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SENATE JOINT RESOLUTION NO. 336

Offered January 14, 2009

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Establishing a joint subcommittee to study the risks of consuming high caffeine energy drinks together with alcohol. Report.

Patron—Blevins

Referred to Committee on Rules

WHEREAS, mixing alcohol with high caffeine energy drinks has become a popular, but potentially life-threatening habit among students and young adults; and

WHEREAS, recent data indicate that persons who consume high caffeine energy drinks with alcohol are twice as likely to be injured during a bout of drinking, to need medical care, to ride with a drunk driver, to be sexually assaulted, or to engage in risky and violent behavior; and

WHEREAS, high caffeine levels tend to mask the effects of excess alcohol, impair judgment and reaction times, and make the person unaware that he is intoxicated; and

WHEREAS, high caffeine energy drinks have become a multibillion dollar industry and some energy drinks are laced with alcohol and marketed to young people, and the consumption of alcohol or prescribed medication with such an energy drink exacerbates the adverse effect of psychoactive drugs; and

WHEREAS, the consumption of high caffeine energy drinks with alcohol has been linked to significant health and behavioral risks, and high caffeine energy drinks that are already laced with alcohol are available to anyone without regard to the age of the individual; and

WHEREAS, it is important that the public, particularly students and young adults, are made aware of the potentially harmful effects of high caffeine energy drinks, especially when consumed with alcohol and medication; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That a joint subcommittee be established to study the risks of consuming high caffeine energy drinks together with alcohol. The joint subcommittee shall have a total membership of six members that shall consist of six legislative members to be appointed as follows: two members of the Senate to be appointed by the Senate Committee on Rules and four members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates. The joint subcommittee shall elect a chairman and vice chairman from among its membership, who shall be members of the General Assembly.

In conducting its study, the joint subcommittee shall (i) determine the extent to which high caffeine energy drinks are consumed by students and young adults, and whether such drinks are consumed with alcohol or medication; (ii) ascertain whether certain injuries, violence, and other risky behaviors have been linked to the consumption of these products by students and young adults in Virginia; (iii) determine whether the consumption of these drinks together with alcohol and medication is a problem in Virginia; (iv) evaluate the feasibility of limiting access of these drinks that are already laced with alcohol to underage drinkers; (v) recommend ways to inform the public concerning the health and behavior risks of consuming high caffeine energy drinks with alcohol and medication; and (vi) consider such other related matters as the joint subcommittee deems appropriate.

Administrative staff support shall be provided by the Office of the Clerk of the Senate. Legal, research, policy analysis, and other services as requested by the joint subcommittee shall be provided by the Division of Legislative Services. Technical assistance shall be provided by the Departments of Health, Mental Health, Mental Retardation and Substance Abuse Services, and Education, and the State Council of Higher Education, and the Medical Society of Virginia. All agencies of the Commonwealth shall provide assistance to the joint subcommittee for this study, upon request.

The joint subcommittee shall be limited to four meetings for the 2009 interim, and the direct costs of this study shall not exceed \$6,000 without approval as set out in this resolution. Approval for unbudgeted nonmember-related expenses shall require the written authorization of the chairman of the joint subcommittee and the respective Clerk. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required.

No recommendation of the joint subcommittee shall be adopted if a majority of the Senate members or a majority of the House members appointed to the joint subcommittee (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the joint subcommittee.

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59 The joint subcommittee shall complete its meetings by November 30, 2009, and the chairman shall
60 submit to the Division of Legislative Automated Systems an executive summary of its findings and
61 recommendations no later than the first day of the 2010 Regular Session of the General Assembly. The
62 executive summary shall state whether the joint subcommittee intends to submit to the General
63 Assembly and the Governor a report of its findings and recommendations for publication as a House or
64 Senate document. The executive summary and the report shall be submitted as provided in the
65 procedures of the Division of Legislative Automated Systems for the processing of legislative documents
66 and reports and shall be posted on the General Assembly's website.

67 Implementation of this resolution is subject to subsequent approval and certification by the Joint
68 Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or
69 delay the period for the conduct of the study, or authorize additional meetings during the 2009 interim.