

*I Mina'trentai Siette Na Liheslaturan Guåhan*  
**BILL STATUS**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
<b>260-37 (COR)</b> As amended by the Committee on Fire, Agriculture, Power and Energy Utilities, Public Transit, Unemployment Insurance, and Universal Health Insurance; and further amended on the Floor	William A. Parkinson	AN ACT TO ADD A NEW § 8108(7) OF DIVISION 1, CHAPTER 8, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO LAWFUL OPERATION OF CANNABIS-RELATED FACILITIES.	3/13/24 12:13 p.m.	3/19/24	Committee on Fire, Agriculture, Power and Energy Utilities, Public Transit, Unemployment Insurance and Universal Health Insurance	Request: 3/19/24  3/25/24	4/4/24 2:00 p.m.	5/13/24 3:41 p.m.	Additional Testimony 5/22/24
	<b>SESSION DATE</b>		<b>TITLE</b>	<b>DATE PASSED</b>	<b>TRANSMITTED</b>	<b>DUE DATE</b>	<b>PUBLIC LAW NO.</b>	<b>DATE SIGNED</b>	<b>NOTES</b>
	6/24/24	AN ACT TO ADD A NEW § 8108(a)(7) OF DIVISION 1, CHAPTER 8, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO THE LAWFUL OPERATION OF CANNABIS-RELATED FACILITIES.	7/10/24	7/10/24	7/22/24	37-116	7/22/24	Received: 7/22/24 Messages and Communications Doc. No. 37GL-24-2389	

LOURDES A. LEON GUERRERO  
GOVERNOR



JOSHUA F. TENORIO  
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN  
OFFICE OF THE GOVERNOR OF GUAM

**Transmitted via Email to:** [speaker@guamlegislature.org](mailto:speaker@guamlegislature.org)

Doc Type: 37GL-24-2389  
OFFICE OF THE SPEAKER  
THERESE M. TERLAJE

July 22, 2024

**THE HON. THERESE M. TERLAJE**, *Speaker*  
*I Mina'trentai Siette Na Liheslaturan Guåhan*  
37th Guam Legislature  
Guam Congress Building  
163 Chalan Santo Papa  
Hagåtña, Guam 96910

JUL 22 2024  
Time: 6:40 pm  
Received: [Signature]

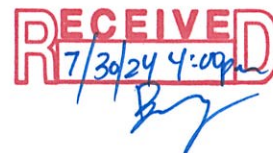
**Re: Bill No. 260-37 (COR) – AN ACT TO ADD A NEW § 8108(a)(7) OF DIVISION 1, CHAPTER 8, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO THE LAWFUL OPERATION OF CANNABIS-RELATED FACILITIES.**

*Håfa Adai* Madam Speaker,

Bill No. 260-37 exempts cannabis businesses from the Cannabis Control Board's Rules and Regulations requiring cannabis laboratory testing. Bill No. 260-37 will be in effect until the licensure and opening of a cannabis testing facility or two years after the date of enactment, whichever happens first.

The Guam Cannabis Industry Act was enacted on April 4, 2019, and soon afterward, the Cannabis Control Board passed Rules and Regulations. Since then, there has been no established cannabis business primarily due to the lack of a cannabis testing facility that is ISO 17025 accredited or certified by the Americans for Safe Access Patient Focused Certification Program, as required by the Cannabis Control Board's Rules and Regulations. With the enactment of this law, cannabis businesses will no longer be required to test cannabis in a cannabis testing facility until either (1) a licensed cannabis testing facility opens or (2) two years after the date of enactment. Bill 260-37 also adds additional disclaimers to make the public aware of the dangers of cannabis. Also, Bill No. 260-37 puts the onus on the cannabis cultivator, under the penalty of perjury, that the products meet the requirements relating to contaminants identified in 3 GARR § 9802.

There are benefits and safeguards to laboratory testing, but I also recognize the apprehension of investing in an expensive laboratory testing facility without knowing the value of the market. Bill 260-37 finds a balance through labeling and reassurances from cannabis cultivators to ensure safety, in order to give an opportunity for these businesses to open and create a market. Once a market is established, investors will have data points to justify investing in a laboratory testing facility. The testing exemption will last, at the most, for two years, at which point laboratory testing requirements in compliance with the Cannabis Control Board's Rules and Regulations will commence.



To: The Hon. Therese M. Terlaje, Speaker  
Fr: The Hon. Lourdes A. Leon Guerrero, Governor of Guam  
Date: July 22, 2024  
Re: Bill No. 260-37 (COR)

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For the foregoing reasons, I am signing Bill No. 260-37 (COR) into law as ***Public Law 37-116***.

*Senseramente,*



**LOURDES A. LEON GUERRERO**

*I Maga'hågan Guåhan*

Governor of Guam

Enclosure(s): Bill No. 260-37 (COR) nka P.L. 37-116

cc via email: *Honorable* Joshua F. Tenorio, *Sigundo Maga'låhen Guåhan*, Lt. Governor of Guam  
Compiler of Laws

*I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN*  
2024 (SECOND) Regular Session

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

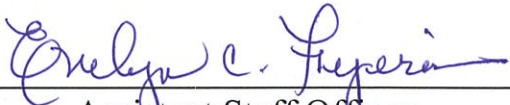
This is to certify that **Bill No. 260-37 (COR)**, "AN ACT TO *ADD* A NEW § 8108(a)(7) OF DIVISION 1, CHAPTER 8, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO THE LAWFUL OPERATION OF CANNABIS-RELATED FACILITIES," was on the 10<sup>th</sup> day of July 2024, duly and regularly passed.

  
Therese M. Terlaje  
Speaker


Attested:

  
Amanda L. Shelton  
Legislative Secretary

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This Act was received by *I Maga'hågan Guåhan* this 10<sup>th</sup> day of July,  
2024, at 4:22 o'clock P.M.

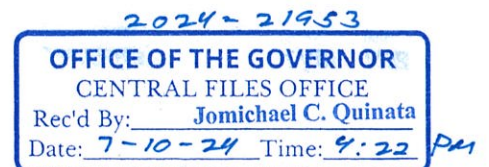
  
Assistant Staff Officer  
*Maga'håga's* Office

APPROVED:

  
Lourdes A. Leon Guerrero  
*I Maga'hågan Guåhan*

Date: JULY 22, 2024

Public Law No. 37-116



***I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN***  
**2024 (SECOND) Regular Session**

**Bill No. 260-37 (COR)**

As amended by the Committee on Fire, Agriculture, Power and Energy Utilities, Public Transit, Unemployment Insurance, and Universal Health Insurance; and further amended on the Floor.

Introduced by:

William A. Parkinson  
Chris Barnett  
Frank Blas, Jr.  
Joanne M. Brown  
Christopher M. Dueñas  
Thomas J. Fisher  
Jesse A. Lujan  
Tina Rose Muña Barnes  
Roy A. B. Quinata  
Joe S. San Agustin  
Dwayne T.D. San Nicolas  
Amanda L. Shelton  
Telo T. Taitague  
Therese M. Terlaje

**AN ACT TO *ADD* A NEW § 8108(a)(7) OF DIVISION 1, CHAPTER 8, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO THE LAWFUL OPERATION OF CANNABIS-RELATED FACILITIES.**

1        **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2        **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that under the authority granted by 11 GCA, Chapter 8, § 8110 of the Guam  
4 Cannabis Industry Act, the Guam Cannabis Board promulgated rules regarding  
5 the need for cannabis testing (see Article 7 of the Cannabis Control Board's  
6 Rules and Regulations).

1            *I Liheslatura* finds that the requirements for a cannabis testing facility, as  
2 defined in 11 GCA, Chapter 8, § 8102(l), while laudable, could stop Guam’s  
3 cannabis industry before it starts.

4            *I Liheslatura* further finds that currently there are no cannabis testing  
5 facility companies on island that can or will meet the requirement that it be ISO  
6 17025 accredited or certified by the Americans for Safe Access Patient Focused  
7 Certification Program, but there are several companies attempting to establish a  
8 cannabis business.

9            *I Liheslatura* finds that requiring a cannabis testing facility where none  
10 exists will further delay and derail Guam’s cannabis industry.

11           *I Liheslatura* further finds that some testing is not only beneficial but  
12 needed.

13           Through this Act, *I Liheslaturan Guåhan* intends to exempt cannabis  
14 businesses from some of the testing requirements while there is no cannabis  
15 testing facility on island.

16           **Section 2.** A new § 8108(a)(7) is hereby *added* to Chapter 8, Division 1,  
17 Title 11, Guam Code Annotated, to read:

18           “(7) delivering, distributing, or selling cannabis to consumers or other  
19 cannabis businesses *if and only if* there is no cannabis testing facility on Guam  
20 that is ISO 17025 accredited or certified by the Americans for Safe Access  
21 Patient Focused Certification Program. So long as the cannabis flowers or buds are  
22 marked with a label indicating the amount, strain, batch number, and date of  
23 harvest, name and address of licensed cultivation company and manufacturing  
24 company, as applicable, there shall be a disclaimer stating, (A) “the marijuana  
25 contained within this package has not been tested for contaminants”; and (B)  
26 “Marijuana use can be addictive and can impair an individual’s ability to drive  
27 a motor vehicle or operate heavy machinery. Marijuana smoke contains

1 carcinogens and can lead to an increased risk for cancer, tachycardia,  
2 hypertension, heart attack, and lung infection. KEEP OUT OF REACH OF  
3 CHILDREN.”

4 (A) Upon the licensure and opening of a cannabis testing facility  
5 by the Guam Cannabis Control Board, all cannabis must be tested as  
6 required by the applicable rules and regulations. The Guam Cannabis  
7 Control Board shall notify every licensee that it has ten (10) days to  
8 demonstrate that it is compliant with the relevant testing requirements.  
9 The company’s Responsible Official is responsible for demonstrating  
10 compliance.

11 (B) Notwithstanding any other provision of law, rule, or  
12 regulation, in the absence of a licensed cannabis testing facility on  
13 Guam, cannabis cultivators may deliver, distribute or sell cannabis  
14 flowers or buds; provided, the cannabis cultivator attests under  
15 penalty of perjury their cannabis flowers or buds meets the  
16 requirements relating to contaminants contained in 3 GARR §  
17 9802(f)(2).”

18 **Section 3.** Section 8108(a)(7) of Chapter 8, Division 1, Title 11, Guam  
19 Code Annotated, shall be effective ninety (90) days after enactment. Section  
20 8108(a)(7) of Chapter 8, Division 1, Title 11, Guam Code Annotated, shall sunset  
21 two (2) years after the date of enactment.