar once they were legally able to drink. “Every parking space in the Water Street area was filled by 11:30 p.m. Lines of youths began to form at the entrances of all the taverns there by 11:45. And, at one minute passed midnight hundreds of 18-year-olds began to celebrate adulthood.”

Granted this night was an exception because it was the first night that eighteen year olds could legally go to a tavern and drink hard liquor. Even with the increased younger crowd at taverns and bars, there were no problems reported by the police.

The initial rush of being able to go to the bars was considered to be temporary by most tavern owners. “It’ll be a fad,’ said Michael Kaiser, owner of the Crazy Horse South, 4803 S. 2nd St. ‘It’ll help business for a while, then it will taper off.”

The lowered drinking age was somewhat temporary because in the years to follow there would be large amounts of public

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29 Ibid.
interest in to change the drinking age, but for the time these new adults would take advantage of the new law.

Not all bar owners though were behind the new legislation, and many protested against the change. The reason was not due to eighteen to twenty year olds having the ability to drink all types of liquor, but was about the loss of business. The group against the change was beer-only tavern owners. They did not have the same licenses as a regular bar that was able to sell all types of intoxicating liquor. The beer-only taverns needed to get new licenses in order to keep open. This was only a small problem in the state.

Beer-only tavern owners losing business was not the major problem that would be created from the new bill. The new bill changed the drinking age for all eighteen to twenty year olds, and it did not matter in what state they currently lived. This caused a major problem for border towns near Minnesota and Illinois. The border towns had to deal with the issue of border crossing, having large groups of people coming into Wisconsin just to drink and then having to drive long distances back to their homes in the other states. Out-of-state drinkers were allowed to come into the state because the new law repealed the previous rule that only permitted the sale to out-of-state drinkers if they were in Wisconsin for school or military service.

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32 Border crossing or border hopping occurs when one state has a lower drinking age and has a neighboring state with a different drinking age and the residents of the state cross into the state with the lower drinking age to take advantage of the proximity of the locations. This often caused many young adults to drive long distances to other states with a lower drinking age to get drunk. Then would drive back to their home state intoxicated increasing the chance to be in an accident. This is one of the major reasons for a call to have a uniform drinking age.
There was the possibility that the local municipalities would have control over the idea of whether to sell alcohol to out-of-state drinkers or not. This was an issue that was still up in the air and would have to go to the legislature since no one seemed to know. If the local municipalities were able to set this law, it meant that border towns would force the out-of-state drinkers to drive even farther into Wisconsin to get a drink. Ultimately nothing would be passed that changed this part of the law.

Decade Following the Change

The decade after the change to an eighteen year old drinking age brought problems and some solutions, but actually helped the federal government to later on make permanent changes to the drinking age. Border crossing was the main issue that occurred with the change of the drinking age to eighteen. Wisconsin was one of the few states that lowered the age to eighteen. Most other states either kept the drinking age at eighteen or lowered it to nineteen. Between the years of 1972 to 1979 border hopping was not a significant issue in Wisconsin because neighboring states had similar drinking ages. It was not until Michigan and Illinois raised their drinking age did it start to become a problem. Eventually Minnesota and Iowa raised their drinking age as well making Wisconsin surrounded by states with different legal drinking ages.35

34 Ibid.
35 Peter Canon, Border Hopping: Problems Associated with Differing Drinking Ages Between States, (Madison, WI: Legislative Reference Bureau, 1985)
David Figlio, an Assistant Professor in the Department of Economics at the University of Oregon-Eugene, did research about drunk-driving accidents and if border crossing had anything to do or add to the numbers of accidents in the 1990s. In his research, focused mainly on Wisconsin, he found that certain counties that border Minnesota and Illinois had a much larger number of accidents than other counties within the state.\(^{36}\) This research helps to prove that border crossing was a problem that led to more accidents in the counties and towns near the states with a higher legal drinking age. Hudson, Wisconsin was one of the border towns that were the most outspoken about not wanting a lowered drinking age specifically for the fact that is extremely close to the Minnesota border and the idea of border crossing was a reality.\(^{37}\) Even with this problem of border crossing there did not seem to be any major move by the Wisconsin Legislature to try and stop the problems caused by having a lower drinking age than neighboring states.

The push to change the drinking age came from citizens in the Wisconsin who sent letters to the governor telling him about the problems that occurred in their cities and schools. They often suggested about what could be done, mainly to increase the drinking age to twenty-one. The most common idea was to change the legal drinking age to nineteen, which would be the same as Minnesota where most of the problems of border crossing were an issue. The common response by Governor Lucey to these letters was along the lines behind the reason for signing the bill in the first place.


This law lowered the legal age of adulthood to 18 in recognition of the fact that high school graduates who were old enough to work, marry, raise a family, and defend their country also were old enough to vote and enjoy the other rights of full citizenship.\(^\text{38}\)

One other reason that people wanted to change the drinking age to nineteen was to keep it out of the high schools. Having the lower legal age made it that much easier for high school students to get liquor. Parents were concerned about their high school students being able to drink while they were still in pursing their academic career.\(^\text{39}\) The change to nineteen was an extremely plausible idea since it would keep liquor out of high schools and then the border crossing issue would also not be a problem anymore. These were just some of the problems that were caused by the lower drinking age.

The year 1975 was when the state legislature tried to curtail some of these problems. New legislation was brought forward every year to change the drinking age, but the new bills never were approved by the legislature. Although in 1979 several new laws were passed that helped to reduce the amount of underage drinking that was happening in the state. The new laws set up citations for underage drinking with the possibility of the offender’s driver’s license being suspended. More penalties were made and other penalties increased to individuals who purchased or supplied liquor to minors. Liquor was also prohibited from school premises and functions under these new laws. An attempt to stop drinking was made through new school counseling and educational programs created to help with alcohol and drug abuse.\(^\text{40}\)

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\(^{39}\) Ibid.

These attempts to stop underage drinking were only temporary because in five years a new drinking age would be approved by the state due to pressure from the federal government’s new stance on the drinking age.

The main debate though for the change in the state was in the Assembly. The Assembly Committee on State Affairs dealt with the majority of the drinking age issue. They received many letters arguing for the change and also for keeping it at the current age. This is the source of debate about the internal pressure for the changing of the drinking age in Wisconsin.

**Legislative Debate on the Subject**

Late in the 1970s there was a major call from the citizens of Wisconsin for a change in the drinking age. Many of the people voicing their opinions for changes were from school officials and parents. Many of them felt that the drinking age was too low and allowed minors to acquire liquor from friends who they went to school with. The Wisconsin Assembly Committee on State Affairs received ten bills for them to look over and discuss in late 1979. The bills brought to them varied from keeping the drinking age the same to making it twenty-one. During this time the committee received many letters and reports regarding the effects that having a lower drinking age in the state have created.41 The best information about what was happening in Wisconsin came from the Bureau of Alcohol and Other Drug Abuse and the Wisconsin Association on Alcohol and Other Drug Abuse. These two organizations stalled any attempt for bills to be brought forward for voting. They brought information that would keep

the drinking age eighteen until the mid 1980s. These delays only increased the population’s anger about the situation and how nothing was being accomplished by the state legislature. In a poll by the Wisconsin State Journal in 1979 found that half of the people polled wanted the drinking age increased to twenty-one. The paper also mentions that the poll “isn’t conclusive or statistically valid,” so the accuracy of the state opinion was up in the air at the time. The parents and educators that called for the change were not using accurate facts to support their argument. They felt that there was an increase in underage drinking, as well as increased traffic accidents due to drunk driving. The Bureau of Alcohol and Other Drug Abuse sent a letter to the committee’s chairman, John Plewa 20th Assembly District, about their findings regarding the new drinking age. The bureau found that:

1. LOWERING THE LEGAL DRINKING AGE DID NOT CAUSE ANY INCREASE IN HIGHWAY CRASHES, CRIMES, ARRESTS OR DISTURBANCES.
2. RAISING THE DRINKING AGE IS LIKELY TO INCREASE HIGHWAY CRASHES AND DEATHS AMONG THOSE AFFECTED.
3. RAISING THE LEGAL DRINKING AGE WON’T DO ANYTHING THAT ENFORCING EXISTING LAWS COULDN’T DO BETTER, AT LESS RISK TO THOSE INVOLVED.

Michael Birkley, who sent the letter, also pointed out that the main reason why there was so much underage drinking is because of lack of enforcement. The community, schools, and police were not doing anything to curtail the amount of underage drinking. With reports like this arriving to the committee it is not surprising they were taking their time. They were getting two sides to the story and only one was sending actual research to the committee. The drinking age was not going to change anytime soon especially after a testimony by William  

44 Ibid.
Stone, President of the Wisconsin Association on Alcohol and Other Drug Abuse, reported to the Assembly Committee on Senate Affairs December 11, 1979. In his report he had seven major points that also backed up what Birkley sent to Plewa. A summary of what Stone reported to the committee is that:

1- A majority of young Americans drink no matter what the legal age is,
2- Over the last 35 years new trends of drinking younger, more often, and larger amounts have been happening,
3- There were no significant changes in consumption before and after the change to 18,
4- Young people are over represented in traffic accidents across the country,
5- Lowering the drinking age in Wisconsin has had no significant change in accidents or violations regarding drinking,
6- Underage drinkers obtain only 18 percent of alcohol from 18 year olds,
7- A lack of community support for enforcing current laws.  

These two reports countered any argument that the parents and school educators had for changing the drinking age. The citizens of Wisconsin still wanted the change to happen so there was less likely of a chance for minors to acquire alcohol and to keep it out of the schools, even though there seemed to have been gaps in the enforcement of laws surrounding underage drinking.

One of the main areas where minors were able to get alcohol was the bars. In a report by State Senator Gary Goyke on March 18, 1980; he mentions that statutes did not require proof of age for people to be at bars or taverns.  This allowed many underage students to go to the bar and hope they would not get asked for their identification. The penalty for an underage person that was caught with a drink was fined only a small amount compared to today. A memorandum by the Wisconsin Legislative Council on March 21, 1980 reported that a

45 Ibid.
46 Ibid.
unanimous vote was made to increase the penalty for a minor possessing alcohol to twenty-five dollars.47 This small penalty added with the laws not being enforced helped increase the amount of underage teenagers that pushed the rules to the limit. Granted there were several reports that tried to keep the drinking age at eighteen, the lack of community and police support of the ordinances made it difficult for the drinking age to stay at the lowered age.

The absence of plausible evidence from the pro-change side caused the drinking age to stay the same until the early 1980s. The legislature received much better and informative information to keep the drinking age the same. Bills were introduced and went nowhere in the Assembly and State Senate which created more public uproar. The next step for change would come from the National Government which was brought much more pressure than Wisconsin could stand up against.

The 1980s

In the early 1980s legislation to change the drinking age finally made progress. Pressure from within the state was creating an impact in the state legislature, but not to the extent that would be placed on the state by the federal government. The problems of border crossing and having uneven drinking ages across the country made their way to the federal government. The Presidential Commission on Drunk Driving was making a push for a uniform drinking age of twenty-one in December of 1982.

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Two months prior to that Wisconsin’s Highway Safety Council also made a similar statement, but referred only to Wisconsin, to try and stop the large amount of border crossing that was happening in the state.  

*The Change to a Nineteen Year Old Drinking Age*

It seemed as though Wisconsin was tired of non-residents who were taking advantage of the lower drinking age and the increase in accidents from people driving long distances after drinking. The United States Senate overwhelmingly approved changing the drinking age to twenty one by a vote of eighty-one to sixteen. Both of the senators from Wisconsin voted for the new legislation that would withhold highway funding for any state that did not change their drinking age to twenty-one.  

Twenty-seven states still had a drinking age that was lower than twenty-one when the Senate approved the new legislation. If a state did not change their drinking age, they would then lose five percent in highway funding for 1987. The penalty would go up for the next year to ten percent or 560 million dollars, but a state could receive their money once they changed the drinking age to twenty-one. At the time these were steep penalties for states. This was a large amount of money that the federal government was going to take away, so there was little option but to go with the change.

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50 Ibid.
Wisconsin was still being steadfast in keeping a lower drinking age even though both senators voted for the new legislation that would penalize the state for having an eighteen year old drinking age. Instead of changing the drinking age to twenty-one Wisconsin only raised the age one year to nineteen. This was not an easy decision by the state legislature to change the drinking age. In 1983 there were seventeen bills that went before the state legislature. (See Appendix 1)\textsuperscript{51}

Wisconsin Act 74 went into effect on July 1, 1984. The new drinking age was chosen to be nineteen in Wisconsin.\textsuperscript{52} The new drinking age did not get rid of all the problems that were occurring earlier in the state. Border crossing still remained an issue, but no longer with Iowa and Minnesota who also had a nineteen year old drinking age. Michigan and Illinois increased their drinking age to twenty-one, so the problem of border crossing still remained an issue. Attempts were made in 1983 to have a provision attached to Wisconsin Act 74 that allowed only residents of Wisconsin, in-state students, and person’s station in the state for the military to be able to purchase liquor legally. Unfortunately that aspect of the bill was not included, and the main argument against it was that it would be too hard to enforce.\textsuperscript{53}

One of the proponents of changing the drinking age to nineteen was John D. Medinger, Representative from La Crosse. After the change happened he received many letters from seventeen and eighteen year olds that were more concerned about not having any place to socialize with friends anymore. They viewed the bar as a place to have fun with friends, not

\textsuperscript{51} Goodwin, \textit{Change in Wisconsin’s Legal Drinking Age: 1983 Wisconsin Act 74}, 5.
\textsuperscript{52} Ibid, 7.
\textsuperscript{53} Ibid, 15.
a place to get drunk. The consensus from this age group is that they wanted a place they could relax with friends and the bar scene accomplished that and it was being taken away from them.

A “grandfather clause” was attached to the bill so any person who turned eighteen before July 1, 1984 was able to continue with the previous laws. The “grandfather clause” helped to make the transition to the higher drinking age easier and relieve some of the anger from the eighteen year old age group. Eventually Reagan would sign the new legislation that was passed through Congress calling for a uniform drinking age of twenty-one and this new drinking age in Wisconsin was short lived.

*The Change to Twenty-one Year Old Drinking Age*

Assembly Speaker Thomas Loftus, a Democrat from Sun Prairie, felt that the change to nineteen was going to be only temporary and that within the time limit Wisconsin would change the drinking age to twenty-one to comply with the new legislation. Loftus though was not happy with the changing the drinking age at all. One of the points he made was how Wisconsin never received federal highway funding the previous year. Loftus also said he was against raising the drinking age because “it was a question of adult rights and treating these people differently.”

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54 John D. Medinger Papers, Box 3, Folder 22.
56 AP, “Loftus Says State Likely to go to 21 Drinking Age”, *Leader-Telegram*, (June 28, 1984), 1-2A.
Not every politician in Wisconsin was behind the idea of taking away this right. Reagan would sign the bill, and any state that did not raise their legal drinking age to twenty-one would see their highway funding reduced the following years.

The federal pressure that was imposed on the state created a change of mind for some of the politicians that were for the change to an increased drinking age. Medinger soon changed his view on changing the drinking age when Reagan signed the new bill. He felt changing the drinking age would cause some businesses to close and many more jobs would be lost.\(^ \text{57} \) He still believed that a change to nineteen was necessary to get alcohol out of the schools, but did not want the change to go to twenty-one.

On July 17, 1984 President Reagan signed the new bill, P.L. 98-363, that officially called for a uniform drinking age in the United States.\(^ \text{58} \) Any state that did not change their drinking by October 1, 1986 would have their highway funding cut the next two years.\(^ \text{59} \) Although the bill did not mention anything about changes after those two years, so a state could raise the drinking age to comply with the new bill then lower it later after the time expressed in the bill passed.

In Wisconsin the move to comply with the new legislature was not immediate. Originally many of the leading politicians in the state, including the governor, were against being forced to change the drinking age. The year 1985 came and went without the changes being made to the drinking age. It was not until the next year the new drinking age was

\(^ {57} \) John D. Medinger Papers, Box 3, Folder 22.  
\(^ {58} \) Paolino, *The Minimum Drinking Age in Wisconsin*, 4.  
approved, and the state conformed to the federal regulations. September 1, 1986 one month before the deadline set by Congress the new drinking age went into effect in Wisconsin.  

The push for the change in Wisconsin was heavily debated and many good reasons were presented by both sides, but in the end the federal government had too much authority that Wisconsin had to give in and change the drinking age. Without the help from the federal government the debate for changing the drinking age to twenty-one would have lasted a long time because of the complexity of the issue.

**Conclusion**

The drinking age in Wisconsin has varied from the beginning of statehood all the way up until the mid 1980s. The most controversial change happened in the 1970s with the approved Twenty-sixth Amendment that lowered the voting age to eighteen. With the change of voting age, a new idea went through the country; that being eighteen also meant that a person was also an adult. This new idea about adulthood was completely accepted by Wisconsin. The aspects that went with being an adult should also be given to those at eighteen since voting was seen as a mark of adulthood. The drinking age was lowered with many other areas of adulthood from twenty-one to eighteen in Wisconsin. This ended up creating many problems since most states did not lower the drinking age to eighteen, so Wisconsin became a destination for many to drink.

[60 ibid.]
There was major debate in the state government about if there should be change and if so what should the new drinking age become? This was a complex issue that citizens wanted an answer right away, but the local politicians took great time in learning as much as they could about the issue before they made a decision. There were arguments on both sides that had to be listened to; each side had to be heard in order for the government to work properly. The move to give eighteen year olds more rights was an important issue and many felt that they should not get their rights taken back so quickly without fully looking into the problems.

The border crossing issue increased the distances that many young people had to drive to get a drink. This problem increased once Wisconsin was surrounded by states with different drinking ages. This increase in driving also led to an increase in accidents that was soon brought to the attention of the national government. In an attempt to reduce the number of accidents the national government called for a uniform drinking age of twenty-one across the country. Wisconsin was initially opposed to being forced to change the drinking could do nothing but comply. There was major debate in the state Assembly and Senate about how to raise money to replace what would be lost if the state kept the drinking age under the federal mandated age of twenty-one. The penalties that would have been enforced were too great and the drinking age was increased to twenty-one in the state. The idea of being an adult continued in most of the other aspects of the Age of Majority Bill, but drinking was changed probably for good in the 1980s.
In the end having a uniform drinking age is needed in this country where each state is able to create its own laws. The closeness of states and the need for young adults to express themselves is too great to allow states to have differing drinking ages. The ideas regarding the Age of Majority Bill are interesting and could be a paper on itself. This expanded the role of young adults in the country, but also led to the patchwork of drinking ages since not every state felt the same about having a lowered drinking age. The need to have a uniform drinking age in the country was more important, and Wisconsin could not stand up against the national government.
### TABLE

#### DRINKING AGE BILLS IN THE 1983 LEGISLATIVE SESSION

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**SOURCE:** Legislative Reference Bureau, *Current Trends in Teenage Drinking Laws, LRB-83-IB-3*, September 1933.\(^{61}\)

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Bibliography

Primary Sources


Secondary Sources


