

has tended to clog the federal court systems. It has clogged the docket of the U.S. Attorney's Office as well as the three federal district judges in our state and it really hasn't...the federal system a lot of times isn't set up to handle a lot of these criminal matters. It's a responsibility that is placed upon the county as well as our Attorney General to prosecute. So I feel that this is a step in the right direction that the federal government is finally requesting the states to look at these types of laws rather than mandating these types of criminal maximums upon the states. So I would urge the body to vote for the resolution. Thank you.

PRESIDENT MOUL: Thank you, Senator Abboud. Senator Withem.

SENATOR WITHEM: Yes, Madam President and members, I just am not 100...I have no absolutely no problem, Senator Kristensen, with the way you explained it to me but I am not familiar with the legal impact of passing this resolution. This, in effect, within this pending legislation they are indicating this applies to all states that have not passed legislation, something, opting themselves out or, explain how our passing this resolution keeps us from having this prospective mandate imposed upon us. And use my time to do so, please.

SENATOR KRISTENSEN: Thank you, Senator Withem. The federal law that was passed states that we must put into...well, it's similar to like the helmets and the seat belts that you must pass a law that requires the six-months revocation of any violation of a drug law in the state or the Federal Controlled Substance Act. We have until, I believe, it's this fall some time to enact the substantive legislation. However, if we choose to opt out of the federal mandate, we have until April 1 of this year. So this Legislature could say fine, we don't want to reject the federal mandate, we want to live with it, but then if we don't pass substantive legislation by this fall and have it into effect, the October 1 mandate, penalties come into play. The good way to explain this perhaps is this is an insurance policy. If we want to pass that substantive legislation, fine, let's do it, but Senator Abboud has said that he didn't introduce it. I think it's out here this year but why take the chance? If for some reason that legislation doesn't pass, you've imposed a gun to your head that you don't need to do, this is an insurance policy.

PRESIDENT MOUL: Thank you, Senators. Senator Moore. Senator