


**I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN  
RESOLUTIONS**

Resolution No.	Sponsor	Title	Date Intro	Date of Presentation	Date Adopted	Date Referred	Referred to	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
236-35 (COR)	James C. Moylan	Relative to amending <i>I Mina'Trentai Singko Na Liheslaturan Guahan Oden Areklamento</i> (the Thirty-Fifth Guam Legislature Standing Rules) to adopt the applicable provisions of the Department of Administrations Drug-Free Workplace Program as a condition of employment in the <i>I Mina'Trentai Singko Na Liheslaturan Guahan</i> .	10/21/19 11:24 a.m.							

***I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN***  
**2019 (FIRST) Regular Session**

Resolution No. 236-35 (COR)

Introduced by:

James C. Moylan 

**Relative to amending *I Mina'Trentai Singko Na Liheslaturan Guahan Otden Areklamento* (the Thirty-Fifth Guam Legislature Standing Rules) to adopt the applicable provisions of the Department of Administrations Drug-Free Workplace Program as a condition of employment in the *I Mina'Trentai Singko Na Liheslaturan Guahan*.**

2019 OCT 21 AM 11:24



1           **BE IT RESOLVED BY THE COMMITTEE ON RULES OF *I***  
2           ***MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN*:**

3           **WHEREAS, *I Liheslaturan Guahan* must recognize the reality that we are**  
4           **unfortunately in a period where our community is faced with a drug epidemic, and**  
5           **only if we can accept the circumstances can we focus on fighting this battle with the**  
6           **intent of winning it; and**

7           **WHEREAS, it would be inexcusable if *I Liheslaturan Guahan* continues to**  
8           **create policy on issues that are associated with combating the islands drug problem as**  
9           **a whole, if we can't as a policymaking body establish drug free guidelines for the**  
10           **legislative branch of the government, specifically when it comes to requiring it as a**  
11           **condition of employment; and**

12           **WHEREAS, Executive Order 95-29, signed by former Governor Carl**  
13           **Gutierrez in 1995, emphasized the importance of establishing a comprehensive drug**

1 free workplace policy for the government of Guam, unfortunately has not been  
2 applied by the legislative branch of the government; and

3 **WHEREAS**, Executive Order 95-29 resulted in adoption and promulgation of  
4 the Department of Administration's Drug-Free Workplace Program Operating  
5 Procedures, which includes a mandatory test as a condition of employment in the  
6 Government of Guam, random drug testing for designation positions, and procedures  
7 for dealing with illegal drug use in the workplace; and

8 **WHEREAS**, it is certainly questionable on why the legislative branch does not  
9 adopt a Drug-Free Workplace Program when other entities in the executive and  
10 judicial branch have similar programs in place, thus it is vital to incorporate a policy  
11 based on what already exists with the executive branch, and apply all applicable  
12 provisions; and

13 **WHEREAS**, it is recognized that senators may not be subject to a drug test as a  
14 condition of employment, as their position was awarded by the electorate via an  
15 election process, and therefore would be exempt from the Drug Free Workplace  
16 Program, if *I Liheslaturan Guåhan* was to adopt a similar program for the branch; and

17 **WHEREAS**, the enactment of Public Law 32-5 earlier in the year legalized the  
18 recreational usage of cannabis on Guam, therefore it would be paramount that any  
19 Drug Free Workplace Program adopted by *I Liheslaturan Guåhan* exclude the legal  
20 substance from the drug testing requirement; now, therefore be it

21 **RESOLVED**, that the Committee on Rules of *I Mina'trentai Singko Na*  
22 *Liheslaturan Guåhan* does hereby, on behalf of *I Liheslaturan Guåhan* and the people  
23 of Guam adopt the applicable provisions of the Department of Administrations Drug-  
24 Free Workplace Program Operating Procedures as a condition of employment for the *I*  
25 *Liheslaturan Guåhan*, and to amend the Standing Rules- Part E, Rule XIV, Section

1 14.04, by adding a new Subsection (i) to include the provisions of this policy: and be  
2 it further;

3 **RESOLVED**, that the Drug-Free Workplace Program Operating Procedures  
4 *shall* be established as a condition of employment for all full and part time employees  
5 of *I Liheslaturan Guåhan*; and be it further

6 **RESOLVED**, that the Drug-Free Workplace Program Operating Procedures  
7 *shall* not apply to any Senator of the *I Liheslaturan Guåhan*, as a condition of  
8 employment, however any Senator *may* volunteer to take a drug test as a means to  
9 share their commitment to the *I Liheslaturan Guåhan's* efforts to address the drug  
10 epidemic on island; and be it further

11 **RESOLVED**, that the Department of Administrations Drug-Free Workplace  
12 Program Operating Procedures *shall* exclude the results of cannabis usage as part of  
13 the drug testing requirements, as to comply with the provisions of Public Law 32-5,  
14 and be it further

15 **RESOLVED**, that the Committee on Rules *shall* have up to ten (10) days from  
16 the adoption of this resolution to identify the applicable provisions of the Department  
17 of Administration's Drug-Free Workplace Program Operating Procedures, and to  
18 promulgate one for *I Liheslaturan Guåhan*; and be it further

19 **RESOLVED**, that the Speaker and the Chairperson of the Committee on Rules  
20 certify, and the Legislative Secretary attest to, the adoption hereof, and that copies of  
21 the same be thereafter transmitted to all Members of *I Mina'Trentai Singko Na*  
22 *Liheslaturan Guahan*; and to the Honorable Lourdes Leon Guerrero, *I Maga'hågan*  
23 *Guåhan*.

**DULY AND REGULARLY ADOPTED BY THE COMMITTEE ON RULES OF  
*I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÁHAN* ON THE DAY  
OF 2019.**

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**TINA ROSE MUÑA-BARNES**  
**Speaker**

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**RÉGINE BISCOE LEE**  
**Chairperson, Committee on Rules**

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**AMANDA L. SHELTON**  
**Legislative Secretary**