

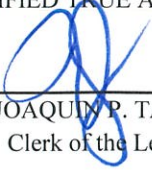
I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN

2024 (SECOND) Regular Session

VOTING RECORD

NAME	Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building July 10, 2024					
	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Senator Chris Barnett	✓					
Senator Frank Blas, Jr.	✓					
Senator Joanne Brown		✓				
Senator Christopher M. Dueñas	✓					
Senator Thomas J. Fisher	✓					
Senator Jesse A. Lujan	✓					
Vice Speaker Tina Rose Muña Barnes	✓					
Senator William A. Parkinson	✓					
Senator Sabina Flores Perez					✓	✓
Senator Roy A. B. Quinata	✓					
Senator Joe S. San Agustin	✓					
Senator Dwayne T. D. San Nicolas	✓					
Senator Amanda L. Shelton	✓					
Senator Telo T. Taitague	✓					
Speaker Therese M. Terlaje	✓					
TOTAL	13	1			1	1
	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused

CERTIFIED TRUE AND CORRECT:


 JOAQUIN P. TAITAGUE
 Clerk of the Legislature

| = Pass

1 (a) It is unlawful for an employer to discriminate against a person in
2 hiring, or any term or condition of employment, or otherwise penalizing a
3 person, if the discrimination is based upon any of the following:

4 (1) the person's use of cannabis off the job and away from the
5 workplace. This paragraph does not prohibit an employer from
6 discriminating in hiring, or any term or condition of employment, or
7 otherwise penalize a person based on scientifically valid
8 preemployment drug screening conducted through methods that do not
9 screen for nonpsychoactive cannabis metabolites; or

10 (2) an employer-required drug screening test that has found
11 the person to have nonpsychoactive cannabis metabolites in their hair,
12 blood, urine, or other bodily fluids.

13 (b) Nothing in this Act permits an employee to possess, to be
14 impaired by, or to use cannabis on the job, or affect the rights or obligations
15 of an employer to maintain a drug-free and alcohol-free workplace, or any
16 other rights or obligations of an employer specified by federal law or
17 regulation.

18 (c) This Act does not apply to an employee in the building and
19 construction trades, law enforcement officers, firefighters, emergency
20 responders, and other positions where public safety is concerned, medical
21 professionals involved in patient care, transportation operators, teachers, child
22 care providers, the Guam Waterworks Authority or the government water and
23 wastewater utility, the Guam Power Authority or government power utility,
24 and the Judiciary of Guam.

25 (d) This Act does not apply to applicants or employees hired for
26 positions that require a federal government background investigation or
27 security clearance in accordance with regulations issued by the United States

1 Department of Defense pursuant to Part 117 of Title 32 of the Code of Federal
2 Regulations, or equivalent regulations applicable to other agencies.

3 (e) This Act does not preempt state or federal laws requiring
4 applicants or employees to be tested for controlled substances, including laws
5 and regulations requiring applicants or employees to be tested, or the manner
6 in which they are tested, as a condition of employment, receiving federal
7 funding or federal licensing-related benefits, or entering into a federal
8 contract.

9 (f) For the purpose of drug screening on Guam, the presence of
10 cannabis metabolites shall not be considered an illicit substance for
11 justification of a positive drug test result.

12 (g) No employer shall rely on the presence of cannabis metabolites
13 in a drug screening result for any employment related decision affecting an
14 applicant.

15 (h) The use of the word “employer” in this Act includes any
16 individual, partnership, association, corporation, business, trust, legal
17 representative, government entity or instrumentality, or any organized group
18 of persons acting directly or indirectly in the interest of an employer in relation
19 to an employee, but shall not include the United States government, or
20 employers engaged in contracts with the federal government.”

21 **Section 2. Effective Date.** This Act shall be effective upon enactment.

22 **Section 3. Severability.** If any provision of this Act or its application to
23 any person or circumstance is found to be invalid or inorganic, such invalidity shall
24 not affect other provisions or applications of this Act that can be given effect without
25 the invalid provision or application, and to this end the provisions of this Act are
26 severable.