I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LAHEN GUÅHAN*

This is to certify that **Bill No. 172-31 (COR), "AN ACT TO *AMEND* §75107 OF CHAPTER 75 OF TITLE 10 OF THE GUAM CODE ANNOTATED, RELATIVE TO SAFE HARBOR EXEMPTION AND RESTRICTIONS,"** was on the 19th day of September, 2011, duly and regularly passed.

Judith T. Won Pat, Ed.D.
Speaker

Attested:

Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 20th day of Sept., 2011, at 4:10 o'clock P.M.

Assistant Staff Officer
Maga'lahi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: _____

Public Law No. _____

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 172-31 (COR)

Introduced by: F. F. Blas, Jr.
T. C. Ada
V. Anthony Ada
B. J.F. Cruz
Chris M. Dueñas
Judith P. Guthertz, DPA
Sam Mabini, Ph.D.
T. R. Muña Barnes
Adolpho B. Palacios, Sr.
v. c. pangelinan
Dennis G. Rodriguez, Jr.
R. J. Respicio
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Aline A.Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

AN ACT TO *AMEND* §75107 OF CHAPTER 75 OF TITLE 10 OF THE GUAM CODE ANNOTATED, RELATIVE TO SAFE HARBOR EXEMPTION AND RESTRICTIONS.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. §75107 of Chapter 75 of Title 10 of the Guam Code Annotated is hereby *amended* to read as follows:

"**§75107. "Safe Harbor" Exemption and Restriction.**

(a) Notwithstanding any other law, rule, executive order, regulation or policy, the provision of "Safe Harbor," as the term is described in the Department of Administration Drug-Free Workplace Program as

promulgated by Executive Order 95-29, *shall not* be applicable to law enforcement personnel, employees and positions, as the term is defined in §75100(a), Chapter 75, Title 10 Guam Code Annotated, and *shall not* be applicable to all Test Designated Positions (TDP) of the government of Guam.

(b) Notwithstanding any other law, rule, executive order, regulation or policy, the provision of "Safe Harbor," as the term is described in the Department of Administration Drug-Free Workplace Program as promulgated by Executive Order 95-29, *shall not* be applicable or available to any employee who:

(1) is the subject of an investigation involving drug use;

(2) is the subject of an investigation that could result in an adverse action;

(3) is required to submit to a drug test for immediate employment or possible promotion;

(4) was involved in an incident that may require or warrant a drug test;

(5) has been found to be in violation of a rule or regulation of the government of Guam; *or*

(6) has been arrested for a drug-related offense."