

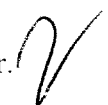
I MINA'TRENTAI UNU NA LIHESLATURAN GU HA N
2011 (FIRST) Regular Session

2011 APR 22 AM 9:38

Bill No. 172-31(COR)

Introduced by:

F. F. Blas, Jr.



**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 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

1 by Executive Order 95-29 shall not be applicable or available to any employee
2 who:

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

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

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

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

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

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