

# State of Vermont

## House of Representatives



Montpelier, Vermont

### Joint House Resolution

J.R.H. 21

Joint resolution urging Congress to authorize alternative waivers to the 21-year-old minimum drinking age that do not entail federal highway funding penalties for states

Offered by: Representatives Helm of Castleton, Baker of West Rutland, Brennan of Colchester, Cheney of Norwich, Edwards of Brattleboro, Flory of Pittsford, Johnson of Canaan, O'Donnell of Vernon, Obuchowski of Rockingham, Ram of Burlington, Rodgers of Glover, Weston of Burlington, and Zuckerman of Burlington

Whereas, in 1984, Congress enacted Public Law 97-364, which in Sec. 101(a) added 23 U.S.C. § 408(f)(6) to the U.S. code that established the statutory basis for the federal penalty that withholds 10 percent of a state's federal highway funding if the state's drinking age is lower than 21, and

Whereas, many years of experience have shown that the 21-year-old drinking age is a contributing factor to a culture of dangerous and clandestine binge-drinking, and

Whereas, raising the drinking age to 21 coincided with societal benefits, but many of these are attributable to advancements in safety, technology, and education, including encouraging use of designated drivers, and

Whereas, many of the benefits initially achieved after the drinking age was raised to 21 are now being offset due to the primarily unintentional and negative consequences related to continued and unsupervised underage drinking, and

Whereas, law enforcement officials have stated it is difficult to enforce laws that prevent minors from possessing alcohol and that enforcement efforts drive underage drinking further underground to settings that are unsupervised, leading to greater alcohol consumption, and

Whereas, this a problem that is reaching crisis proportions, and

Whereas, we consider our young adults responsible enough to defend our country and elect our public officials at the age of 18, but we do not allow them to drink until they turn 21, and

Whereas, we do not let our soldiers go to war without training and do not let our young adults drive without training, but we prevent young persons from drinking until the age of 21, at which time they are immediately able to drink without education or training, and

Whereas, the current 10-percent highway funding penalty prevents an open and informed public debate about the effects of the 21-year-old drinking age as well as about the exploration and testing of innovative educational solutions to address what has become a secret culture of unsupervised overindulgence, and

Whereas, in September of 2008, the United States Congress passed resolutions celebrating 75 years of effective state-based alcohol regulation and recognizing state lawmakers, regulators, law enforcement officers, the public health community, and industry members for creating a workable, legal, and successful system of alcoholic beverage regulation, distribution, and sale, and

Whereas, given the states' constitutional authority to regulate alcohol within their borders, Congress should consider looking at innovative solutions that reflect the current reality to address this growing problem, and

Whereas, since the 1980s, there has been significant advancement on this issue and it deserves proper scrutiny, and

Whereas, each state has unique qualities and citizens that make a one-size-fits-all solution difficult, and states should have the opportunity to explore solutions to the continuing drinking problem by developing a comprehensive program that addresses their unique situation, and

Whereas, policy options such as a waiver of the 10-percent highway funding penalty for any state that is willing to meet specified criteria or alternatively to implement educational or licensing programs to address the problem of binge drinking in its state should be considered and explored, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly urges Congress to grant a waiver to the financial penalty for a state that does not adhere to the federal minimum legal drinking age and to authorize the implementation of innovative state criteria for a trial period that are designed to address the growing problem of binge drinking, and be it further

Resolved: That the state of Vermont is interested in being a progressive leader that would take advantage of a federal waiver program that encourages innovative solutions to the growing problem of binge drinking, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to the Vermont Congressional Delegation.