



OFFICE OF SENATOR JAMES "JIM" C. MOYLAN

I MINA' TRENTAI SINGKO NA LIHESLATURAN GUÅHAN | 35TH GUAM LEGISLATURE

OCTOBER 21, 2019

PRESS RELEASE

SENATOR MOYLAN INTRODUCES A MODIFIED VERSION OF RESOLUTION 16-35 (COR).

This morning, Senator James Moylan not only opted to withdraw Resolution 16-35, but introduced Resolution 236-35 (COR) which is a modified version of the original measure, which would require that the legislative branch of government to also require a drug testing as a condition of employment.

Resolution 236-35 (COR) would essentially require the Guam Legislature to adopt all applicable provisions of the Department of Administration's (DOA) Drug-Free policy, which requires a drug test as part of the on boarding process for a new employee. While the testing is not required for Senators, they can certainly volunteer to take one too. Finally, with the enactment of P.L. 35-5, the results of cannabis would also not be required with these testing's.

"This modified resolution addresses the concerns raised by Rules Chairperson, Regine Biscoe-Lee, and thus instead of reinventing the wheel, the legislature would merely adopt a policy already existing in the government", stated Senator Moylan. ***"We were hoping that the good senator (Biscoe-Lee) would have advanced Resolution 16-35 through the process, to allow it a chance to be modified"***, he added.

The Legislative branch, unlike the executive and judicial branches, and many private businesses, does not practice a drug testing policy as part of a condition of employment. Senator Biscoe-Lee expressed concerns that Resolution 16-35 would have violated the 4th Amendment. She was referring to an opinion made by former Attorney General Elizabeth Barrett-Anderson, who previously, expressed that "random" testing's have been proven to violate certain constitutional rights. Senator Moylan has reiterated on several occasions that Resolution 16-35 was not intended to mandate "random" tests within the legislative branch, but rather to allow it as an on boarding process for new hires.

"If we did not raise the issue a few weeks ago, Resolution 16-35 was already sitting idle for over 250 days. With this modified version addressing the concerns of Senator Biscoe-Lee, we are optimistic that she will expedite Resolution 236-35 (COR).", added Senator Moylan. ***"Since this discussion has emerged, the amount of support our office has been receiving on this issue has been overwhelming. People***

SENATOR JAMES C. MOYLAN |

Suite 407 DNA Building • 238 Archbishop Flores St. Hagåtña, Guam 96910 | (671) 922.MORE | (671) 979.MORE | senatormoylan@guamlegislature.org



Like and follow [jamescmoylan](#)

have expressed that the policy making branch of the government, needs to at least practice being a drug free branch of government", he added.

If adopted, the Committee on Rules would have up to ten (10) days to identify the applicable provisions of DOA's Drug Free Policy, and promulgate the policy for the Guam Legislature. Senator Moylan has emphasized that while such policies don't deter the drug problem in a workplace or within the community, they establish a bold statement. ***"There is still so much more that the government needs to do to address this epidemic, and we are committed to making this one of our priorities"***, he also added.

END OF RELEASE

SENATOR JAMES C. MOYLAN |

Suite 407 DNA Building • 238 Archbishop Flores St. Hagåtña, Guam 96910 | (671) 922.MORE | (671) 979.MORE | senatormoylan@guamlegislature.org



Like and follow jamescmoylan