

MINA' TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

Bill No. 123 (COR)

Introduced by:

Committee on Tourism,
Cultural Affairs, Youth
and Public Broadcasting
at the request of the 27th
Guam Youth Congress

**AN ACT TO ESTABLISH AND REQUIRE A GOVERNMENT OF
GUAM DRUG FREE WORK ENVIRONMENT TASK FORCE
AND A ZERO TOLERANCE OF DRUG FREE USE POLICY FOR
ALL GOVERNMENT OF GUAM EMPLOYEES.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Intent. The Director of the Civil Service Commission shall conduct a review of all personnel rules applicable to public employees, inclusive of autonomous agencies and instrumentalities of the government of Guam, who test positive for drug use or have been convicted of any drug related offenses.

Section 2. Drug Free Human Task Force. There is hereby established a Drug Free Human Task Force to be chaired by the Director of the Civil Service Commission for the purpose of reviewing personnel rules throughout the Government of Guam- line agencies, autonomous agencies and instrumentalities of the government of Guam. The task force shall be compromised of the Civil Service Commission, and shall have 180 days to

1 complete its review and purpose amendments as required under section.1
2 of this Act.

3 **SECTION 3. Drug Free Work Environment and Zero Tolerance of Drug**
4 **Use Policy.** (a) Application to All Line Agencies. The Director of the
5 Department of Administration shall be required to promulgate
6 amendments providing for a Uniform and non- Uniform policy for
7 immediate dismissal of all public employees who test positive for drug use,
8 and who are convicted of any drug related offenses to the Personnel Rules
9 and Regulations in effect and applicable to public employees, in
10 accordance with the Administration Adjudication Act. (b) Heads of all
11 autonomous agencies and instrumentalities of the government of Guam
12 shall be required to promulgate amendments providing for a policy of
13 immediate dismissal of all public employees who test positive for drug use,
14 and who are convicted of any drug related offenses to their Personnel
15 Rules and Regulations in effect, consistent with such provisions
16 promulgated and applicable to line agencies as required under Subsection
17 (a) of this Section. (c) Amendments to personnel rules and regulations as
18 required under Subsection (a) and (b) of this Section shall be promulgated
19 and made effective no later than June 1, 2009.

20 **SECTION 4. Process In Drug Testing.** Applicable to all Government of
21 Guam employees, will have to submit to a new drug test effective upon
22 enactment of this law, unless one has been submitted to no more than 30
23 days before upon enactment of this Act. The Guam Public School System,
24 Guam Police Department and Department of Public Works agencies, will
25 be (3) first agencies to begin this process in employee drug testing.

1 **SECTION 5. Severability.** If any provision of this Act or application
2 thereof to any person or circumstances is held invalid, such invalidity shall
3 not affect any other provision or application of this Act which can be given
4 without invalid provision or application and to this end this provision of
5 this Act is severable.