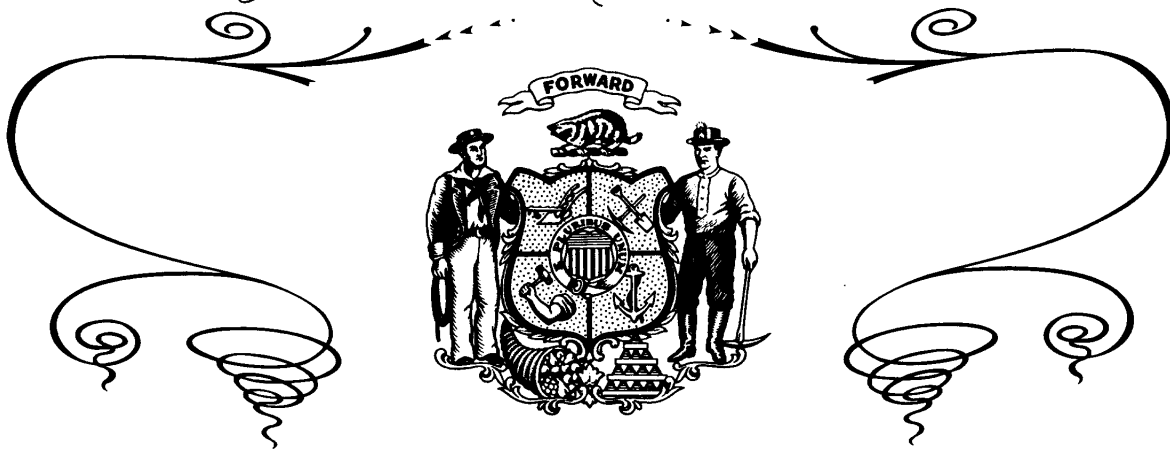


State of Wisconsin



2009 Senate Joint Resolution 6

ENROLLED JOINT RESOLUTION

Relating to: opposing a federal mandate requiring the suspension or revocation of driver's licenses in all circumstances in which a person has been convicted of a drug or other controlled substances violation and exercising the state's option to opt out of this federal mandate.

Whereas, federal law, under 23 USC 159 and regulations promulgated under this federal statute, including 23 CFR 192, requires states, as a prerequisite to receiving certain federal transportation-related funds, either to enact a state law mandating the suspension or revocation of driver's licenses in all circumstances in which a person has been convicted of a drug or other controlled substances violation or to resolve that the state is opposed to a federal mandate requiring the suspension or revocation of driver's licenses in these circumstances; and

Whereas, this state adopted legislation in accordance with this federal law in chapters 938 and 961 of the Wisconsin statutes, mandating driver's license suspensions for adults and juveniles convicted or adjudicated of a violation of this state's Uniform Controlled Substances Act; and

Whereas, the number of suspensions for violations of this state's uniform controlled substances rose from 8,130 in 2001 to 14,849 in 2006; and

Whereas, 37 states have adopted resolutions in opposition to the federal mandate, in accordance with the provisions of federal law described above; and

Whereas, the state desires to modify its legislation that was adopted in accordance with this federal law and to instead opt out of this federal mandate, and to do so without loss of federal transportation-related funds to the state; now, therefore, be it

Resolved by the senate, the assembly concurring, That the state of Wisconsin opposes a federal mandate requiring the suspension or revocation of driver's licenses in all circumstances in which a person has been convicted of a drug or other controlled substances violation and exercises its option to opt out of this federal mandate; and, be it further

Resolved, That the senate chief clerk shall send copies of this joint resolution to the secretary of the U.S. department of transportation and to each member of the congressional delegation from this state.

Representative Michael J. Sheridan
Speaker of the Assembly

Senator Fred A. Risser
President of the Senate

Date

Robert J. Marchant
Senate Chief Clerk