

# I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN

## 2024 (SECOND) Regular Session

### VOTING RECORD

<b>Bill No. 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.	Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building July 10, 2024					
NAME	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**

**9**  
Aye

**5**  
Nay

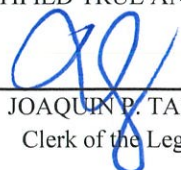
**Not  
Voting/  
Abstained**

**Out  
During  
Roll Call**

**1**  
Absent

**1**  
Excused

CERTIFIED TRUE AND CORRECT:

  
 JOAQUIN P. TAITAGUE  
 Clerk of the Legislature

I = Pass

***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

**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.**

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

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

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

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

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

3            *I Liheslatura* further finds that some testing is not only beneficial but  
4 needed.

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

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

10            “(7) delivering, distributing, or selling cannabis to consumers or other  
11 cannabis businesses *if and only if* there is no cannabis testing facility on Guam  
12 that is ISO 17025 accredited or certified by the Americans for Safe Access  
13 Patient Focused Certification Program. So long as the cannabis flowers or buds are  
14 marked with a label indicating the amount, strain, batch number, and date of  
15 harvest, name and address of licensed cultivation company and manufacturing  
16 company, as applicable, there shall be a disclaimer stating, (A) “the marijuana  
17 contained within this package has not been tested for contaminants”; and (B)  
18 “Marijuana use can be addictive and can impair an individual’s ability to drive  
19 a motor vehicle or operate heavy machinery. Marijuana smoke contains  
20 carcinogens and can lead to an increased risk for cancer, tachycardia,  
21 hypertension, heart attack, and lung infection. KEEP OUT OF REACH OF  
22 CHILDREN.”

23            (A) Upon the licensure and opening of a cannabis testing facility  
24 by the Guam Cannabis Control Board, all cannabis must be tested as  
25 required by the applicable rules and regulations. The Guam Cannabis  
26 Control Board shall notify every licensee that it has ten (10) days to  
27 demonstrate that it is compliant with the relevant testing requirements.

1           The company’s Responsible Official is responsible for demonstrating  
2           compliance.

3           (B) Notwithstanding any other provision of law, rule, or  
4           regulation, in the absence of a licensed cannabis testing facility on  
5           Guam, cannabis cultivators may deliver, distribute or sell cannabis  
6           flowers or buds; provided, the cannabis cultivator attests under  
7           penalty of perjury their cannabis flowers or buds meets the  
8           requirements relating to contaminants contained in 3 GARR §  
9           9802(f)(2).”

10          **Section 3.** Section 8108(a)(7) of Chapter 8, Division 1, Title 11, Guam  
11          Code Annotated, shall be effective ninety (90) days after enactment. Section  
12          8108(a)(7) of Chapter 8, Division 1, Title 11, Guam Code Annotated, shall sunset  
13          two (2) years after the date of enactment.