

I Mina'trentai Singko Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
32-35 (COR)	C.E. Ridgell Tina Rose Muña Barnes Joe S. San Agustin Régine Biscoe Lee Telo T. Taitague Jose "PEDO" Terlaje	AN ACT TO ADD A NEW CHAPTER 8 TO TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO REGULATING THE USE, PRODUCTION, SALE, AND TAXATION OF MARIJUANA, TO BE KNOWN AS THE "GUAM CANNABIS INDUSTRY ACT OF 2019"; TO ADD A NEW CHAPTER 9 TO TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO CREATING THE CANNABIS CONTROL BOARD; TO REPEAL §§ (c)(23) AND (c)(31) OF APPENDIX A, CHAPTER 67, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO DECLASSIFYING MARIJUANA AS A SCHEDULE I CONTROLLED SUBSTANCE; AND TO AMEND §§ 67.401.2(b), 67.401.4(f), (h), AND (j), 67.401.5, 67.401.6, 67.411(b) AND 67.412(a), AND REPEAL § 67.401.4(k), ALL OF ARTICLE 4, CHAPTER 67, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO REDEFINING REFERENCES TO IT IN THE GUAM UNIFORM CONTROLLED SUBSTANCES ACT; AND ADDING A NEW § 70.44.4 TO TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO POSSESSION OF CANNABIS BY PERSONS UNDER TWENTY-ONE (21) YEARS OF AGE.	1/31/19 2:40 p.m.	2/4/19	Committee on Economic Development, Agriculture, Maritime Transportation, Power and Energy Utilities, and Emergency Response	3/7/19 9:00 a.m. 2:00 p.m.	3/19/19 1:46 p.m.	Request: 2/4/19 Fiscal Note: 2/20/19	As amended by the Committee on Economic Development, Agriculture, Maritime Transportation, Power and Energy Utilities, and Emergency Response.



Clynton E. Ridgell
 Senator - 35th Guam Legislature
 Committee on Economic Development, Agriculture, Maritime Transportation,
 Power and Energy Utilities, and Emergency Response

March 15, 2019

Honorable Telena C. Nelson
 Acting Speaker
 I Mina'trentai Singko na Liheslaturan Guåhan
 163 Chalan Santo Papa
 Hagåtña, Guam 96910

Via: **Honorable Régine Biscoe Lee** 
 Chairperson, Committee on Rules

Re: Committee Report on Bill No. 32-35 (COR) As amended by the Committee on Economic Development, Agriculture, Maritime Transportation, Power and Energy Utilities, and Emergency Response

Håfa adai Acting Speaker Nelson:

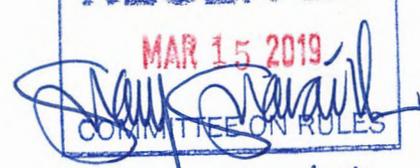
Transmitted herewith is the Committee Report on **Bill No. 32-35 (COR)** As amended by the Committee on Economic Development, Agriculture, Maritime Transportation, Power and Energy Utilities, and Emergency Response – AN ACT TO *ADD* A NEW CHAPTER 8 TO TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO REGULATING THE USE, PRODUCTION, SALE, AND TAXATION OF MARIJUANA, TO BE KNOWN AS THE “*GUAM CANNABIS INDUSTRY ACT OF 2019*”; TO *ADD* A NEW CHAPTER 9 TO TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO CREATING THE CANNABIS CONTROL BOARD; TO *REPEAL* §§ (c)(23) AND (c)(31) OF APPENDIX A, CHAPTER 67, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO DECLASSIFYING MARIJUANA AS A SCHEDULE I CONTROLLED SUBSTANCE; AND TO *AMEND* §§ 67.401.2(b), 67.401.4(f), (h), AND (j), 67.401.5, 67.401.6, 67.411(b) AND 67.412(a), AND *REPEAL* § 67.401.4(k), ALL OF ARTICLE 4, CHAPTER 67, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO REDEFINING REFERENCES TO IT IN THE GUAM UNIFORM CONTROLLED SUBSTANCES ACT; AND *ADDING* A NEW § 70.44.4 TO TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO POSSESSION OF CANNABIS BY PERSONS UNDER TWENTY-ONE (21) YEARS OF AGE.

Committee votes are as follows:

- 3 TO DO PASS
- 0 TO NOT PASS
- 1 TO REPORT OUT ONLY
- 0 TO ABSTAIN
- 0 TO PLACE IN INACTIVE FILE

Si Yu'os ma'åse',


 Clynton E. Ridgell

RECEIVED
 MAR 15 2019

 COMMITTEE ON RULES
 4pm.

2019 MAR 19 PM 1:46 PM



Clynton E. Ridgell

Senator - 35th Guam Legislature

*Committee on Economic Development, Agriculture, Maritime Transportation,
Power and Energy Utilities, and Emergency Response*

COMMITTEE REPORT

Bill No. 32-35 (COR) As amended by the Committee on Economic Development, Agriculture, Maritime Transportation, Power and Energy Utilities, and Emergency Response

Introduced by Senator Clynton E. Ridgell

AN ACT TO ADD A NEW CHAPTER 8 TO TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO REGULATING THE USE, PRODUCTION, SALE, AND TAXATION OF MARIJUANA, TO BE KNOWN AS THE "GUAM CANNABIS INDUSTRY ACT OF 2019"; TO ADD A NEW CHAPTER 9 TO TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO CREATING THE CANNABIS CONTROL BOARD; TO REPEAL §§ (c)(23) AND (c)(31) OF APPENDIX A, CHAPTER 67, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO DECLASSIFYING MARIJUANA AS A SCHEDULE I CONTROLLED SUBSTANCE; AND TO AMEND §§ 67.401.2(b), 67.401.4(f), (h), AND (j), 67.401.5, 67.401.6, 67.411(b) AND 67.412(a), AND REPEAL § 67.401.4(k), ALL OF ARTICLE 4, CHAPTER 67, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO REDEFINING REFERENCES TO IT IN THE GUAM UNIFORM CONTROLLED SUBSTANCES ACT; AND ADDING A NEW § 70.44.4 TO TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO POSSESSION OF CANNABIS BY PERSONS UNDER TWENTY-ONE (21) YEARS OF AGE.



Clynton E. Ridgell

Senator - 35th Guam Legislature

*Committee on Economic Development, Agriculture, Maritime Transportation,
Power and Energy Utilities, and Emergency Response*

March 15, 2019

MEMORANDUM

To: **All Members**
Committee on Economic Development, Agriculture, Maritime Transportation,
Power and Energy Utilities, and Emergency Response

From: **Senator Clynton E. Ridgell** 
Committee Chairperson

Subject: **Committee Report Bill No. 32-35 (COR) As amended by the Committee on
Economic Development, Agriculture, Maritime Transportation, Power and
Energy Utilities, and Emergency Response**

Transmitted herewith for your consideration is the Committee Report on the Amended Bill No. 32-35 (COR) - AN ACT TO *ADD* A NEW CHAPTER 8 TO TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO REGULATING THE USE, PRODUCTION, SALE, AND TAXATION OF MARIJUANA, TO BE KNOWN AS THE “*GUAM CANNABIS INDUSTRY ACT OF 2019*”; TO *ADD* A NEW CHAPTER 9 TO TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO CREATING THE CANNABIS CONTROL BOARD; TO *REPEAL* §§ (c)(23) AND (c)(31) OF APPENDIX A, CHAPTER 67, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO DECLASSIFYING MARIJUANA AS A SCHEDULE I CONTROLLED SUBSTANCE; AND TO *AMEND* §§ 67.401.2(b), 67.401.4(f), (h), AND (j), 67.401.5, 67.401.6, 67.411(b) AND 67.412(a), AND *REPEAL* § 67.401.4(k), ALL OF ARTICLE 4, CHAPTER 67, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO REDEFINING REFERENCES TO IT IN THE GUAM UNIFORM CONTROLLED SUBSTANCES ACT; AND *ADDING* A NEW § 70.44.4 TO TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO POSSESSION OF CANNABIS BY PERSONS UNDER TWENTY-ONE (21) YEARS OF AGE.

This report includes the following:

- Copy of COR Referral of Bill No. 32-35 (COR)
- Notices of Public Hearing & Other Correspondence
- Copy of the Public Hearing Agenda
- Public Hearing Sign-In Sheets
- Copies of Submitted Testimonies & Supporting Documents
- Committee Report Digest
- Copy of Bill No. 32-35 (COR)

Page 1



Clynton E. Ridgell

Senator - 35th Guam Legislature

*Committee on Economic Development, Agriculture, Maritime Transportation,
Power and Energy Utilities, and Emergency Response*

- Copy of Bill No. 32-35 (COR) As Amended by the Committee
- Copy of Bill No. 32-35 (COR) Amended Mark-Up Version
- Copy of Fiscal Note from Bureau of Budget and Management Research
- Related News Reports
- Committee Vote Sheet

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Si Yu'os ma'åse'!

Senator Amanda L. Shelton,
Vice Chairperson

Speaker Tina Rose Muña Barnes,
Member

Vice Speaker Telenia Cruz Nelson,
Member

Senator Kelly Marsh (Taitano), Ph.D.,
Member

Senator Sabina Flores Perez
Member

Senator Clynton E. Ridgell
Member



COMMITTEE ON RULES
SENATOR RÉGINE BISCOE LEE, CHAIR
I MINA 'TRENTAI SINGKO NA LIHESLATURAN GUÁHAN
35TH GUAM LEGISLATURE

February 4, 2019

Senator Joe S. San Agustín
Member

Senator Jose T. Terlaj
Member

Senator Therese M. Terlaj
Member

Senator James C. Moyla
Member

Senator Mary Camacho Torres
Member and
Chair, Subcommittee on Protocols

MEMO

To: **Rennae Meno**
Clerk of the Legislature
Attorney Julian Aguon
Legislative Legal Counsel

From: **Senator Régine Biscoe Lee**
Chairperson, Committee on Rules

Re: **Referral of Bill No. 32-35 (COR)**

Buenas yan Háfa adai.

As per my authority as Chairperson of the Committee on Rules and subject to §6.01(d), Rule VI of our Standing Rules, I am forwarding the referral of **Bill No. 32-35 (COR)**.

Please ensure that the subject bill is referred, in my name, to **Senator Clynton E. Ridgell, Chairperson of the Committee on Economic Development, Agriculture, Maritime Transportation, Power and Energy Utilities, and Emergency Response.**

I also request that the same be forwarded to the prime sponsor of the subject bill.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.

Respectfully,


Senator Régine Biscoe Lee
Chairperson, Committee on Rules



Selina Onedera-Salas <sonedera-salas@guamlegislature.org>

FIRST NOTICE of Public Hearing: Thursday - March 7, 2019

message

Office of Senator Clynton E. Ridgell <sen.cridgell@teleguam.net>
 Reply-To: sen.cridgell@teleguam.net
 To: "Office of Senator Clynton E. Ridgell" <sen.cridgell@teleguam.net>

Tue, Feb 26, 2019 at 2:49 PM

FOR IMMEDIATE RELEASE

February 26, 2019

MEMORANDUM

-

To: All Senators, Stakeholders, Media

From: Senator Clynton E. Ridgell

Re: FIRST NOTICE of Public Hearing: Thursday – March 7, 2019

The Committee on Economic Development, Agriculture, Maritime Transportation, Power and Energy Utilities, and Emergency Response will conduct a Public Hearing on **Thursday – March 7, 2019**, from **9:00 am to 12:00 pm** and from **2:00 pm to 6:00 pm** to hear and accept testimonies on:

Bill No. 32-35 (COR) – An to Add a New Chapter 8 to Title 11 Guam Code Annotated Known as the "Guam Cannabis Industry Act of 2019," Relative to Regulating the Use, Production, Sale, and Taxation of Marijuana; Adding a New

<https://mail.google.com/mail/u/0?ik=f8f6cb2755&view=pt&search=all&permthid=thread-f%3A1626505577236047271%7Cmsg-f%3A1626505577236047271&siml=msg-f%3A1626505577236047271&...> 1/2

3/18/2019

Guam Legislature Mail - FIRST NOTICE of Public Hearing: Thursday - March 7, 2019

Chapter 9 to Division 1, Title 11 GCA, Relative to Creating the Cannabis Control Board; Declassifying Marijuana as a Schedule I Controlled Substance and Redefining References to it in the Guam Uniform Controlled Substances Act.

The Hearing will take place in *i Liheslaturan Guåhan's* Public Hearing Room at the Guam Congress Building in Hagåtña, Guam. We look forward to your attendance and participation.

The Public Hearing will broadcast LIVE on local television (GTA Channel 21, Docomo Channel 11760.4) and stream online via *i Liheslaturan Guåhan's* live feed. Written testimonies may be hand-delivered to the Office of Senator Clynton E. Ridgell at [238 Archbishop Flores Street, Suite 906](#) -- DNA Building, Hagåtña, Guam 96910; via email at sen.cridgell@teleguam.net; or via fax at (671) 475-4768.

All government activities, programs, and services are accessible for people with disabilities in compliance with Title II of the Americans with Disabilities Act (ADA). Should you or interested parties require assistance or special accommodations to fully participate in this public hearing, please contact Angela Santos at (671) 475-4983 or via email at sen.cridgell@teleguam.net.

-

Office of Senator Clynton E. Ridgell

Committee on Economic Development, Agriculture, Maritime Transportation, Power and Energy Utilities, and Emergency Response

238 Archbishop Flores St

Ste 906 – DNA Building

Hagåtña, Guam 96910

Phone: (671) 475-4983 · Fax: (671) 475-4768

sen.cridgell@teleguam.net



Clynton E. Ridgell

Senator - 35th Guam Legislature

*Committee on Economic Development, Agriculture, Maritime Transportation,
Power and Energy Utilities, and Emergency Response*

FOR IMMEDIATE RELEASE

February 26, 2019

MEMORANDUM

To: All Senators, Stakeholders, Media

From: Senator Clynton E. Ridgell 

Re: FIRST NOTICE of Public Hearing: Thursday - March 7, 2019

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Selina Onedera-Salas <sonedera-salas@guamlegislature.org>

SECOND NOTICE of Public Hearing: Thursday - March 7, 2019

1 message

Selina Onedera-Salas <sonedera-salas@guamlegislature.org>

Tue, Mar 5, 2019 at 6:54 AM

Bcc: PHrg Notice <phnotice@guamlegislature.org>, Chris Barnett <chris@kuam.com>, Andrea Pellacani <andrea@spbgum.com>, Dontana Keraskes <dontanakeraskes@gmail.com>, Gaynor Dumatol <editor@postguam.com>, Haidee Eugenio <heugenio@guampdn.com>, Jasmine Stole <jstole@guampdn.com>, Jolene Toves <jolene@spbgum.com>, Kevin Kerrigan <kevin@postguam.com>, Marvic <publisher@pacificislandtimes.com>, Mindy Aguon <mindy@postguam.com>, Nestor Licanto <nestor@kuam.com>, Nick Delgado <nick@kuam.com>, Patti Arroyo <parroyo@spbgum.com>, Paul Charfauros <pcharfauros@spbgum.com>, Phil Leon Guerrero <phill@spbgum.com>, Ray Gibson <raygibsonradio@gmail.com>, Sabrina Salas Matanane <sabrina@kuam.com>, SMG <news@k57.com>, Steve Lintiaco <slintiaco@guampdn.com>

FOR IMMEDIATE RELEASE

March 5, 2019

MEMORANDUM**To:** All Senators, Stakeholders, Media**From:** Senator Clynton E. Ridgell**Re:** SECOND NOTICE of Public Hearing: Thursday - March 7, 2019

The Committee on Economic Development, Agriculture, Maritime Transportation, Power and Energy Utilities, and Emergency Response will conduct a Public Hearing on **Thursday - March 7, 2019, from 9:00 am to 12:00 pm and from 2:00 pm to 6:00 pm** to hear and accept testimonies on:

Bill No. 32-35 (COR) - An Act to Add a New Chapter 8 to Title 11 Guam Code Annotated Known as the "Guam Cannabis Industry Act of 2019," Relative to Regulating the Use, Production, Sale, and Taxation of Marijuana; Adding a New Chapter 9 to Division 1, Title 11 GCA, Relative to Creating the Cannabis Control Board; Declassifying Marijuana as a Schedule I Controlled Substance and Redefining References to it in the Guam Uniform Controlled Substances Act.

The Hearing will take place in *i Liheslaturan Guåhan's* Public Hearing Room at the Guam Congress Building in Hagåtña, Guam.

We look forward to your attendance and participation.

<https://mail.google.com/mail/u/0/?ik=fbf6cb2755&view=pt&search=all&permthid=thread-a%3Ar9126489759131430090%7Cmsg-a%3Ar-3467279220366910894&siml=msg-a%3Ar-34672792203669108...> 1/2

3/18/2019

Guam Legislature Mail - SECOND NOTICE of Public Hearing: Thursday - March 7, 2019

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Selina Onedera-Salas
Chief of Staff - Office of Senator Clynton E. Ridgell
238 Archbishop Flores St
Suite 906, DNA Building
Hagåtña, Guam 96910
(671) 475-4983 (Office) (671) 475-4768 (Fax)
sonedera-salas@guamlegislature.org

Committee on Economic Development, Agriculture, Maritime Transportation, Power and Energy Utilities, and Emergency Response

2019-03-05 SECOND NOTICE - Public Hearing.pdf
107K



Clynton E. Ridgell

Senator – 35th Guam Legislature

*Committee on Economic Development, Agriculture, Maritime Transportation,
Power and Energy Utilities, and Emergency Response*

FOR IMMEDIATE RELEASE

March 5, 2019

MEMORANDUM

To: All Senators, Stakeholders, Media

From: Senator Clynton E. Ridgell

Re: SECOND NOTICE of Public Hearing: Thursday – March 7, 2019

The Committee on Economic Development, Agriculture, Maritime Transportation, Power and Energy Utilities, and Emergency Response will conduct a Public Hearing on **Thursday – March 7, 2019**, from **9:00 am to 12:00 pm** and from **2:00 pm to 6:00 pm** to hear and accept testimonies on:

Bill No. 32-35 (COR) – An Act to Add a New Chapter 8 to Title 11 Guam Code Annotated Known as the “Guam Cannabis Industry Act of 2019,” Relative to Regulating the Use, Production, Sale, and Taxation of Marijuana; Adding a New Chapter 9 to Division 1, Title 11 GCA, Relative to Creating the Cannabis Control Board; Declassifying Marijuana as a Schedule I Controlled Substance and Redefining References to it in the Guam Uniform Controlled Substances Act.

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Selina Onedera-Salas <sonedera-salas@guamlegislature.org>

Letter from Senator Clynton E. Ridgell: Notice of Public Hearing on Bill No. 32-35 (COR)

1 message

Selina Onedera-Salas <sonedera-salas@guamlegislature.org>

Fri, Mar 1, 2019 at 9:08 AM

To: Chelsa Muña-Brecht <Chelsa.MunaBrecht@agriculture.guam.gov>

Cc: "Senator Clynton E. Ridgell" <clyntridgell@guamlegislature.org>, Erin Grajek <egrajak@guamlegislature.org>

Håfa adai, Ms. Muña-Brecht!

Please see the attached letter from Senator Clynton E. Ridgell and the Committee on Economic Development, Agriculture, Maritime Transportation, Power and Energy Utilities, and Emergency Response regarding the Public Hearing on Bill No. 32-35 (COR) scheduled for Thursday, March 7, 2019.

Si Yu'os ma'åse'

--

Selina Onedera-Salas

Chief of Staff - Office of Senator Clynton E. Ridgell

238 Archbishop Flores St

Suite 906, DNA Building

Hagåtña, Guam 96910

(671) 475-4983 (Office) · (671) 475-4768 (Fax)

sonedera-salas@guamlegislature.org

Committee on Economic Development, Agriculture, Maritime Transportation, Power and Energy Utilities, and Emergency Response

3 attachments

2019-03-01 Chelsa Muña-Brecht (Agr) - Notice of Public Hearing - Bill No. 32-35 (COR).pdf
95K

Bill No. 32-35 (COR).pdf
704K

2019-02-26 FIRST NOTICE - Public Hearing.pdf
109K



Clynton E. Ridgell
Senator - 35th Guam Legislature
*Committee on Economic Development, Agriculture, Maritime Transportation,
Power and Energy Utilities, and Emergency Response*

March 1, 2019

Transmitted via Electronic Mail

chelsa.munabrecht@agriculture.guam.gov

Chelsa Muña-Brecht
Director
Department of Agriculture
163 Dairy Road
Mangilao, Guam 96913

Re: Notice of Public Hearing - Bill No. 32-35 (COR)

Håfa adai Ms. Muña-Brecht:

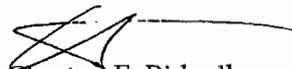
This is to notify you that the Committee on Economic Development, Agriculture, Maritime Transportation, Power and Energy Utilities, and Emergency Response is conducting a **Public Hearing on Bill No. 32-35 (COR)** - An Act to Add a New Chapter 8 to Title 11 Guam Code Annotated Known as the "Guam Cannabis Industry Act of 2019," Relative to Regulating the Use, Production, Sale, and Taxation of Marijuana; Adding a New Chapter 9 to Division 1, Title 11 GCA, Relative to Creating the Cannabis Control Board; Declassifying Marijuana as a Schedule I Controlled Substance and Redefining References to it in the Guam Uniform Controlled Substances Act.

The hearing is scheduled for **Thursday, March 7, 2019 from 9:00 am to 12:00 pm and will reconvene 2:00 pm to 6:00 pm.** We invite you to provide testimony at this hearing.

We ask that written testimonies be submitted to our office at least one day in advance of the hearing and within ten days after the hearing. Testimonies may be delivered to our office at 238 Archbishop Flores Street, Suite 906 - DNA Building, in Hagåtña; via email at sen.cridgell@teleguam.net; or by fax at 475-4768.

If you have any questions or concerns, please contact Selina Onedera-Salas at 475-4983 or send email to sonedera-salas@guamlegislature.org.

Si Yu'os ma'åse',


Clynton E. Ridgell



Selina Onedera-Salas <sonedera-salas@guamlegislature.org>

Letter from Senator Clynton E. Ridgell: Notice of Public Hearing on Bill No. 32-35 (COR)

1 message

Selina Onedera-Salas <sonedera-salas@guamlegislature.org>

Fri, Mar 1, 2019 at 9:03 AM

To: dafne.shimizu@revtax.guam.gov

Cc: michele.santos@revtax.guam.gov, "Senator Clynton E. Ridgell" <clyntridgell@guamlegislature.org>

Håfa adai, Ms. Shimizu!

Please see the attached letter from Senator Clynton E. Ridgell and the Committee on Economic Development, Agriculture, Maritime Transportation, Power and Energy Utilities, and Emergency Response regarding the Public Hearing on Bill No. 32-35 (COR) scheduled for Thursday, March 7, 2019.

Si Yu'os ma'åse'

--

Selina Onedera-Salas

Chief of Staff - Office of Senator Clynton E. Ridgell

238 Archbishop Flores St

Suite 906, DNA Building

Hagåtña, Guam 96910

(671) 475-4983 (Office) (671) 475-4768 (Fax)

sonedera-salas@guamlegislature.org

Committee on Economic Development, Agriculture, Maritime Transportation, Power and Energy Utilities, and Emergency Response

3 attachments

2019-03-01 Dafne Shimizu (DRT) - Notice of Public Hearing - Bill No. 32-35 (COR).pdf
96K

Bill No. 32-35 (COR).pdf
704K

2019-02-26 FIRST NOTICE - Public Hearing.pdf
109K



Clynton E. Ridgell

Senator - 35th Guam Legislature

*Committee on Economic Development, Agriculture, Maritime Transportation,
Power and Energy Utilities, and Emergency Response*

March 1, 2019

Transmitted via Electronic Mail

dafne.shimizu@revtax.guam.gov

Dafne Shimizu
Acting Director
Department of Revenue and Taxation
1240 Route 16
Barrigada, Guam 96913

Re: Notice of Public Hearing - Bill No. 32-35 (COR)

Håfa adai Ms. Shimizu:

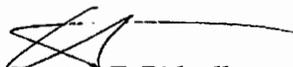
This is to notify you and the Department of Revenue and Taxation that the Committee on Economic Development, Agriculture, Maritime Transportation, Power and Energy Utilities, and Emergency Response is conducting a **Public Hearing on Bill No. 32-35 (COR)** - An Act to Add a New Chapter 8 to Title 11 Guam Code Annotated Known as the "Guam Cannabis Industry Act of 2019," Relative to Regulating the Use, Production, Sale, and Taxation of Marijuana; Adding a New Chapter 9 to Division 1, Title 11 GCA, Relative to Creating the Cannabis Control Board; Declassifying Marijuana as a Schedule I Controlled Substance and Redefining References to it in the Guam Uniform Controlled Substances Act.

The hearing is scheduled for **Thursday, March 7, 2019 from 9:00 am to 12:00 pm and will reconvene 2:00 pm to 6:00 pm.** We invite you to provide testimony at this hearing.

We ask that written testimonies be submitted to our office at least one day in advance of the hearing and within ten days after the hearing. Testimonies may be delivered to our office at 238 Archbishop Flores Street, Suite 906 - DNA Building, in Hagåtña; via email at sen.cridgell@teleguam.net; or by fax at 475-4768.

If you have any questions or concerns, please contact Selina Onedera-Salas at 475-4983 or send email to sonedera-salas@guamlegislature.org.

Si Yu'os ma'åse',



Clynton E. Ridgell

Cc: Michele B. Santos, Deputy Director - Department of Revenue and Taxation

I Mina'trentai Singko Na Liheslaturan Guåhan

PH NOTICE LISTSERV

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Updated as of 3.11.19



Clynton E. Ridgell

Senator – 35th Guam Legislature

*Committee on Economic Development, Agriculture, Maritime Transportation,
Power and Energy Utilities, and Emergency Response*

PUBLIC HEARING AGENDA

Thursday – March 7, 2019

9:00 am – 12:00 pm & 2:00 pm – 6:00 pm

Public Hearing Room, Guam Congress Building
Hagåtña, Guam

Bill No. 32-35 (COR) – An Act to Add a New Chapter 8 to Title 11 Guam Code Annotated Known as the “Guam Cannabis Industry Act Of 2019,” Relative to Regulating the Use, Production, Sale, and Taxation Of Marijuana; Adding a New Chapter 9 to Division 1, Title 11 GCA, Relative to Creating the Cannabis Control Board; Declassifying Marijuana as a Schedule I Controlled Substance and Redefining References to it in the Guam Uniform Controlled Substances Act.

The Public Hearing will broadcast LIVE on local television (GTA Channel 21, Docomo Channel 117/60.4) and stream online via *i Liheslaturan Guåhan's* live feed. Written testimonies may be hand-delivered to the Office of Senator Clynton E. Ridgell at 238 Archbishop Flores Street, Suite 906 – DNA Building, Hagåtña, Guam 96910; via email at sen.cridgell@teleguam.net; or via fax at (671) 475-4768.

All government activities, programs, and services are accessible for people with disabilities in compliance with Title II of the Americans with Disabilities Act (ADA). Should you or interested parties require assistance or special accommodations to fully participate in this public hearing, please contact Angela Santos at (671) 475-4983 or via email at sen.cridgell@teleguam.net.



Clynton E. Ridgell

Senator - 35th Guam Legislature

Committee on Economic Development, Agriculture, Maritime Transportation, Power and Energy Utilities, and
Emergency Response

PUBLIC HEARING SIGN-IN SHEET

Thursday · March 7, 2019 · 9:00am to 12:00pm

Public Hearing Room · Guam Congress Building

Bill No. 32-35 (COR) - An Act to Add a New Chapter 8 to Title 11 Guam Code Annotated Known as the "Guam Cannabis Industry Act of 2019," Relative to Regulating the Use, Production, Sale, and Taxation of Marijuana; Adding a New Chapter 9 to Division 1, Title 11 GCA, Relative to Creating the Cannabis Control Board; Declassifying Marijuana as a Schedule I Controlled Substance and Redefining References to it in the Guam Uniform Controlled Substances Act.

NAME	AGENCY/ ORGANIZATION	PHONE NUMBER	EMAIL ADDRESS	TESTIMONY	POSITION
Sedfrey Sedfrey Linsangan	Small business	929 1616		<input type="checkbox"/> Written <input checked="" type="checkbox"/> Oral	<input type="checkbox"/> Support <input checked="" type="checkbox"/> Oppose
SAKS, RAYMOND A.	RET	488 8334		<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose
Paul Zerzan	retired teacher	734-0768	paulzerzan@hotmail.com	<input type="checkbox"/> Written <input checked="" type="checkbox"/> Oral	<input type="checkbox"/> Support <input checked="" type="checkbox"/> Oppose
Bill Cudiff	Ret Mil.	482 1008	cudiffb175@gmail.com	<input type="checkbox"/> Written <input checked="" type="checkbox"/> Oral	<input type="checkbox"/> Support <input checked="" type="checkbox"/> Oppose
JAVARIS, Jonathan	Ret USA / Guam Legis!	707-4646		<input checked="" type="checkbox"/> Written <input checked="" type="checkbox"/> Oral	<input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose
				<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose
				<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose
				<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose
				<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose
				<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose



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NAME	AGENCY/ ORGANIZATION	PHONE NUMBER	EMAIL ADDRESS	TESTIMONY	POSITION
DAVID CAMACHO	—	—	—	<input type="checkbox"/> Written <input checked="" type="checkbox"/> Oral	<input type="checkbox"/> Support <input checked="" type="checkbox"/> Oppose
Moe Cotton	— Retired	888-2121	moe cotton I@gmail.com	<input type="checkbox"/> Written <input checked="" type="checkbox"/> Oral	<input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose
Jina Blay	San Myun			<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose
August Fest	Guamhesal Bul	828-9536	legalbul@yahoo.com	<input type="checkbox"/> Written? <input checked="" type="checkbox"/> Oral	<input checked="" type="checkbox"/> Support! <input type="checkbox"/> Oppose
Matt Giger	Self	777-9777	giger.guam@gmail.com	<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose
Adrian Cruz	Gov's Office	482-3331	adrian.cruze@guam.gov	<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose
Anthony Damiano Qeenga	Air Force Vets	486-2016	anthonydamianoqseenga@yahoo.com	<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose
				<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose
				<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose



Clynton E. Ridgell

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PUBLIC HEARING SIGN-IN SHEET

Thursday · March 7, 2019 · 9:00am to 12:00pm

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Bill No. 32-35 (COR) - An Act to Add a New Chapter 8 to Title 11 Guam Code Annotated Known as the "Guam Cannabis Industry Act of 2019," Relative to Regulating the Use, Production, Sale, and Taxation of Marijuana; Adding a New Chapter 9 to Division 1, Title 11 GCA, Relative to Creating the Cannabis Control Board; Declassifying Marijuana as a Schedule I Controlled Substance and Redefining References to it in the Guam Uniform Controlled Substances Act.

NAME	AGENCY/ ORGANIZATION	PHONE NUMBER	EMAIL ADDRESS	TESTIMONY	POSITION
<i>[Signature]</i>	<i>FOR MAYOR</i>	<i>472-1884</i>		<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose
William Parkinson	private citizen	6850241	Wm.parkinson@gmail	<input type="checkbox"/> Written <input checked="" type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose
GLORIA C. GUERRERO	PERSONAL INTEREST	7272750		<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input type="checkbox"/> Support <input checked="" type="checkbox"/> Oppose
				<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose
				<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose
				<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose
				<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose
				<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose
				<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose



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Emergency Response

PUBLIC HEARING SIGN-IN SHEET

Thursday · March 7, 2019 · 2:00pm to 6:00pm

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NAME	AGENCY/ ORGANIZATION	PHONE NUMBER	EMAIL ADDRESS	TESTIMONY	POSITION
Ethan Cefre	Local Business	483-7594	gubglassguam@gmail.com	<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose
ANDREA C PELUCANI	GRASSROOTS	687-6932	andrea@grassroots.guam.gu	<input checked="" type="checkbox"/> Written <input checked="" type="checkbox"/> Oral	<input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose
SAVARES, SAVAS	Guam Legal Mount	747-9461		<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose
Irene Immail		672-9863		<input type="checkbox"/> Written <input checked="" type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose
John Limtiaco	VOG/CHAS	489-1057	limtiacojohn@gmail.com	<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose
August Fest	Guam Legal Bud	B28-8586	lesabud@yahoo.com	<input type="checkbox"/> Written <input checked="" type="checkbox"/> Oral?	<input checked="" type="checkbox"/> Support! <input type="checkbox"/> Oppose
				<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose
				<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose
				<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose
				<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose



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NAME	AGENCY/ ORGANIZATION	PHONE NUMBER	EMAIL ADDRESS	TESTIMONY	POSITION
CHRIS DOMBROWSKI	INDEPENDENT	988-1243	CCDS14@gmail.com	<input type="checkbox"/> Written <input checked="" type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose
Thomas Fisher	"	483-7794	tfisher96910@yahoo	<input type="checkbox"/> Written <input checked="" type="checkbox"/> Oral	<input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose
Chelsea Muna-Brecht	DOAG	468-8384	chelsea.munabrecht@agriculture.guam.gov	<input checked="" type="checkbox"/> Written <input type="checkbox"/> Oral	<input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose
Ugoelucun Akoma	Physician	777 78 78	uakoma1@heptabank.com	<input type="checkbox"/> Written <input checked="" type="checkbox"/> Oral	<input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose
David Mike Santos	Independent			<input type="checkbox"/> Written <input checked="" type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose
Pamela Duval	Self	686-0598	pamela.duval158@gmail.com	<input type="checkbox"/> Written <input checked="" type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose
Jacob M. Perez	Self	787-3269	sasshadhe@yahoo.com	<input type="checkbox"/> Written <input checked="" type="checkbox"/> Oral	<input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose
GARY Hiley	Self			<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose
JOHN BUCCAT	Self	727-2122	john.b@guamautospot.com	<input type="checkbox"/> Written <input checked="" type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose
Michael Bautista	self	787-1414		<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose



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NAME	AGENCY/ ORGANIZATION	PHONE NUMBER	EMAIL ADDRESS	TESTIMONY	POSITION
Maga Briti Roberto	RSA	653-6637		<input type="checkbox"/> Written <input checked="" type="checkbox"/> Oral	<input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose
Troy Ignacio		480-4178		<input type="checkbox"/> Written <input checked="" type="checkbox"/> Oral	<input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose
Antonio Susuico	Self	653-6637		<input type="checkbox"/> Written <input checked="" type="checkbox"/> Oral	<input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose
JANINE SATELAN	GRASSROOTS GUMM	687-2834	js@grassrootsgumm.com	<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose
Troy Torres	Me	456-4237	troy@kanditnews.com	<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose
Dafu Shing	DRT	635-1817	dafu.shing@reventax.guam.gu	<input type="checkbox"/> Written <input checked="" type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose
Pablo Pablo	DRT	635-1817	paul.pablo@reventax.guam.gu	<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose
Adonis Mendida	~			<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose
Justin Cruz	self	653-0539	keelalibioncruz99@gmail.com	<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose
Wayne Merrill	self	480-5708	hummerr@netscape.net	<input type="checkbox"/> Written <input checked="" type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose



Clynton E. Ridgell

Senator - 35th Guam Legislature

Committee on Economic Development, Agriculture, Maritime Transportation, Power and Energy Utilities, and
Emergency Response

PUBLIC HEARING SIGN-IN SHEET

Thursday · March 7, 2019 · 2:00pm to 6:00pm

Public Hearing Room · Guam Congress Building

Bill No. 32-35 (COR) - An Act to Add a New Chapter 8 to Title 11 Guam Code Annotated Known as the "Guam Cannabis Industry Act of 2019," Relative to Regulating the Use, Production, Sale, and Taxation of Marijuana; Adding a New Chapter 9 to Division 1, Title 11 GCA, Relative to Creating the Cannabis Control Board; Declassifying Marijuana as a Schedule I Controlled Substance and Redefining References to it in the Guam Uniform Controlled Substances Act.

NAME	AGENCY/ ORGANIZATION	PHONE NUMBER	EMAIL ADDRESS	TESTIMONY	POSITION
Pauline Lacson		1(312)912-9565	lacson.pauline@gmail.com	<input checked="" type="checkbox"/> Written <input type="checkbox"/> Oral	<input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose
Mark Lamb		(313)426-6542	mlamb81@gmail.com	<input checked="" type="checkbox"/> Written <input type="checkbox"/> Oral	<input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose
				<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose
				<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose
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				<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose
				<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose
				<input type="checkbox"/> Written <input type="checkbox"/> Oral	<input type="checkbox"/> Support <input type="checkbox"/> Oppose

Hafa Ađai Senators,

First and foremost, I would like to thank you for the opportunity to speak in support of bill 32-35 known as the "Guam Cannabis Industry Act of 2019". My name is Jonathan Savares, I am 34 years old, a retired U.S. Army veteran, father/husband, and certified medical cannabis patient. Cannabis has been my choice of medicine for over two year now and cannabis has given me my life back. A little over three years ago is when this journey began, I was living in constant pain and suffering from multitude of medical conditions. The doctors were telling me that my kidney and liver had suffered major damage from all the medications that were prescribed to me over the years. Moving to cannabis was not a choice my wife and I made lightly. We looked at the pros and cons, took time to speak with our friends and family to ensure that they were supportive of this choice. Although we were meet with some resistance, we seem to get mostly positive feedback. That was back in 2016, I had been dealing with my medical issues since 2010 when I had returned from Iraq. I feel that bill 32-35 give many people whose medical conditions are not covered under our medical program. This bill will allow individuals who may be having difficulties becoming certified since we have not had much support from our medical community. This bill will allow these individual to gain access to safe cannabis.

As a patient I support bill 32-35 for a few specific reasons, although I do have some concerns and would like to bring up as well, for possible clarification

- This bill exempts medical cannabis patients from the 15% tax. If possible, could the bill just elaborate further on a plan to differentiate the two programs, since the proposed tax would be assets at the point of distribution not at the point of sale.
 - As a patient I do appreciate the fact that we are keeping the separation between the two programs, since one provides a want while the other is a need.
- Furthermore, according to section 13 of the bill as stated, "Nothing in this Act shall construed or interpreted to amend, repeal, affect, restrict, or preempt laws pertaining to Guam Public Laws 32-237(the Joaquin ((KC)) Concepcion II Compassionate Cannabis Use Act of 2013), 34-125 (Home cultivation), 34-165 (Home cultivation protections)."
 - I would ask that PL33-220 be added to this list. Since this bill strengths the provisions in PL 32-237
- That the board will have a medical cannabis patient to be the voice of the patients.
- The creation of a separate hemp industry under the guidance of the board, which has use as a raw plant, or fiber, to textiles, and the green waste can go to live stock as feed. As we see more and more Hemp derived CBD being imported to Guam verses, Guam growing and possible exporting CBD products.

As a medical cannabis patient, I ask that the all cannabis that is grown is tested to ensure individuals have access to safe cannabis. Looking through the bill I believe that is a responsibility of the board, can verbiage be clarified for a definitive yes that the lab is a must, or no the lab is not necessary, just to ensure clarity. I am not referring to the home cultivation provision, I am specifically speaking of the cannabis cultivation facilities.

I would like to mention according to Forbes contributor Tom Angell "The Trump administration is asking the public to submit comments to help inform the U.S.'s position on the potential global reclassification of marijuana," following the World Health Organizations recommendation.

Lastly, I have submitted two papers that I am currently working on for one of my classes at UOG. Yes, cannabis has helped me go back to seek higher education, something that a few years ago was not even in the conversation. One titled "My Cannabis Journey", speaking about the why I made this choice and talks about being stigmatized about my choice. The other is a paper that I am writing about cannabis legalization in the states, the world, and touches of World Health Organizations.

I would thank you for your the time and the opportunity to speak in favor of this bill 32-35.

<https://www.forbes.com/sites/tomangell/2019/03/01/trump-administration-wants-more-input-on-marijuana-rescheduling/#69ccaf383606>

Jonathan Savares
My Cannabis Journey

I feel that the legalization of cannabis is in our near future and is completely inevitable. As look at the progression of world's view on cannabis I to have had to make a shift in my own personal way of looking at the plant. Cannabis for years has been criminalized not only in our local society but through-out the world, but the days of cannabis prohibition I feel are coming to an end. I know many people have found great relief with the help of cannabis although the federal government has it listed to not have any medicinal value. Cannabis although a scheduled one controlled substance has been my medicine and has allowed me to have a greater quality of life.

A little over three years ago is when this journey began, I was living in constant pain and suffering from multitude of medical conditions. The doctors were telling me that my kidney and liver suffered major damage from all the medications that were prescribed to me over the years. Moving to cannabis was not a choice my wife and I made lightly. We looked at the pros and cons, took time to speak with our friends and family to ensure that they were supportive of this choice. Although we were meet with some resistance, we seem to get mostly positive feedback. This was back in 2016, I had been dealing with my medical issues since 2010 when I had returned from Iraq. Cannabis had never been a real option for me, since growing up and being in the military had created this stigma in my mind, but with the way's things were going not making an adjustment in my life could have been detrimental.

Following these talks, Grassroots Guam held its first Medical Cannabis workshop at the Hyatt. My wife and I sat in the back corner listening to the speakers, one speaker and I shared some commonalty that we are both veterans. Nick an Air Force vet who had been suffering with the some of the same conditions that I had been dealing with. While speaking with Nick and getting a vague understanding of how cannabis helped him deal with his conditions it was became clearer to my wife and I, that if cannabis could give me some relief and it wasn't as harmful as what I was currently taking that it won't hurt to try.

Following that came a public hearing after public hearing, and finally in January of 2017, I was fortunate enough to get a certification. Certified for over two years now, there has yet to be a place for me to access safe medicine. I have turned to the illicit market for medicine because our leaders have failed to implement this program. By allowing legalization on Guam, I know we will be able to garner more support for the certain areas specifically the lab component of both programs. Currently the illicit market has zero regulations that they follow. Which mean that I as a patient do not have access to safe cannabis.

For the past two years I have been living in fear. I have been called many names and have got into many senses less arguments, weather being told if I keep smoking "marijuana" eventually I'm going to be smoking "ice" to boy you just want to get high. Few people stood up and verbalized support, I would hear it through the whispers behind the scenes, that is what has kept me going. The whispers from patients and others who know that cannabis is not hurting anyone. Over the past two years I have not had any urges to dabble in any other substance other than alcohol and tabaco, but both these are federally legal. Cannabis has helped me to control my use of alcohol in which I had issues with in the past.

If you talk to the people who my medical choice has made a major impact, they will tell you "that it was one of smartest choices I had made." Seeing the transformation over the past two years has been night and day for some of them. My daughter who for the first three years of her life did not understand why I was always mad. My wife who has stuck with me through this whole ordeal, the constant doctor's appointment, and major readjustment to our lives. My mom who at first was not the most supportive in the beginning but she has seen drastic improvements that would have not been possible without cannabis. Through the legalization, cannabis can be more available to those who may need it as they get ill, and once they are better, they may not want to use. If that was an option for me that would have been great.

Over two years later cannabis has allowed me to have some sort of normality in my life. I am currently a University of Guam student with a 3.3 grade point average. Last semester I was the President of the Student Veterans organization and I am the currently the Vice President and I participate in veteran and community outreach programs. My family is happier that I can be more involved with our family activities that I would shy away from before. Cannabis has allowed me to assist Dededo during typhoon and emergency situations, by alleviating my pain more so than conventional medications did. None of these things would be without cannabis.

Now as we stand with the possibility of adult use in our sights, I ask our people to think about the patients when looking at adult use. If implementing an adult use program can get patients access to safe medicine than why not. This also helps since our medical conditions list has less than 10 approved conditions. Adult use will allow for safe access for those who may not be covered on the conditions list, although there is good research for cannabis therapy. Over the years many more people and countries are realizing that there are more pros with the use of cannabis than cons. I will stand behind my use of cannabis as my medicine and the legalization of this plant because I know that it helped save my life and can help save the life of others.

Jonathan Savares
Cannabis Legalization

President Richard Nixon during his state of the Union Address in 1973 said, "There is no question about whether marijuana is dangerous, the only question is how dangerous. While the matter is still in dispute, the only responsible governmental approach is to prevent marijuana from being legalized." As we fast forward to today more and more people have come to realize that this statement is far from the truth. As I look at the world and the ever-changing landscape of cannabis, I see the good that a simple plant can bring to our people. Over the years there has been efforts world-wide to either legalize cannabis for medical reason or just straight decriminalization. As I look at the media reports I see more and more states creating a cannabis program, countries creating cannabis policies, and even the World Health Organization making recommendation to reclassify cannabis.

Through-out the United States, individual states have created a medical cannabis program, some have outright legalized cannabis, and even the 2018 Farm Bill which legalized hemp in the United States. Currently there are 33 states who have a medical cannabis program, 14 other states have medical cannabis programs with controlled Tetrahydrocannabinol (THC) percentage regulations, only three states do not have any program yet. For the 14 states with a limited THC content, Cannabidiol (CBD) rich cannabis is what their regulations are regulating. Of these 33 states, 10 states have legalized cannabis while 13 other states have decriminalized cannabis. Whether it be decriminalization or outright legalization, more and more states and territories are making moves in this direction. Leading to December of 2018, when President Trump signed the Farm Bill of 2018 into law. What this had done for the cannabis community, was the legalization of Hemp.

Through the Farm Bill according to Forbes "The most interesting part of the 1,006-page bill is the last page. It amends the Controlled Substances Act of 1970 concerning marijuana for the first time. Specifically, it refers to a new definition of "hemp" as being any *C. Sativa* plant that has THC below 0.3% on a dry weight basis." The Farm Bill has made it the first time in over 40 years that the United States of America has made any changes to the Controlled Substances Act. What this has allowed for is a new industry to be created, where the government can come in a regulate and tax hemp. Hemp can be used for many different aspects from fuel to feed, and now our farmers will have federal support with this new crop. Furthermore, hemp can produce Cannabidiol (CBD) while having little to no psychoactive effects on a person. As more states move towards legalization the Farm Bill is a clear sign that our nations leaders see the good in cannabis and have moved passed all the propaganda in which many of us were raised on.

Looking outside the United States borders, cannabis conversation is happening constantly more countries have made efforts to create a medical program and even as far as complete legalization. On Guam our people decided back in 2014 that we wanted a medical cannabis program, fast forward to 2019 we have yet to have a single medical cannabis business open. On Guam we have watched our fellow Chamoru's in the Northern Marianas Island completely legalize cannabis and yet on Guam we have fail to move forward.

During the last six months we have seen the Philippines and South Korea start to move forward in the legalization of medical cannabis. Although, this is a step in the right direction, I can't help to think about how on Guam we created laws to attract medical cannabis tourism, now some of the markets we intended to capitalize on are no longer apart of the equation. Furthermore, the past years we have seen whole counties decriminalize and/or legalize cannabis. According to Vox "Uruguay became the first country in the world to fully legalize marijuana in

2013. After Uruguay, Canada legalized marijuana in 2018.” In addition, later this year Israel will be legalizing cannabis as well. Furthermore, there are many places though-out the world that have already decriminalized small amount possession. As more countries decided to decriminalize or outright legalize cannabis, we will start to see a shift on the world’s perception on this plant.

With talks of cannabis reform on the rise, the World Health Organization (W.H.O.) to has taken their stance towards cannabis reform as well. Tom Angell writes “Global health experts at the United Nations are recommending that marijuana and its key components be formally rescheduled under international drug treaties.” This is only a recommendation, the World Health Organization can recommend that we reform our cannabis laws, but our government must be the ones to make that decision. As the rest of the world looks at the United States, to see what our response to the W.H.O.’s recommendation, the United States has their own divide though the nation. Furthermore, Tom Angell says “the president (President Trump) himself has voiced support for letting states set their own cannabis policies without interference.” The W.H.O. has made their recommendation and if President Trump’s is allowing for individual states to govern without interference from the federal government, we must seize the opportunity and not be left behind.

More doctors are coming to the realization that cannabis is not a drug and we should not treat it as a drug, but as a medicine that can help many people with many conditions. As world-wide Cannabis reform is on the rise, weather it be medical or adult use, we must remember that this is a plant. A plant that can help people, that can create whole industries, a plant that God put on this earth for his people to use.

Wagner, Denis, “Richard Nixon Shafer Commission Report on Marijuana”

<http://www.stateoftheunionhistory.com/2015/11/1973-richard-nixon-shafer-commission.html> Accessed 11 February 2019

“State Medical Marijuana Laws” National Conference of State Legislatures 2019

<http://www.ncsl.org/research/health/state-medical-marijuana-laws.aspx>, Accessed 11 February 2019.

Lopez, German, “Uruguay was the first country to fully legalize marijuana”, <https://www.vox.com>, 2018, <https://www.vox.com/identities/2018/8/20/17938416/marijuana-legalization-world-uruguay-canada-netherlands>, Accessed 11 February 2019.

Waldrep, Jordan. “World Health Organization Recommends Reclassifying Marijuana Under International Treaties”, Forbes, 2019, <https://www.forbes.com/sites/jordanwaldrep/2019/01/03/how-cannabis-just-took-a-step-towards-legalization-in-the-us-farm-bill/#22ce91f06608>, Accessed 11 February 2019.

Angell, Tom. “World Health Organization Recommends Reclassifying Marijuana Under International Treaties”, Forbes, 2019, https://www.forbes.com/sites/tomangell/2019/02/01/world-health-organization-recommends-rescheduling-marijuana-under-international-treaties/?fbclid=IwAR3t9mOY8mlS11gcYsg0HXhgNht-Zg_t9e0Ra2YE892Eg0oPPQSaYxjMdnw#6cf3176b6bcc, Accessed 11 February 2019.

Rigell, Clynt, “Guam Votes Yes on Medical Marijuana”, pacificnewscenter.com, 2014, <https://pacificnewscenter.com/guam-votes-yes-on-medical-marijuana/>, Accessed 11 February 2019.

Compiled Testimony for Bill 32-35 from August Fest

Feb 2 at 1:10 PM (POS Instead of Excise Tax)

Senator Ridgell,

As previously mentioned and suggested that any and all tax including "excise tax" be collected entirely at the end point-of-sale to the consumer, as in the current subsection, no such tax be levied on cannabis intended for "medical use"...

The way it is currently stated and collected from the cultivator, would require the cultivator to separately cultivate or separate flowers specifically for "medical use", this also complicates the process and products from a processor/manufacturer.

To simplify "Tax Exemption" collecting tax at the end point-of-sale, a "registered patient" shows proof of status at the sales register, and whatever products are purchased by the patient would be a medical tax exempt sale....

I feel the change would simplify the process and tax exemption for all concerned, while maximizing tax revenue collected on the "retail price" of products, rather than that of the lower wholesale cultivation price....

For your consideration, and will testify accordingly...

AF

Feb 3 at 12:37 PM (Sunset Clause for medical home cultivation with it's much higher plant counts??)

Senator Ridgell,

Please add this message of inquiry as also the very last message (Medical Tax Exemption & POS Collection) as testimony for your Bill 32-35.

Big Question: Will the passage of this Act nullify the Sunset Clause for medical home cultivation with it's much higher plant counts??

PL 34-125 Subsection 122530 (a) Should be amended within this new Bill 32-35. The words (if there is no operational operational dispensary for medical cannabis products) should be deleted. The higher plant counts and possession for patients should be upheld.

You are calling it a retail cannabis store in the new bill and not a dispensary, so we should be in the clear and good to keep on going, even when a retail cannabis store opens. Anyone over 21 will be able

to cultivate, so why shouldn't a patient be allowed the higher plant count?

The higher acquisition, cultivation and possession for patients should not be affected, **but it should be specified in this new bill, and to amend PL 34-125.**

Please add this to testimony for Bill 32-35.

Thank You

August Fest

Feb 6 at 5:23 PM (IRS 280 Tax Relief}

Senator Ridgell,

Please add to your many considerations with your Bill and or Commission for discussion...

IRS 280E and cannabis businesses not being able to take standard business deductions...

I know Maine produced a workaround and have come to learn Washington State also has one in place...

Please watch/listen @ 59:00 into the clip...

Please add this to testimony for your Bill 32-35.

Hope to cross paths Thursday late afternoon...

AF

828-8586

Marijuana and Federalism

Feb 8 at 2:26 PM (Off Island Testing/US Congress Rep/CRS/NCSL/Prof Mikos/DEA/Senator Barnes)

Senator Ridgell & COS Selina,

This past email string reaches out to all... Description of my interaction with the local DEA office, prior research into the matter, and reaches local Senators then and now, the former and current Congress Reps. & Staff, the NCSL, Professor Mikos and CRS Attorney Yeh...

Please and again, review, consider, follow up and add this to testimony to Bill 32-35.

Thank You.

August Fest

828-8586

From: Yanger, Ed <Ed.Yanger@mail.house.gov>
To: 'August Fest' < >
Sent: Tuesday, November 27, 2018, 1:26:46 AM GMT+10
Subject: RE: DEA/CSA/DPH Off Island Lab Testing of Cannabis Samples...

Mr. Fest,

Thank you. Just received basic email and 3 attachments. I will review and contact Mr. Yeh at CRS.

Regards,

Ed Yanger

Military Legislative Assistant

Congresswoman Madeleine Z. Bordallo

202-225-1188

----- Forwarded Message -----

From: August Fest < >
To: "robert.mikos@vanderbilt.edu" <robert.mikos@vanderbilt.edu>
Sent: Saturday, November 17, 2018 6:31 PM
Subject: DEA/CSA/DPH Off Island Lab Testing of Cannabis Samples...

Professor Mikos,

I recently viewed the 2015 NCSL discussion where you presented at, and is posted on YouTube... You gave an excellent intellectual presentation and follow up arguments and points of interest...I was lead there by my searching for a solution for off Island laboratory safety testing for Guam's Medical Cannabis Program/Statutes...

My first clue to the solution was found in documents (attached below) from the Congressional Research Service, authored by Brian T. Yeh Esq.. His reply is contingent upon our US Rep submitting the inquiry, that I do not have faith in being forwarded through the proper channel...

If you would be so kind to review the messages below that outlines the logical financial conflicts for local lab testing, and my proposal for an alternative avenue for testing from an off Island laboratory, and the possible exemptions outlined in the CRS documents, the US Postal Code and the same subject matter in your presentations, book and curriculum...

Hawaii had the same obstacle, but their much larger population and market did attract and can sustain independently privately owned laboratories. Guam does not have the same advantages... The CNMI to the north saw what problems Guam was having with "Medical Only" and went straight to "Adult Use" legislation with no lab testing...

Please help me break the code, or be able to present the legal workarounds for Guam and off Island laboratory safety testing of cannabis...

Thank you for your work, study and teachings...

August Fest

----- Forwarded Message -----

From: August Fest <>
To: "karmen.hanson@ncsl.org" <karmen.hanson@ncsl.org>
Sent: Thursday, November 15, 2018 9:37 PM
Subject: DEA/CSA/DPH Off Island Lab Testing of Cannabis Samples...

Karmen Hanson,

NCSL

Please review the messages, first below to the CRS Legislative Attorney and second below message to our local Senators...

I am requesting our US Congressional Representative make the proper channeled inquiry to the CRS, but I do not have much faith in speed or action for the inquiry to be submitted....

Your position and study might just lead me/us to the answer for Guam...

Thank you for your work at the NCSL and our country...

August Fest

From: August Fest <>
To: "byeh@crs.loc.gov" <byeh@crs.loc.gov>
Sent: Sunday, November 11, 2018 9:46 AM **Subject:** Fw: DEA/CSA/DPH Off Island Lab Testing of Cannabis Samples...

Brian T. Yeh Esq.,

Legislative Attorney Congressional Research Service

Mr. Yeh,

I have been studying some of your work product documents, in an attempt to solve a problem of alleviating a roadblock within our medical cannabis laws requirement of laboratory safety/quality testing of cannabis...

I live on the Island of Guam a US Territory, our small population (166K) coupled with lack of physician participation, makes an expensive private investment for a testing laboratory unrealistic, and also makes private investments for cultivation, processing and dispensing businesses equally and compounding unrealistic...

After studying your work product I have come to the conclusion that our Department of Health has exemption from registration with the DEA, this exemption also extends into US Postal code according to my research into their code, as it states the same exemptions...

It would be very advantageous and inexpensive for our Department of Health to collect the samples, contract with a stateside cannabis testing laboratory, in a cannabis friendly state (Steep Hill Labs) and

ship the samples to them for testing at \$160 per test sample, versus a million dollars or more private investment for a local laboratory... One could argue the same exemption umbrella would extend to the off Island laboratory declared in the contract for the testing for our DPH...

No state or territory does cannabis safety/quality testing through a local department of health, or has them ship samples through a health department, maybe simply no one thought of it, or the assumption of prohibition, and or lack of local leadership...

If you would be so kind, would you compose a short opinion letter on the subject in question, and referencing the same or more of your work product documents, so we can share to educate some of our local Senate leaders..?? (email address below)...

Please review the short message below outlining my recent interaction with our local DEA office...

Thank you for your work for the Congressional Research Service and our country...

Please Reply...

August Fest

----- Forwarded Message -----

From: August Fest <

>

To: "tinamunabarnes@gmail.com" <tinamunabarnes@gmail.com>

Cc: Jr. Honorable Dennis G. Rodriguez <senatordrodriguez@gmail.com>; Senator Therese Terlaje

<senatorterlajeguam@gmail.com>; Régine Biscoe Lee <senatorbiscoelee@guamlegislature.org>;

Senator Fernando Esteves <senatoresteves@gmail.com>; Louise Muna <senatorlouise@gmail.com>;

Honorable Mary Camacho Torres <marycamachotorres@gmail.com>

Sent: Friday, November 9, 2018 2:09 PM

Subject: DEA/CSA/DPH Off Island Lab Testing of Cannabis Samples...

Former Senator & Senator Elect T. M. Barnes,

Just had a conversation with our local DEA office, and they confirmed my research and assertion that I've been trying to explain and share since March of 2017 (Senator Rodriguez & DPH & GRG), about how our local DPH being exempt from DEA registration can indeed ship test samples of cannabis off Island for testing...

In my conversation with the DEA, I referenced two of the documents (attached) both from the Congressional Research Service an extension of the Library of Congress. One that states the exemption for our local DPH (page15), the second explores the preemptive clause of the CSA, and I also mentioned our local Law PL 33-220 Subsection 122504 (j) where it authorizes DPH to handle and test or conduct tests on cannabis.

Once they confirmed my findings and stated the same, and I asked for a name, they realized they let the cat out of the bag and refused to give a name or comment any further on the subject...

As I have been stating for sometime now, if you had an attorney worth his salt on the case, we would be much further down the road...

Please review the three documents attached and focus in on our PL 33-220 Subsection 122504 (j)...

Congratulations and have a nice day...

August Fest

Feb 9 at 2:40 PM (CRS Document)

Senator Ridgell,

Please add this CRS document for your and GLC reference and testimony for your Bill 32-35.

State Legalization of Recreational Marijuana: Selected Legal Issues

Authors: Todd Garvey Legislative Attorney Brian T. Yeh Legislative Attorney January 13, 2014.

Congressional Research Service 7-5700 www.crs.gov R43034

<https://fas.org/sgp/crs/misc/R43034.pdf>

Summary: May a state authorize the use of marijuana for recreational purposes even if such use is forbidden by federal law? This novel and unresolved legal question has vexed judges, politicians, and legal scholars, and it has also generated considerable public debate among supporters and opponents of “legalizing” the recreational use of marijuana.

The Colorado and Washington laws that legalize, regulate, and tax an activity the federal government expressly prohibits appear to be logically inconsistent with established federal policy toward marijuana, and are therefore potentially subject to a legal challenge under the constitutional doctrine of preemption. This doctrine generally prevents states from enacting laws that are inconsistent with federal law. Under the Supremacy Clause, state laws that conflict with federal law are generally preempted and therefore void and without effect. Yet Congress intended that the CSA would not displace all state laws associated with controlled substances, as it wanted to preserve a role for the states in regulating controlled substances. States thus remain free to pass laws relating to marijuana, or any other controlled substance, so long as they do not create a “positive conflict” with federal law, such that the two laws “cannot consistently stand together.”

This report summarizes the Washington and Colorado marijuana legalization laws and evaluates whether, or the extent to which, they may be preempted by the CSA or by international agreements. It also describes and analyzes the U.S. Department of Justice’s (DOJ’s) response to these legalization initiatives as set forth in a memorandum sent to all federal prosecutors in late August 2013. The report then identifies certain noncriminal consequences that marijuana users may face under federal law. Finally, the report closes with a description of selected legislative proposals introduced in the 113th Congress relating to the treatment of marijuana under federal law.

Feb 10 (Seed-To-Sale)

Senator Ridgell,

Comment on computerized seed-to-sale tracking from the GLB FB page and industry news articles...

Sending for testimony Bill 32-35..

We argued against an expensive Seed-To-Sale Tracking in Bill 210-34 **Still not acquired or even researched one year later**...We will again argue against it for an "Adult Use" market... Guam will be a relatively very small retail market (approx 33K consumers) compared to a US State, and the software systems contracts are very expensive and some contracts require expensive proprietary hardware/systems with the contract. They are also extremely tedious and time consuming to train/incorporate/execute.

IT PREVENTS NOTHING, CAUSES HEADACHES AND RAISES THE PRICE OF THE PRODUCT !! FEEL GOOD FICTION !! QUIXOTIC !!

Weather it be "Medical or Adult Use" markets, or weather it be "RFID, Barcode or Paper Tracking", what is to prevent at harvest, splitting and logging in less than what was produced..?? **Absolutely nothing**... Again its back to the honor system... Again, feel good fiction that an expensive problem plagued computerized software system can prevent diversion...

At least with an "Adult Use" market on Guam, the greater customer base and higher price would be at the sales counter, thereby creating a self defeating motive for diversion by business owners...

Employee theft is the greatest source of diversion, and the employee can simply fudge the entries or blame it on well documented faulty computer software, and/or data loss when the system went down (pull the plug/hit the breaker/push the reset button/disengage battery backup/ctrl+alt+delete/or simply fudge the entries)...

Even with honest employees, there are human errors, with or without expensive problem plagued software and computers.... A paper backup will most likely be incorporated also, doubling the work, time, chance for errors and conflicting discrepancies.

AF

Feb 26 at 11:58 AM (BPT Exemption)

Senator Ridgell,

Considering the Cannabis Businesses will not be allowed the normal tax deductions, as we previously discussed in IRS Form 280E, I suggest and propose that **until such time** these businesses are able to take **full and equal deductions** in tax form declarations, that these businesses should be exempt from the local Guam Business Privilege Tax. To consider the proposed POS tax and rate is also unique and different than all other businesses.

This proposed exemption is very minimal compared to the denied normal deductions the businesses will be paying tax on, but at least it will be something to offset the unfair rules they

must endure until the US Congress and IRS acts to reconcile the discrepancies and unfair penalties imposed on these businesses.

This exemption should be included in the language of the Bill before a Senate vote.

Please include this in testimonies for your Bill 32-35

Thank You

August Fest

Feb 26 at 3:27 PM (Micro Businesses)

Senator Ridgell,

Please consider for your Bill and the fourth coming Commission, to make allowances and accommodations for Micro Businesses at lesser license and permit fess, as in the legislation for the CNMI and many other Stateside Jurisdictions...

Please add this to testimony for Bill 32-35, and please gather to include my many other messages noted as testimonies...

Thank You

August Fest

Feb 27 at 1:46 AM (Doctors)

For Testimony of Bill 32-35. As in other states and here on Guam, finding a Doctor that is compassionate and/or understanding of Cannabis as Medicine, is **not at all easy to come by**... An excellent reasoning for Bill 32-35

From a news article combined with comments on Guam Legal Bud Facebook page...

{A 2016 State Medical Board of Ohio survey showed that most doctors were reluctant to recommend cannabis. Of the roughly 375 doctors certified to write recommendations, only about half have done so. Ohio has more than 46,000 licensed doctors.

Back in 2015 we asked Senator Barnes to commission a Doctor survey, the request fell on deaf ears... We asked the Guam Board of Medical Examiners and DPHSS for a Doctor Registry, the responses were, "**not our job, not needed, we don't have the information, and if you want a registry you'll have to make a law.**"}

IF for no other reason Bill 32-35 should become law.

August Fest



Selina Onedera-Salas <sonedera-salas@guamlegislature.org>

Bill 32-35 Testimony: (FDA comments request, World Health Organization input request.)

1 message

August Fest <[REDACTED]>

Tue, Mar 12, 2019 at 10:22 PM

To: "sen.cridgell@teleguam.net" <sen.cridgell@teleguam.net>, Selina Onedera-Salas <sonedera-salas@guamlegislature.org>, "Erin M. Grajek" <egrajak@guamlegislature.org>

Senator Ridgell,

Please accept these comments I submitted to the FDA & World Health Organization for testimony for your Bill 32-35. They requested input from anyone and everyone about cannabis rescheduling in UN Treaties. The first request in the fall of 2018 was input for cannabis and opiates. The second request only two month ago was for only input on cannabis. I re-sent input on both, as both are intertwined in our populations and societies, and as cannabis rescheduling/legalization will help the ill effects of man made opiates in the world... In the second submission I did use my name.

Thank You for Your Bill 32-35.

August Fest
828-8586

Comments from a Caucasian male, age 62.

Comments mainly and most importantly on CANNABIS: The cannabis plant being on a restrictive schedule or illegal or promoted as dangerous or harmful or of no medical benefit has long been a FRAUD perpetrated on the inhabitants of this planet starting in the late 1800's. It is long past time for the fraud to end. The CSA scheduling of this plant and backwards in time throughout the career of Harry J. Anslinger was by design used as a weapon of racial, social and political warfare on the behalf of his own professional self interests, powerful industrialists and politicians alike. He co-opted other countries around the globe by deceit to believe and follow his fraudulent claims about cannabis..

One only has to scour through the databases of NIH/Pub Med/NCBI to find the truth of medical usefulness of cannabis and all its components, especially in the areas of neurology and oncology. Here we are, almost 100 years later finding a potential cure for many cancers and trying to undo the havoc and chaos that Harry J. Anslinger took upon himself to unleash. Imagine the lives that could have been saved, made better, and the ones he has ruined. This is a great deep grotesque wound on humanity, by the actions of a social terrorist and global brainwashing con-artist.

He knew perfectly well his claims about cannabis was a lie. He has been reported from his Wikipedia page: {Prior to the end of alcohol prohibition, Anslinger had claimed that cannabis was not a problem, did not harm people, and "there is no more absurd fallacy" than the idea it makes people violent. His critics argue he shifted not due to objective evidence but self-interest due to the obsolescence of the Department of Prohibition he headed when alcohol prohibition ceased - campaigning for a new Prohibition against its use.}

Whole plant and whole plant extracts, refined and isolated natural cannabinoid components should be made widely available for consumption. The natural forms rather than pharmaceutical synthetics should be promoted and used, as they are much more effective, beneficial, safer and

designed by nature for human consumption. Use synthetics on synthetic humans. Natural concentrates "perhaps" should be by prescription only, but only for more effective dosage recommendations..

Cannabis should be made widely available and used to replace and combat the social, medical and mental ills of addiction to harmful substances such as, alcohol tobacco, cocaine, methamphetamine, pharmaceutical opioid medications and other such substances. PLEASE RESCHEDULE/DE-SCHEDULE CANNABIS FOR GOD SAKE'S !!

OPIATES: As is with the cannabis plant, natural is better, opium in its natural form is much less potent, much less addictive and much less harmful than all pharmaceutical synthetic opiates, and again, the human body is suited for natural substances...

TRAMADOL: I was prescribed Tramadol by a physician for pain, it did nothing for pain in my experience, I experienced no side effects except for a strange taste in my mouth, I did not experience any withdrawals.

Though not listed for comment from my reading, I will comment on Oxycontin, as it is in the same classification. I was also prescribed Oxycontin by a physician for pain, in my experience it did nothing for pain, but did make me ill. Side effects of nausea, lack of balance, inhibited mental functioning and general state of feeling very ill. I could not tolerate and stopped using after only two doses. I can not understand how anyone could use it long enough to become addicted.

Psilocybin and MDMA: Also not listed for comment but should have been, as there are related to the greater classification psychotropics. These two substances should also be rescheduled as their benefit in treatment of mental illness is well known.

This concludes comments from a Caucasian male, age 62.





Selina Onedera-Salas <sonedera-salas@guamlegislature.org>

Fw: Bill 32-35 Testimony (Corporate Practitioner Clinics & GBME)

1 message

August Fest <[REDACTED]>

Fri, Mar 15, 2019 at 10:51 AM

To: "governor@guam.gov" <governor@guam.gov>

Cc: "speaker@guamlegislature.org" <speaker@guamlegislature.org>, "senatortcnelson@guamlegislature.org" <senatortcnelson@guamlegislature.org>, "officeofsenatorshelton@guamlegislature.org" <officeofsenatorshelton@guamlegislature.org>, "office.senatorkelly@guamlegislature.org" <office.senatorkelly@guamlegislature.org>, "senatorbiscoelee@guamlegislature.org" <senatorbiscoelee@guamlegislature.org>, "senatorjoessanagustin@gmail.com" <senatorjoessanagustin@gmail.com>, "senatorterlajeguam@gmail.com" <senatorterlajeguam@gmail.com>, "senatorpedo@senatorjpterlaje.com" <senatorpedo@senatorjpterlaje.com>, "office@senatorperez.org" <office@senatorperez.org>, "wilcastro671@gmail.com" <wilcastro671@gmail.com>, "senatorlouise@gmail.com" <senatorlouise@gmail.com>, "ttaitague@gmail.com" <ttaitague@gmail.com>, "senatormoylan@guamlegislature.org" <senatormoylan@guamlegislature.org>, "senatormary@guamlegislature.org" <senatormary@guamlegislature.org>

Honorable Lourdes A. Leon Guerrero,
Governor of Guam & Senators of the Guam 35th Legislature,

Please review the testimony provided as reasoning enough to vote YES for Bill 32-35 and for the Governor to sign it into law.

When the GBME members state that there is nothing to do, and nothing they can do for patients seeking a practitioner for the medical use of cannabis until the law changes, and laugh and joke about cannabis as medicine and want cannabis legalized CNMI style and for practitioners to be left out of it, when corporate medical clinics prohibit written certification, is well reasoning enough to vote YES for Bill 32-35 and for the Governor to sign it into law.

Thank You
August Fest

----- Forwarded Message -----

From: August Fest <august_fest@yahoo.com>

To: sen.cridgell@teleguam.net <sen.cridgell@teleguam.net>; Selina Onedera-Salas <sonedera-salas@guamlegislature.org>; Erin M. Grajek <egrajok@guamlegislature.org>

Sent: Friday, March 15, 2019, 3:00:39 AM GMT+10

Subject: Bill 32-35 Testimony (Corporate Practitioner Clinics & GBME)

Senator Ridgell,

Further testimony for Bill 32-35 in regards to not only the lack of willing practitioners for patients to obtain certifications for the medical use of cannabis, but Corporate Clinics that forbid their practitioners from writing certification.

To also bring forth, the GBME meeting members comments, "**just legalize it and leave us out of it, CNMI style**", and "**no need to perscribe alcohol, help yourself.**" The GBME members are **still in debate over practioner legal libilities** for written certifications for medical cannabis use.

They are just fine with cannabis use for personal pleasure, but not for medical use. These comments are of public record **at 30:20** on the audio file available at the Guam OPA website for the GBME meeting of 1/16/19. Dr. Berg the Chairperson of the GBME also has a leading seat on the Medical Cannabis Regulation Commission.

GBME Meeting of 1/16/19 link: <http://media.guamopa.net/opaaudio3/GBME%201.16.19.MP3?fbclid=IwAR1p40JHhT1Lho-m9qxajY2godA6nvvySFkWYoxFbMCMm6eFelguNqfahkl>

These finding are extremely important reasons for medical patients that Bill 32-35 **must pass into law**, for legal and safe access to cannabis as medicine.

I have reached out to several clinics and the the survey continues, but so far with the written responses provided is from FHP (**attached letter**) and American Medical Clinic (**copied email response**). Both either do not support nor permit medical cannabis certifications from their clinics. There was a Guam Daily Post article on FHP. (**linked**)

With many requests to and without any formal response was the SDA clinic. I have learned of Stay Well Clinic and will inquire also, **but an inquiry from your office would be better received and more promptly responded to** from both. I have learned through another practitioner, that a practitioner at Stay Well is providing certifications, but was asked not to inquire to Stay Well, and/or reveal the practitioner's name.

Copied email from American Medical Clinic:

Terese Salumbides <tsalumbides@amc.clinic>
To:August Fest
Dec 26, 2018 at 4:17 PM

Hello Mr. Fest,

Thank you for your patience in waiting for a response from us.

American Medical Center does not currently participate in the medical marijuana program until all requirements have been met under local and federal regulations. We will continue to monitor this in 2019 and make changes as appropriate.

Warm regards,

Terese

FHP bars medical cannabis



FHP bars medical cannabis

John O'Connor | The Guam Daily Post

The FHP Health Center has exempted medical cannabis from its medication use policies and procedures. The center ...



P.O. Box 6578 Tamuning, Guam 96931
Telephone: (671) 646-5825 Fax (671)
647-3540

December 6, 2018

August P. Fest
PO Box 7252
Tamuning, GU 96931-7141

Subject: FHP Medical Cannabis Policy

Dear Mr. Fest,

I am writing to you as a follow-up on your recent request regarding the FHP Policy concerning medical cannabis. Although medical cannabis is legal in most states including Guam, it is still classified by the federal government as a Schedule I Controlled Substance.

For this reason, FHP has exempted medical cannabis from its medication use policies and procedures. Additionally, since TakeCare/FHP is an authorized vendor for the Office of Personnel Management for the United States Federal Government, it is our policy to restrict the use, referral and possession of Medical cannabis within our facilities.

Should you have any further comments, questions or inquiry regarding this matter, please feel free to contact me at 646-5825.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey Larsen", written in a cursive style.

Jeffrey Larsen
Vice President/Clinic Administrator
FHP Health Center

Office of Senator Clynton E. Ridgell

From: August Fest <[REDACTED]>
Sent: Friday, March 15, 2019 12:04 PM
To: sen.cridgell@teleguam.net
Cc: Selina Onedera-Salas; Erin M. Grajek
Subject: Bill 32-35 Testimony (Oklahoma & Nebraska vs Colorado Cannabis Law 2015)

Senator Ridgell,

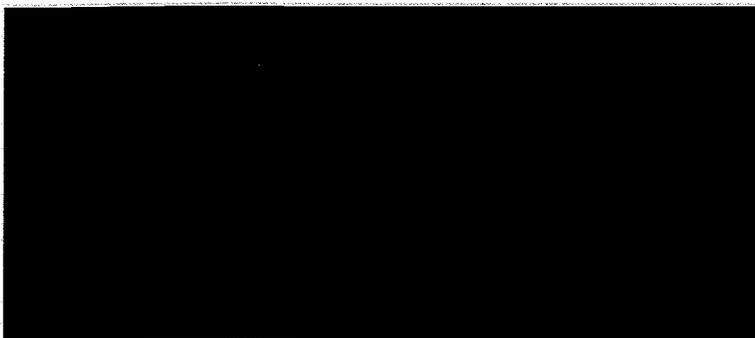
As per our discussions regarding Cannabis Law for Guam, CRS Attorney Yeh opined that the Guam Organic Act has no bearing on Guam's intent to pass and implement an "Adult Use" Industry Regulation Law, as States and Territories are mentioned in current GCA § 67.608. Application of Federal Law and **Cooperative Agreement** Between Local and Federal Enforcement Agencies. Unless there is a positive conflict between this Act and the Federal Drug Abuse Prevention and Control Act so that the two (2) cannot consistently stand together, the U.S. Congress has provided (21 U.S.C. § 901) that **there is no intent on the part of Congress to occupy the field in which that provision operates**, including criminal penalties to the exclusion of **any state or territorial law on the same subject matter** which would otherwise be within the authority of the state or territory. **It is the Guam Legislature's intent** that local agencies charged by the Governor with the enforcement of this Act, shall cooperate to the fullest extent with any Federal agency charged with enforcement of the Federal Act, (21 USC Chapter 13).

This agreement is one of a voluntary nature, not mandatory, as true with all States and Territories.

Please note the information in the links below for Guam Senate and Committee discussions concerning the past SCOTUS findings concerning Oklahoma & Nebraska vs Colorado Cannabis Law of 2015 in favor of Colorado under the same construct.

<https://fas.org/sqp/crs/misc/R43034.pdf>

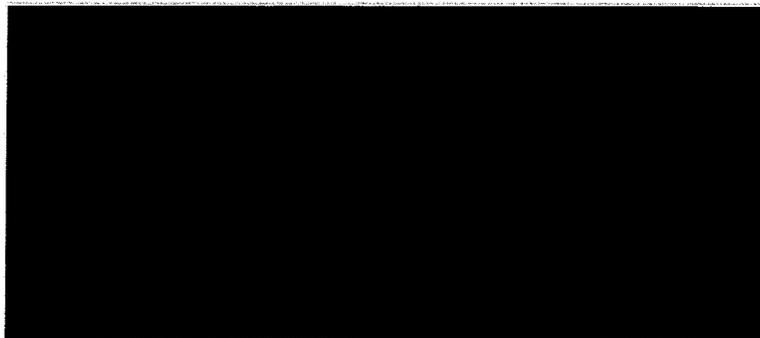
[Nebraska and Oklahoma v. Colorado - SCOTUSblog](#)



Nebraska and Oklahoma v. Colorado - SCOTUSblog

The Supreme Court of the United States blog

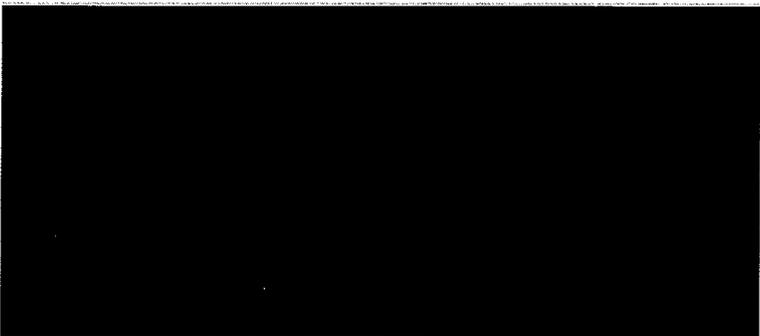
Nebraska and Oklahoma Sue Colorado over Marijuana Laws



Nebraska and Oklahoma Sue Colorado over Marijuana Laws

State attorneys general of neighboring states seek Supreme Court authority to file suit over Colorado's legaliza...

Are Nebraska and Oklahoma just fair-weather federalists?



Are Nebraska and Oklahoma just fair-weather federalists?

The states' lawsuit against Colorado's decision to legalize marijuana under state law is ill-conceived and could...

<https://www.youtube.com/watch?v=AE30cCXmYSM&t=0s&index=60&list=WL>

Office of Senator Clynton E. Ridgell

From: William Parkinson <[REDACTED]>
Sent: Thursday, March 7, 2019 12:44 PM
To: sen.cridgell@teleguam.net; senatortelot@gmail.com; speaker@guamlegislature.org;
senatorcnelson@guamlegislature.org; officeofsenatorshelton@gmail.com;
office.senatorkelly@guamlegislature.org; senatorbiscoelee@guamlegislature.org;
rose.senatorsa@gmail.com; senatorterlajeguam@gmail.com; clsenatorpedo@senatorjpterlaje.com;
office@senatorperez.org; wilcastro671@gmail.com; senatorlouise@gmail.com;
senatormoylan@guamlegislature.org; marycamachotorres@gmail.com
Subject: Testimony for Bill 32-35 (COR)
Attachments: Cannabis testimony.docx

The people of Guam are ready for legalized Cannabis. There are three things I want to address. Safety concerns, economic impact and tourism, and lab testing and employment protections.

First off: safety concerns. The dangers of legal cannabis are settled science. Basically there are none. States that legalize do not turn into post-apocalyptic hellscape as it's detractors would suggest. There are zero cases of fatal overdose from cannabis. It is virtually impossible to ingest a fatal dose of cannabis, and for the "think of the children crowd", rates of use among teens has gone down significantly as data pours in from multiple states. According to an article from Psychology today, : "The reality is that, to date, not one jurisdiction, either in the U.S. or elsewhere, has seen a marked increase in teen drug use following the relaxation of marijuana restrictions. *Not one.* Both Colorado and Washington, the pioneer states of marijuana legalization, have actually seen *drops* in teen marijuana use following legalization. The drop in Colorado was particularly dramatic. Despite the wave of legalization, nationwide teen drug use is at a 20-year low." In fact if you really want teen usage to drop, the most effective way, the data suggests, is to legalize cannabis. So for the "think of the children" crowd, if you really want reduce teen use, let go of your pride and prejudice and do the responsible thing by legalizing cannabis...I know it's counter intuitive, but sometimes the lord works in mysterious ways.

Second : The economy and the impact on tourism. It's no secret that states that legalize cannabis see massive windfalls in tax revenue from the growth of this new industry. Scratch that, from the taxation of an ALREADY existing industry. The marijuana trade on Guam is THRIVING. Everyone knows somebody who smokes cannabis and it is readily available. And currently it is untaxed, Guam is not seeing a dime of massive massive industry that's been growing under our nose for a long long

time. People are paying \$1000 per oz at the street level. Imagine the revenues the government and people of Guam are missing out on because we want to pretend the cannabis market is not a thriving industry. Imagine the benefit to consumers in price reductions, many of those are medical patients who have no where else to go, if we had open competition instead of price fixing and gouging by the local criminal organizations. Not only would the island see badly needed revenue, patients who rely on the black market would have instant relief if we introduced legal cannabis to drive prices down. Not only that, we would cut out the legs of criminal organizations that rely on cannabis as a cash crop. Help patients, help the government, help the people and undercut criminals? When put in those terms, legalization seems like a no-brainer. This is the great elusive obvious.

Even among tourists especially from Japan there is a massive demand for it. Japanese tourists are willing to pay \$200 for a single 1 gram joint. \$200! In fact, coming to Guam to get access to cannabis is one of the dirty little secrets of the tourist industry. If we told the Japanese we can offer them good cannabis and fair prices, tourism would sky rocket to the island. And speaking of tourism Guam Visitor's Bureau should be ashamed of themselves. How dare they oppose cannabis by citing the family friendly nature of Guam when our primary tourist strip is littered with bars, brothels disguised as massage parlors and strip clubs and they have the temerity to say that to our faces like the people of Guam are stupid. A wise man once told me: that when someone uses some variation of "think of the children" it's because they are appealing to emotion rather than reason because they have no real rational argument to stand on.. To this body: be better than GVB. If GVB really wanted to make Guam family friendly, then they can do something about all the bars, brothels and strip clubs and then they can talk to me about being family friendly, until then they can spare me

their crocodile tears. The growth potential for a cannabis industry and tourism on Guam with limited competition is the sort of things that come once every generation. Don't squander it with inaction.

Which leads me to my next point: lab testing. When I was an aspiring Senator, I told people that my metric for success wasn't passing cannabis legalization legislation, that part is easy, I'd be shocked if this bill didn't pass knowing what we know now. The knowledge is readily available supporting my argument and open minded millennials are coming into voting age, the time is right and the people of Guam are ready. My metric for success is when I actually walk into a store and purchase cannabis legally. Until then any legalization efforts is just a do-over of the failed implementation of the 2014 legalization efforts that STILL do not have any relief for the medical community. So in the interest of getting actual product to store shelves, I would implore this body to consider to putting a moratorium on lab testing until the cannabis industry is actually up and running. We are trying to put the cart before the horse when really it should be the other way around. If we build the cannabis industry the labs will come. Many states have shown this is a working model, Arizona, Montana, Rhode Island and Michigan don't require lab testing. Some states have started with no lab testing and then implemented it later. I am not against lab testing, but I am against lab testing as a barrier to getting a product the people have shown they want. Legalize and open the shops first, then build the lab. If no one will build a lab empower someone like the Guam Dept of Agriculture in conjunction with UOG to open a lab and sell it as a government service. Whatever this body decides to do, do not let lab testing be the impediment to getting cannabis on the market. Testing labs have no standardization are rife with shoddy practices. Who watches the watchers? There are lots of test going around, but there is no methodology for testing. A lot of

these labs are notorious for fraud and juking the numbers, why get into bed with the lab industry when they have shown to be marginally effective. The labs should not be an excuse to hold up the cannabis on the shelves.

And finally, my last point is we need strong worker protections for cannabis users. Cannabis can last in the body for up to 30 to 90 days, testing cannabis in employees is discriminatory and ineffective. Employers have no business telling employees what they can and can't do in their free time. Employers can't tell me I can't drink a beer in my off hours, so why should they allowed to dictate if I can consume cannabis in my off hours. If people are showing up loaded to work, by all means, can them. But if they are using responsibly at home, that should not be ground's for dismissal as the tests for cannabis can not distinguish whether they consumed at work or if they consumed when they were on vacation 4 weeks ago. That's the big problem with the urine test currently employed by gov guam and is standard practice in the private sector. The test does not check for active use the same way we check for active use in alcohol, but it actually test for the by products of use within the last 30-90 days. Rendering the test effectively useless for enforcement purposes and discriminates against lawful medicinal and future recreational users. Medical patients especially should be protected from testing positive from dismissal for using medicine they need. I highly implore this body to support worker protections for people who consume cannabis in a responsible manner.

Time is of the essence. Once the floodgates break if we aren't an early adopter, then we will be too late. Right now with federal prohibitions we have a completely protected local industry we can develop since no outside competition can export their cheap cannabis to Guam. Any cannabis industry is 100% local, but once its federally legal, then that dream is over. Our cannabis industry will be dominated by state siders

Public Hearing Testimony

Bill 32-35

March 07, 2019



Prepared by

grassroots
GUAM

Hafa Adai!

Thank you Senator Joe San Agustin and the Committee on Economic Development for allowing us to speak at this public hearing.

Grassroots Guam is in full support of Senator Clynt Ridgell's Bill 32-35 which would decriminalize and regulate the production and distribution of cannabis on Guam. We will be discussing why support of this bill is important as well as making recommendations to improve the foundation that this policy provides which could potentially bring about unprecedented fiscal and social change to our island.

Guam has already decriminalized cannabis.

Most people do not realize that possession of under an ounce of cannabis is a violation punishable by citation of \$100. It has already been decriminalized as a non-classified offense. Even Former Governor Calvo's legal counsel who worked on the Governor's legalization bill was completely unaware of the decriminalization of cannabis on Guam - even after she drafted a bill to legalize cannabis.

However, the manufacture, distribution and sale of cannabis is still criminal. Our laws are upside down and do not make sense. Essentially, illegal supply is filling a decriminalized demand creating our very own, very robust black market for cannabis.

Lethal Overdoses from Cannabis as of 2019

Still remains at Zero.

Prohibition is conclusively ineffective, turning a blind eye doesn't make it go away.

According to the UN World Drug Report in 2013, Guam is rated third highest in cannabis consumption per capita worldwide just behind our neighbors in the CNMI and Palau. That is what prohibition has achieved. I can't name one positive benefit socially or fiscally from prohibition. What I can say is that prohibition has moved billions of our dollars through this economy in the back pockets of drug dealers and provided an unsafe situation for our communities with grow houses located in the heart of our villages as noted by criminal cases that have been published.

Economic Snapshot	CURRENT ILLICIT MARKET
Market Size	28,800
Estimated Consumption Amount	2,600 - 5,200 lbs.
Estimated Market Value (Based at \$10,000 per pound)	\$26M - \$52M
Potential GRT Collections	\$1.3M - \$2.6M
Potential Excise Tax	\$3.9M - \$7.8M
Corporate taxes subject to IRC280e (No standard deductions)	Unknown

Conservative numbers based on a single transaction per pound at only one level of the distribution chain.

Opposition to cannabis policy reform is support for the continued efforts of keeping the black market economy of Guam strong. Turning a blind eye enables this robust economy to continue on unchecked and prohibition clearly does not take cannabis off the streets.

Medical vs. Recreational vs. Adult Use

Medical use is not a casual term to define how people use cannabis or what they use it for. Medical use is a legal term defined by the law as “the acquisition, cultivation, possession, processing, (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfer, transportation, sale, distribution, dispensing, or administration, or laboratory testing of cannabis, as well as the possession of cannabis paraphernalia, for the benefit of qualified patients in the treatment of debilitating medical conditions, or the symptoms thereof.”

Debilitating medical condition means: (1) cancer; (2) glaucoma; (3) multiple sclerosis; (4) damage to the nervous tissue of the spinal cord, with objective neurological indication of intractable spasticity; (5) epilepsy; (6) positive status for human immunodeficiency virus or acquired immune deficiency syndrome; (7) admitted into hospice care in accordance with rules promulgated under this Act; (8) post-traumatic stress disorder; (9) rheumatoid arthritis or similar chronic autoimmune inflammatory disorders; or (10) any other medical condition, medical treatment or disease for which the qualified patient’s practitioner has determined that the use of medical cannabis may provide relief.

Although the tenth item provides the ability to access cannabis for a patient who may have a condition that is not listed, the current reality of our program is that Oncologists have actually denied certifications to cancer patients and two major clinics have been reported as prohibiting their practitioners from writing certifications so it would be extremely difficult for patients who have other conditions to get certified.

Other conditions that would not qualify as 'medical' under Guam Law? Diabetes, Chronic Pain, Fibromyalgia, ALS, Alzheimers, Parkinson's, Sleep Disorders, ADHD, Autism, Bi-Polar Disorder, Chronic Depression, Eating Disorders, Harm Reduction for Drug Addiction, Asthma, and the list goes on and on. So although you could take cannabis for migraines or menstrual cramps, none of these conditions are considered "medical."

Recreational Use is a term invented by geniuses to depict an image of Sodom and Gomorrah. Because heaven forbid we enjoy a couple of beers with friends or a glass of wine like Jesus did, or for our elite businessmen a whiskey and cigar – all socially acceptable forms of recreation. But we don't say recreational whiskey or recreational wine or recreational tobacco.

So we adopt the term "adult use." This term encompasses: (1) patients that qualify for the medical program by condition but cannot find a doctor to certify them, (2) patients that want to avoid being on a registry for fear of loss of employment or retirement from drug testing, (3) patients who have a condition that's not on the debilitating conditions list, (4) therapeutic use, as well as the (5) general recreational use, which would not include children.

MEDICAL vs. ADULT USE COMPARISON

	MEDICAL	ADULT USE
TAXES <small>Corporate income tax subject to IRC280e</small>	4% BPT	4% BPT + 15% Excise Tax
DOSAGE	No dosage requirements	10mg per serving
POSSESSION / PURCHASE LIMIT	2.5 oz. of dried cannabis or its THC equivalent every 2 weeks	Flower - up to 1 oz. Concentrate - 800mg THC
MINORS	YES	NO
CULTIVATION LIMIT	6 Mature 12 Juvenile	6 Plants

Areas of Concern:

While many will tell you what they think they know the social impacts of cannabis will be, there is one place you can see for yourself. Colorado who has had the longest history of legalized cannabis for adult use has done the best job of collecting the proper data to assess their program and evolve their regulations to mitigate some of the negative impacts.

They publish a study annually that you can read for yourself. We've printed a copy of the most recent yearbook along with a few supporting articles. They have had to make adjustments to the data collection process along the way to update definitions such as "marijuana related traffic accident", but so far it is the best case study out there because of its longevity. They've used this data to make positive policy adjustments such as lab testing requirements, dosage recommendations for serving sizes for edibles and the restriction of packaging so that they are not attractive to children. So please bear in mind that this yearbook is not just a case study in a vacuum, the later studies include numbers that are results of specific changes to their program – this is what good programs are supposed to do. It is what we hope to do here.

We aren't going to spend too much time arguing the validity of any studies or try to discredit those who are opposed to this bill. We've included the latest report from the Colorado Division of Public Safety for your review to make those determinations on the potential impact to our community, but we think the data speaks for itself.

Areas of Concern we have noted:

- Crime
- Access to Children
- Traffic Accidents
- ER Visits
- Available resources for law enforcement and medical facilities

Recommendations For Major Changes To Policy

Create a division, bureau within the Department of Rev & Tax with funding for a division head, and full time staff to include a budget for consultation. We would support Director Dafne Shimizu's effort to be funded and trust that she will provide good direction for the program.

Include DPHSS on the cannabis board, eventually consolidating the commissions when the time comes which should include an integration period for medical cannabis businesses apply or come into compliance.

Require an implementation plan be submitted to the Governor to be published. Included in the plan should be a deadline to recommend policy changes to the Adult Use and/or Medical Use statutes. If not planned for, this will be a bump in the road for implementation. It's inevitable. So plan for it.

Require the division to create a plan to require the collection of data from stakeholders and for division staff or BSP to be accountable for publishing annually. Colorado has done the best job of this so far. We should review their current data requirements and copy it.

Require stakeholder agencies to submit a fiscal impact statement annually to the board to monitor their needs to include GPD, DOAg, EPA, BSP, DPHSS and Rev & Tax. As the industry grows, their share of the revenue from the taxes generated by the program should grow as well.

Grassroots Guam feels these additional steps could help along the way to be proactive rather than to be reactive as would be expected for the Government of Guam. It doesn't have to be that way for a new industry. Let's build it the right way.

Senators, we don't think cannabis is completely benign. Nobody is painting rainbows and butterflies here as has been suggested. What we do assert is that a regulated system for cannabis is better for our island than prohibition. You have the tough job of weighing the risk vs. benefits. The World Health Organization has recommended cannabis for medical use be rescheduled under international treaties. Though the recommendation falls short of rescheduling for adult use, many experts agree that it is a political issue and not one of science.

Cannabis legalization is contrary to federal law, not just here, but in all of the US. It is also contrary to international treaties, but the landscape continues to change. The data is growing, science is catching up after decades of restriction and its impact is global.

Cannabis legalization is happening all around us from the ground up. We can choose to get in front of it and allow our island to make strides in this new and thriving industry as a leader in our region of the world, allowing our people to benefit from it and be pioneers - or we can wait it out and allow somebody else to take the lead and miss the boat.

The people have entrusted you to make this decision for us. We humbly ask you to make the most educated one.

RESOURCES

Colorado Division of Public Safety Reports and other resources
<https://www.colorado.gov/pacific/dcj-ors/marijuana-public-safety>

Impact of Legalization Report 2018
https://cdpsdocs.state.co.us/ors/docs/reports/2018-SB13-283_Rpt.pdf

DUIs in Colorado 2018
http://cdpsdocs.state.co.us/ors/docs/reports/2018-DUI_HB17-1315.pdf

WHO recommends marijuana rescheduling under international treaties article
<https://www.forbes.com/sites/tomangell/2019/02/01/world-health-organization-recommends-rescheduling-marijuana-under-international-treaties/#6939a0c46bcc>

WHO Document
<https://html2-f.scribdassets.com/8dmrjv483k6r0i2q/images/1-2787cc3c23.jpg>

DEA Judge Francis Young's Findings for a petition to reschedule cannabis in 1988:
<http://medicalcannabisreport.com/wp-content/uploads/2015/05/FLYoungDEARuling1988.pdf>

Gateway Theory:
https://www.drugpolicy.org/sites/default/files/DebunkingGatewayMyth_NY_0.pdf
<https://thehill.com/blogs/pundits-blog/the-administration/319996-federal-gov-apparently-dropped-gateway-drug-theory>

Cannabis and Teen Use Articles/Studies:
<https://www.tandfonline.com/doi/full/10.1080/00952990.2018.1559847>
<https://www.theguardian.com/society/2019/feb/18/cann>

CITATIONS

Adult use marijuana laws are not associated with an uptick overall criminal activity

"First-pass evidence is provided that the legalization of the cannabis market across US states is inducing a crime drop. We exploit the staggered legalization of recreational marijuana enacted by the adjacent states of Washington (end of 2012) and Oregon (end of 2014). Combining county-level difference-in-differences and spatial regression discontinuity designs, we find that the policy caused a significant reduction in rapes and property crimes on the Washington side of the border in 2013-2014 relative to the Oregon side and relative to the pre-legalization years 2010-2012. The legalization increased consumption of marijuana and reduced consumption of other drugs and both ordinary and binge alcohol. ... The concern that legalizing cannabis for recreational purposes may increase crime occupies a prominent position in the public debate about drugs. Our analysis suggests that such a concern is not justified."

Crime and the legalization of recreational marijuana, *Journal of Economic Behavior & Organization*, 2018

"Our models show no negative effects of legalization and, instead, indicate that crime clearance rates for at least some types of crime are increasing faster in states that legalized than in those that did not. ... [T]he current evidence suggests that legalization produced some demonstrable and persistent benefit in clearance rates, benefits we believe are associated with the marijuana legalization proponents' prediction that legalization would positively influence police performance."

Marijuana legalization and crime clearance rates: Testing proponent assertions in Colorado and Washington state, *Police Quarterly*, 2018

Medical cannabis regulatory laws are not associated with an uptick overall criminal activity

"The objective of this study is to investigate whether a particular element of MMLs, namely allowance for dispensaries, affects local crime and other indicators of marijuana misuse. We find no evidence that ordinances allowing for marijuana dispensaries lead to an increase in crime. In fact, we see some evidence of a reduction in property crime. ... Our study appears to reinforce the conclusions from other studies that fail to find an increase in the type of crime predicted by law enforcement. We find no effects on burglary, robberies, or assaults, which are the types of crimes one would expect if dispensaries were prime targets as a result of their holding large amounts of cash. ... Our findings indicate that policymakers should be careful in how they regulate the presence of dispensaries, while not jumping to the conclusion that dispensaries are clearly crime generating hot-spots. ... Our findings suggest that it is possible to regulate these markets and find a common ground between safety and access to medical marijuana."

High on Crime? Exploring the Effects of Marijuana Dispensary Laws on Crime in California Counties, IZA Institute of Labor Economics Discussion Paper Series, May 2018

"[T]he introduction of medical marijuana laws (MMLs) leads to a decrease in violent crime in states that border Mexico. The reduction in crime is strongest for counties close to the border (less than 350 kilometres) and for crimes that relate to drug trafficking. In addition, we find that MMLs in inland states lead to a reduction in crime in the nearest border state. Our results are consistent with the theory that decriminalisation of the production and distribution of marijuana leads to a reduction in violent crime in markets that are traditionally controlled by Mexican drug trafficking organizations." Is legal pot crippling Mexican drug trafficking organizations? The effect of medical marijuana laws on US crime, 2018. The Economic Journal



Dipáttamenton Kontribusion yan Adu'ána

DEPARTMENT OF

REVENUE AND TAXATION

GOVERNMENT OF GUAM

Gubetnamenton Guåhan

LOURDES A. LEON GUERRERO, Governor Maga'hága
JOSHUA F. TENORIO, Lt. Governor Sigundo Maga'láhi

DAFNE M. SHIMIZU, Acting Director
Aktot Direktot
MICHELE B. SANTOS, Deputy Director
Sigundo Direktot

March 7, 2019

Senator Clynton E. Ridgell
Committee on Economic Development, Agriculture, Maritime Transportation,
Power and Energy Utilities, and Emergency Response
238 Archbishop Flores St.
DNA Building, Suite 906
Hagatna, GU 96910
Ph.: (671) 475-4983
e-mail: sen.cridgell@teleguam.net

IN RE: BILL NO. 32-35(COR): AN ACT TO ADD A NEW CHAPTER 8 TO TITLE 11 GUAM CODE ANNOTATED KNOWN AS THE "GUAM CANNABIS INDUSTRY ACT OF 2019," RELATIVE TO REGULATING THE USE, PRODUCTION, SALE, AND TAXATION OF MARIJUANA; ADDING A NEW CHAPTER 9 TO DIVISION 1, TITLE 11 GCA, RELATIVE TO CREATING THE CANNABIS CONTROL BOARD; DECLASSIFYING MARIJUANA AS A SCHEDULED I CONTROLLED SUBSTANCE AND REDEFINING REFERENCES TO IT IN THE GUAM UNIFORM CONTROLLED SUBSTANCES ACT.

Buenas Yan Saludas:

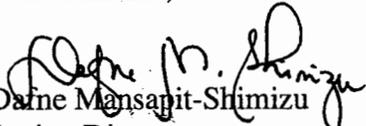
After review of Bill 32-35, the Department of Revenue & Taxation (DRT) is recommending that the following items be addressed:

- 1) At a minimum, funding to be provided to DRT for training and staffing of enforcement and licensing.
- 2) Inclusion of the Department of Public Health and Social Services (DPHSS) as a member of the Cannabis Control Board. DPHSS is critical as they not only have the responsibility of ensuring the health and welfare of our island community, they may have already compiled vital information from other states that have legalized marijuana programs useful for Guam.
- 3) That DPHSS be involved in providing the initial clearances for licensing a cultivator, manufacturer, or testing facility prior to DRT issuing a license.
- 4) The creation of the excise tax should allow for DRT or the Cannabis Control Board to procure the "Seed to Sale" software used in many states and the necessary training involved to ensure the proper reporting from all licensees.
- 5) That the issue of depositing the proceeds in an FDIC regulated bank be addressed as it is still a DEA Scheduled I drug.

- 6) The Guam Territorial Income Tax laws (GTIT) §280E limits the deductibility of a majority of expenses other than cost of goods sold with stringent limitations for those engaged in this activity.

Should you have any concerns on this matter, feel free to contact me at 635-1817.

Senseramente,


Daine Mansapit-Shimizu
Acting Director



Lourdes A. Leon Guerrero
Governor

Joshua F. Tenorio
Lt. Governor

Department of Agriculture Dipattamenton Agrikottura

163 Dairy Road, Mangilao, Guam 96913

Director's Office	300-7964/65/66; Fax 734-6569
Agricultural Dev. Services	300-7972/73/67; Fax 734-6569
Animal Health	300-7965/66; Fax 734-6569
Aquatic & Wildlife Resources	735-3955/56; Fax 734-6570
Forestry & Soil Resources	300-7975/76; Fax 734-6569
Plant Nursery	300-7974; Fax 734-6569
Plant Inspection Facility	475-1426/27; Fax 477-9487



Chelsa Muña-Brecht
Director (Acting)

March 7, 2019

Honorable Clynton E. Ridgell
Chairman
Committee on Economic Development, Agriculture,
Maritime Transportation, Power and Energy Utilities, and Emergency Response
238 Archbishop Flores St.
DNA Bldg, Suite 906
Hagåtña, GU 96932

RE: Testimony on Bill 32-35 (COR)

Hafa Adai Senator Ridgell,

I would like to offer testimony, on behalf of the Guam Department of Agriculture, in support of Bill 32-35, the "Guam Cannabis Industry Act of 2019". As director of this agency, an agency that is vital to the growth and evolution of our island, I applaud your effort to usher in a new economic industry for Guam. Your vision aligns with that of our Maga'håga. She, too, recognizes that when implemented with precision, this will provide a substantial boost to Guam's fragile economy. I respectfully offer the following recommendations for consideration by your committee:

§8104 (a) 2 – consider varying the quantity and degree of growth, e.g. six flowering and six vegetative; given that inclement weather and humidity impact health and quality of plants; one may easily lose all six plants in a single heavy rain. This frequently occurs with vegetable plants.

§9103 (a) – One (1) member *shall* be the Director of the Department of Revenue and Taxation, or his/**her** designee;

§9103 (b) – One (1) member *shall* be the Director of the Department of Agriculture, or his/**her** designee;

Other than the recommendations above, I offer no further changes. The bill appears refreshingly uncomplicated. I look forward to working with the Cannabis Control Board on promulgating meaningful and effective rules and regulations.

Sâina Ma'âse',



Chelsa Muña-Brecht
Director

Office of Senator Clynton E. Ridgell

From: Ron <govguam@gmail.com>
Sent: Tuesday, March 5, 2019 1:28 PM
To: speaker@guamlegislature.org; Joe S. San Agustin; Wil Castro;
sen.cridgell@teleguam.net; senatormoylan@guamlegislature.org;
senatortelot@gmail.com; Régine Biscoe Lee
Subject: Regarding the Cannabis Bill(s)

Dear Senators,

This Thursday there will be a hearing on the recreational marijuana bill. Personally, I am libertarian on drug use and could care less what adults want to do vis a vis drug use. I will try to attend if possible but please accept the points below as testimony.

In general, I believe that cannabis -- medical or recreational-- is prohibited on Guam because it is still on the federal schedule. Under the Organic Act, all legislative acts must comply with federal law. I also do not believe the medical marijuana law will stand because it was a legislatively sponsored item. Therefore, I believe that the current bill on the table is a non-issue at this point.

I believe that there are two basic ways to allow cannabis legislation.

(1) Along with certain states, have the federal schedule changed or

(2) A more deliberate path would be to approve the 1977 draft Guam Constitution which supercedes critical aspects of the Guam Organic Act in the area of legislative powers. It is likely this document can be dusted off, placed on a ballot with a phased in on an implementation schedule over ten years and approved. (Note, using the amendment process, certain parts should be updated. This would address the transition in Article XIV in the document.)

<https://www.guampedia.com/guam-constitutional-conventions-concon/>

One quick note: A constitution does not change political status. American Samoa has had a constitution since the 1960s and this has not changed their status.

In lay terms, changing political status is like moving to a new town -- changing to a constitution simply allows the people of Guam to move political furniture around. It does not change political status.

But it does allow citizens of Guam more internal control of government.

Sincerely, Ron McNinch

Ron McNinch, PhD, SPHR, CFE
Carnegie/Case Professor of the Year Guam 1998

Distinguished Professor of Guam (LR 30-72)
671- 488-8889

"The Legislature declares it is the policy of this Territory that the
formation of public policy and decisions is public and shall not be
conducted in secret. ..." Guam Code Annotated 5 GCA 8102



Selina Onedera-Salas <sonedera-salas@guamlegislature.org>

Testimony In Support of Bill No. 32-35 (COR)

1 message

Tammy De Plata Amuan <[REDACTED]>
To: clyntridgellforsenator@gmail.com

Thu, Mar 7, 2019 at 11:57 AM

Honorable Senator Ridgell:

I feel your bill was very well written. It captured much data that I was not expecting to be within the bill after my extensive research on both medical and recreational legalization, to include accounting for the cannabis plant broken down by flower, leaves, and juvenile plant. This categorical typing will aid in better translation of collection of revenues and applicability to vertical companies, cultivators, distributors, retailers, etc. Additionally, I researched Colorado's statistics of the "high", "declining" and "leveling-out" periods: 1) Steep decline of sales at first; 2) followed by steep incline; 3) then leveling-out as with other sin-tax items (e.g. alcohol, cigarettes) that become legal or readily available and with an established black market competition at outset. These stats were mirrored by other states too when legalization was first established. Cannabis will become akin to cigarettes and alcohol. There will be associated, expected problems but that is to be anticipated with any product that can be consumed/used by the consumer (e.g. candy bars, cough medicine, guns, etc.)

I concur with your sentiment that, should Guam miss riding "the wave", the proverbial wave will eventually level out and although we may still capture some leveled-out revenues down the line, we should pay heed to the quickly shifting paradigm and capitalize on this wave before it peaks. Lawmakers on Capitol Hill are agreeing that America's views on Cannabis are antiquated. Many of these same representatives of our nation also concur that we need to move away from demonizing Cannabis and begin to reap the potential revenues that have evaded us for decades.

Many bills and other directives in the States have been created and established in support of legalized Cannabis consumption, to include the Secure and Fair Enforcement Banking Act of 2019 or "SAFE Banking Act of 2019" for banks doing business with cannabis companies which was proffered in our nation 6 years ago. There was even one proposed bill this past February that was given such exception that the number "420" was reserved to be used for its debut by our country's lawmakers which, if passed, will ultimately remove Cannabis as a Schedule I Substance once and for all (i.e. Sen. Ron Wyden's [D-OR] proposal, S.420).

I know it's hearsay, but I know many people from different walks of life that the average layperson would never guess consumed cannabis in one way or another. Most of the people I know enjoy the benefits just for recreation, but there are others I know that do so for legitimate medical reasons. I believe, very strongly, that alcoholism is a bigger problem than marijuana will ever be. I have never seen a person lose their family or job, steal, or kill to obtain marijuana. Comparatively, I've seen so many of my friends and family lose the battle with our island's biggest epidemic to-date: methamphetamine bka Ice.

I don't believe in gateway drugs. The life I have lived, my genetic predispositions, and family history lead me to believe that alcohol was always my "drug" of choice. Alcohol was always readily available at home, family functions/gatherings yet I never imbibed until my sophomore year in high school. I knew I was an alcoholic from day one despite having tried myriad of drugs in the course of my lifetime so it wasn't because alcohol was readily accessible to me. I believe many variables and factors play a part in each person's life and the rationale behind why they chose to partake of this or that may not ever be found to have solid rhyme or reason. But, again, I've lived a very full life with few instances where I denied myself so I know that marijuana was most definitely **not** my gateway drug. I'm only sharing this because I think many people will oppose this bill without a full circumspect comprehension of all things considered. I have a good overview of all things considered so I feel I've earned the right to support Cannabis and its benefits to us economically and holistically.

With that said, this bill will reflect another vote in support of the annihilation of an obsolete national perception that marijuana is evil and it will further evidence the need for declassification. I predict Cannabis will receive declassification within the next 20 years anyway. I also strongly feel that your bill is also a good way to put our foot down against the indignity of colonialism and provide another means for our government to collect revenue separate and apart from Uncle Sam's funds since that same hand that's so seemingly generous, we've grown accustomed to getting slapped in the face in the same fell swoop.

Lastly, I am deeply moved by your courage and unwavering conviction to position yourself where others have been afraid to. But just know that the only reason why there aren't more open supporters in attendance to testify in support of your

3/7/2019

Guam Legislature Mail - Testimony In Support of Bill No. 32-35 (COR)

bill is fear of retribution. Many proponents of your bill are upstanding citizens in this community who have had run-ins with the law relative to marijuana. These are not your run-of-the-mill criminals. They fear being locked up again like animals for something we both know resembles nothing akin to alcoholism, methamphetamine addiction, and opioid addiction.

Very Respectfully and Thankfully,
T. Amuan

--

Philippians 4:13



GUAM CHAMBER OF COMMERCE
PARTNERS IN PROGRESS

March 8, 2019

THE HONORABLE CLYNTON E. RIDGELL
Chair, Committee on Economic Development, Agriculture,
Maritime Transportation, Power and Energy Utilities, and Emergency Response
I Mina' Trentai Singko Liheslaturan Guåhan
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

RE: Bill No. 32-35– AN ACT TO ADD A NEW CHAPTER 8 TO TITLE 11 GUAM CODE ANNOTATED KNOWN AS THE “GUAM CANNABIS INDUSTRY ACT OF 2019,” RELATIVE TO REGULATING THE USE, PRODUCTION, SALE, AND TAXATION OF MARIJUANA; ADDING A NEW CHAPTER 9 TO DIVISION 1, TITLE 11 GCA, RELATIVE TO CREATING THE CANNABIS CONTROL BOARD; DECLASSIFYING MARIJUANA AS A SCHEDULE I CONTROLLED SUBSTANCE AND REDEFINING REFERENCES TO IT IN THE GUAM UNIFORM CONTROLLED SUBSTANCES ACT.

Dear Senator Ridgell,

Thank you for the opportunity to present our position on Bill No. 32-35, and also a greater appreciation in presenting this legislation to our membership, during our February 27th General Membership meeting. After numerous comments on the legislation presented by member businesses, the Guam Chamber of Commerce does not support the legislation at this time. While we recognize that similar mandates have been adopted in other jurisdictions, including our northern neighbors in the CNMI, there have been a number of concerns that have been presented, which we believe need to be further researched prior to adopting such an Act for our island.

The first concern relates with economics, and what the true impact of such legislation may have on our economy. An independent economic study needs to be completed to determine not only what the potential tax base this new industry may have for Guam, versus the amount that may have to be expended on enforcement of the mandate. The legislation would allow for a specific amount of plants for home cultivation, which may prevent tax revenue to be generated at the licensed businesses. Likewise, the cost for public safety officials to police residences on the plant limitations would also have to be factored in, since excessive abuse would be no different than illegally operated Bed and Breakfasts, which take away revenue from the government.

The next concern lies with federal regulations which contain an array of issues that may impact local residents. For one thing, importation would still be considered illegal, since cannabis is listed as a schedule one drug, hence how many residents may misperceive this new law (if enacted) and get arrested for cannabis possession at the airports, or for importing them via postal services? Many companies on island have federal contracts that contain zero tolerance drug policy provisions, including for cannabis, hence an employee can be terminated from that job if they used the drug (legally) in the privacy of their homes.

While we commend the legislation for recognizing the workforce aspect, specifically with providing employers the opportunity to create zero tolerance drug policies, inclusive of cannabis, there is still concern that some employees may not understand the full scope of what legalization encompasses, and termination of a job due to cannabis usage may open up potential (and unnecessary) law suits. It is already understood that consuming cannabis on the job can be treated no differently than one consuming alcohol, but this concern is about usage off the job.

A major concern is the true impact the legalization of cannabis may have on our tourism industry. While South Korea is entertaining a medical marijuana industry, there is plenty of uncertainty on how the Japanese market or even their government may treat their residents who return back from a trip to Guam. Would there be greater scrutiny with their customs inspections, that would deter their residents from wanting to vacation on Guam? Has a study been conducted on this aspect? This is crucial, before making the leap in legalizing cannabis on Guam, and is vital for all of our key markets.

A true study on its impact with our tourism market is very important prior to the passage of this legislation. We encourage lawmakers to speak to industry experts prior to finalizing their decision on this bill, including if the Guam Visitor's Bureau can even market Guam as a "legalized cannabis" market, since the legislation does note "Cannabis Tourism" as one of the objectives. For years industry experts expressed their concerns on casino gaming as a possible deterrent towards our source markets, thus we hope a hasty decision with cannabis doesn't take our island's economy back.

The next issues relate to financial and banking institutions on island being unable to accept monies generated from the sale of cannabis. These institutions on island will continue to remain concerned about violating federal laws and the grave consequences from regulatory agencies, which would include, but not limited to, civil monetary penalties, cease and desist orders, as well as fines from a corporate and on a personal level for bankers. Retailers selling cannabis could face the dangers of armed robberies, considering the amount of cash they would be in possession of daily. These are real issues that need to be addressed before legalizing cannabis.

We also recommend an extensive dialogue with the insurance industry to determine how legalization may impact premiums on health, auto or even life insurance programs. The government's group life insurance program for example, which is tax payer funded, may see an automatic rating to blanket cannabis usage, at a cost that would be included in the government's annual budget. While the legislation addresses the concern of one driving while under the influence of cannabis in terms of legal issues, further discussion needs to be made with the auto insurers and how their premiums will be rated, once cannabis is completely legalized. These are everyday issues that impact the cost of living, and should be researched prior to enactment of Bill 32-35.

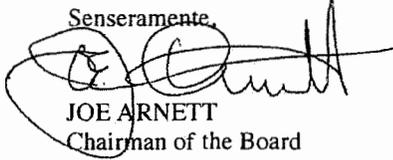
Senators of the 35th Guam Legislature, the Chamber of Commerce is the island's largest business organization, representing over 450 member-businesses, who employ over 40,000 island residents. We are the first entity that would endorse any new revenue generating concept, and thus we commend the bill's author and co-sponsors for placing such an idea on the table for discussion. However, in this particular instance, the gamble of legalizing cannabis without addressing a number of open-ended questions would be irresponsible. Our island does not have the geographical or population advantages compared to other states that have legalized cannabis, to quickly rebound economically in case this ends up being a detrimental decision.

In closing, the Guam Chamber of Commerce does not support Bill 32-35, and we feel that a more thorough analysis on an array of issues needs to be addressed before making this bold decision. We have a medicinal marijuana law that has been approved by the voters of Guam, and which the Guam Chamber of Commerce supports to help those with painful and chronic medical conditions, that needs to be set as a priority for enforcement. As for recreational usage, please conduct an economic study, a review with tourism experts, and further discuss employment and impact issues with private entities and industries. These issues need to involve community discussion and decision.

Page 3
Letter to Senator Ridgell
Re: Bill No. 25-35

We agree that this issue has come a long way over the years, and eventually in the near future, with changes in federal laws and a greater acceptance in other markets, it may be a much clearer decision to make. However, and unfortunately, now is not that time. Thank you very much for the opportunity to present our thoughts, and we are certainly open to more dialogue on this legislation.

Senseramente,

A handwritten signature in black ink, appearing to read 'Joe Arnett', written over a circular stamp or seal.

JOE ARNETT
Chairman of the Board



Selina Onedera-Salas <sonedera-salas@guamlegislature.org>

Public Hearing Testimony Against Recreational Marijuana Legalization (Bill 32-35)

1 message

droshiroable <[REDACTED]>

Tue, Mar 12, 2019 at 5:47 AM

To: clyntridgellforsenator@gmail.com

Cc: senatortcnelson@guamlegislature.org, speaker@guamlegislature.org, officeofsenatorshelton@guamlegislature.org, office.senatorkelly@guamlegislature.org, senatorbiscoelee@guamlegislature.org, senatorjoessanagustin@gmail.com, senatorterlajeguam@gmail.com, Senatorpedo@senatorjptelaje.com, office@senatorperez.org, wilcastro671@gmail.com, senatorlouis@gmail.com, senatortelot@gmail.com, senatormoylan@guamlegislature.org, senatormary@guamlegislature.org

To the Senators of the 35th Guam Legislature:

My name is Dr. Vanessa L. Oshiro, and I am the owner and operator of Marianas Vetcare in Barrigada. In 2010 I returned to Guam to serve in our local community before settling permanently stateside. The very same year, not long after I came back to the island in January, my older brother Christopher Allen Oshiro also returned. I was glad to get to know my brother as an adult because growing up he was rarely at home. Too often he was lost in a world of illicit drug activity and all that came with it. Back then I only knew the family's side of things which was always about looking for Chris-- or wondering who was looking for him.

When he came home in 2010 however, he was clean, thanks to God's people at the Bowery Mission in New York City. He was hopeful that he could come home and live in peace with his family. But that was not to be so. Though his spirit was willing, his flesh was weak and he succumbed to his triggers, not the least of which by his own admission was recreational marijuana. Shortly afterward he was smoking meth; then he was smoking it with "friends" after disappearing in my mom's car for 72 hours. After 48 hours I understand that missing people are rarely found. But God found my brother, again through his people, and within 48 hours of the police getting word out on local media, my brother returned with my mother's vehicle even as he was coming down from his meth high. A few months later, God saw him back to New York City, where my brother confided in me he longed to return so that he could feel purpose in his witness even just amongst people who shared a similar background.

I would love to tell you that he did exactly that and picked up where he left off before he made the decision to come back to Guam. Unfortunately for my brother in this fallen world, he ultimately would lose his mortal battle. On January 9, 2019 my mother got a phone call from the New York Police Department to inform her that my brother was found dead in his apartment. A few weeks later the coroner's report confirmed cause of death as multiple drug overdose.

For my brother, I submit this testimony that despite the loss of his life in the flesh, his legacy in the spirit will remain and his struggle will not have been in vain. At his best, Chris always wanted to impact the people around him as a talented artist this side of the veil. I pray that he can yet move hearts through his story his side of it now, and effect what we as his family with him fight for today on his behalf: sound minds informed by that of Christ Himself, not a cheap substitute that will come at great cost nonetheless. I implore you as legislators to see beyond the lure of money and protect the future of Guam in your vote against Bill 32-35, against recreational marijuana, a real gateway to hell as our family knows firsthand--all too well.

Thank You,

Vanessa L. Oshiro, DVM
Marianas Vetcare
[REDACTED]

Please find attached new research to support my position.

Imprimis_Jan_8pg.pdf

TESTIMONY
Belinda Ann Snyder
PUBLIC HEARING ON BILL 32-35
OPPOSING RECREATIONAL MARIJUANA ON
March 7, 2019

Hafa Adai, Chairman, Senators, all those who are present at the hearing for BILL 32-35, March 7, 2019.

My name is Belinda Ann Snyder. I'm from the village of Piti. I have testified opposing the legalization of recreational and medicinal marijuana, several times before. It seems the number to the bill for legalization for recreational and medicinal marijuana changes each time there is a hearing.

Today, I'm here to state that I OPPOSE the legalization on this bill and medicinal marijuana.

I do not use marijuana, although I do have several medical conditions. There are times that I cannot get out of bed. I am in pain at times or find it hard to move around or exercise the list can go on. I'm here today to explain that MARIJUANA isn't the answer to one's health condition or for a temporary relieve. It is a very addictive drug.

My medicine is OUR LORD OUR SAVIOR JESUS CHRIST. He is the strongest and best medicine for US ALL.

Our minds, especially our BRAIN is very complex; our brain is the most important aspect to our well-being other than our heart of compassion and kindness. In fact, Marijuana is a schedule I drug. It is also PROHIBITED in the Organic Act of Guam. To legalize recreational marijuana will have a tremendous NEGATIVE effect and consequences in our schools, communities, homes and parenting. We say our children come first. We love our children and we want is best for them. I personally don't have children but I am a retired teacher. My students were my children. So, yes the children are the next generation. Do we want to inhibit their minds with drugs? Expose them to drugs? I hope your answer is NO.

I would like to share a personal experience with you all. My oldest brother was sent off island when he was about 14 or maybe a little older because UNCLE was trying to make him sell drugs in school. This was in the late 70s. My mother was a single parent due to

the separation from my father. So, it was hurtful to have my sibling be sent away so he WON'T be involved with drugs. We read it in the news about the epidemic of METH "ICE" and COCAINE on Guam. Drug trafficking and home invasions, burglaries, and family violence, to the point that young adults don't respect their parents or extended family members.

The thought of even legalizing marijuana is just mind blowing. Why have these bills pass and make it go into affect? Why? To breakdown homes, families, and ruin our children psychologically or physically. I'm grateful my mother took the stand and relocated my brother off island to live with my mother's oldest sister. If not, he would have probably ended up in jail.

At this time, I would like to share with you some research I have done. Not only was it educational but an eye opener as follows.

Van Gerpen S, et. Al SD MED 2015, Van Gerpens, Vik T. J. (SD MED 2015, Spec No. 58-62) stated with recent legalization of recreational marijuana in Colorado, Washington, Alaska, and the District of Columbia. Facts indicate there are serious mental health consequences. Studies have shown increase rate of depression, anxiety (remind you there are different types of anxiety and stages), and schizophrenia who have used Marijuana. To the point of permanent loss of I.Q. and changes in the brain which has been seen with those who are habitual users.

This expert researcher goes on to say, legalization of marijuana can influence adolescent's perception that it is safe. There have been many problems in the states that have legalized medicinal marijuana as well. Thirty-four percent of 12th graders who used marijuana have obtained it from someone who uses it as a prescription.

As Buddy T., Richard N. Fogoros, MD (Nov. 25, 2018) quoted scientific research shows that marijuana has caused many different health problems. It is the most common used illicit drug in the United States; when used it has an immediate affect which can last from one to three hours. When marijuana is CONSUMED effects take longer but last longer.

I can only imagine when a student goes to school high on marijuana. Then we expect the child to get a good education. Not being able to function entirely and maybe comprehend because he or she is high on marijuana. Then returns home and the parents

wonder why their grades aren't A's or B's. Maybe the parents don't know that their child is stone or high in class. After a longer period of time, the behavior problems start to show and escalate to misconduct.

Abstracted from David Downs (April 19, 2016). **The Science Behind The DEA's Long War on Marijuana. United States Drug Enforcement Administration (DEA). Experts listed cannabis among the world's deadliest drug. On August 11, 2016 DEA announced that it will keep marijuana illegal for any purpose it is currently classified as Schedule I Substance under the Controlled Substances Act.**

Schedule I designation of marijuana as equal to heroin among the world's most dangerous drugs.

Russ Bear (DEA staff coordinator) stated that marijuana has never been determined to medicine. There is no safe, effective medical use, and a high abuse potential and it can't be used in medical settings. This opinion of the majority of U.S. doctors and to a vast body of scientific knowledge.... many experts say.

Today, there is still no cure for cancer. There are so many prescription drugs that Food and Drug Administration (FDA) have approved that is being used for many illnesses from medical to psychological concerns that the patient might need. There are over the counter medicines that can be used as well. These medications and medical procedures can be helpful for cancer patients.

Kyle McCauley, Epidemiologist with the Victoria County Public Health Department article in NewsBank December 12, 2016 writes as quoted..... Victoria County unusual rash of illnesses associated with the use of synthetic marijuana. The law enforcement authorities, Emergency Medical Services responded to 30 calls within 72 hours related to the increase of patients under the influence of "synthetic marijuana". It is a serious concern for Victoria County Public Health Department. Synthetic marijuana is dangerous and illegal drug that has caused serious medical complications when an individual overdoses or if the drug is laced with unexpected chemicals. Some of the symptoms associated were vomiting, violent behavior, and suicidal thoughts. The chemical sprayed onto the plant is called "synthetic cannabinoids". This chemical can be 10 to 200 times stronger than tetrahydrocannabinol (THC). Testing of synthetic marijuana they found it

to contain household insecticides, pesticides and kitchen cleaners. Sometimes synthetic marijuana is not just a “dangerous” but literally POISON. It is far more addictive.

Senators and Chairman, who are we to say that this will not occur on Guam. This drug is dangerous as mentioned by experts, doctors, psychologists, neurologist, and those in law enforcement. Synthetic marijuana is often sold as incense or safe alternative to marijuana as well. However, it is far more dangerous and life threatening.

Drug Facts: Marijuana/National Inoti on Drug Abuse (NIDA) Long-Term Affects of Marijuana experts stated. Marijuana has been linked to mental illnesses in some people such as hallucinations, temporary paranoia, worsening symptoms in patients with schizophrenia a severe mental disorders and disorganized thinking.

At the hearing a gentlemen named Mr. Antonio S. Sesquicio testified he has used marijuana over a long period of time at a ranch. He named several of his mental disorders leading up to 92 percent of his disabilities. He is only 1 percent away from being schizophrenia. Another gentleman testified named Howard Hensley “manganeti” as he yelled out loud. Shortly afterwards, he tried to sell marijuana during the hearing. This is factual evidence how marijuana can affect one’s mind, behavior, brain functioning from speech, yelling, and misconduct. Thinking he can sell marijuana during a public hearing. It is downright disappointing and disgusting, some senators laughed at this behavior. I’m disappointed how the hearing on March 7, 2019 was conducted, Senators who took the OATH to UPHOLD THE LAWS OF GUAM. This guy wasn’t arrested. He wasn’t removed from the session.

Lauren King Woodland wrote in the NewsBank on July 13, 2016 (Chico, Ca), Titled: No way to know if pesticide free-Chico Enterprise-Record. Basically this article mentioned that there needs to be further investigations into the medical marijuana industry because its mass production and they are seeing problems such as unapproved pesticides and although marijuana labs indicate pesticide free the laboratory can only detect 12 pesticides. Usually the marijuana is certified as “no pesticides found” but the mass number of pesticides were not look at or into. As Yolo Ag Commissioner John Young found out other pesticides were not detected because appropriate testing wasn’t conducted. And in the Department of Agriculture discovered there were pesticides used on medical marijuana that aren’t on the Department of Pesticides Regulations approved list. In

addition labs only do one-gram test and for other crops two-pound test is required to clear. So if this is happening off island can you imagine on Guam. Not to mention, recreational marijuana grown in homes this will not be regulated, checked for growth as per law and regulations for other chemicals, etc. This is a serious problem in the United States and we don't need this to happen on Guam. Guam is a small island compare to some states with a population of millions. On the other hand, there have been incidences with home cultivation. Homes burned down because marijuana overgrown dried and causing severe health conditions, medical conditions from those around to inhale, etc.

Again, I ask you senators not to approve and pass this bill forward. Kill the bill before it kills many residences and families on Guam.

Thank you all for allowing me to share my research and testimony.


Belinda Snyder



Pathways to Adult Marijuana and Cocaine Use: A Prospective Study of African Americans from Age 6 to 42

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Pathways to Adult Marijuana and Cocaine Use: A Prospective Study of African Americans from Age 6 to 42*

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This study examines pathways to adult marijuana and cocaine use in a cohort of African Americans from Woodlawn, an inner city community in Chicago. Assessments were conducted in first grade (age 6), adolescence (age 16), early adulthood (age 32), and in mid-adulthood (age 42). The "social adaptation life course" framework guided the focus on social adaptation, social bonds, and economic resources as predictors of adult drug use. Results indicate that more frequent substance use in adolescence and lower-income and less-frequent church attendance in early adulthood increase the risk of mid-life drug use. Shyness in first grade related inversely to later cocaine use and marijuana use (marginally significant). Indirect pathways to drug use also were identified. Gender differences were not significant. The findings show continuities in social maladaptation over time and the importance of social integration and economic resources in the early adult years.

Most research on drug use has focused on initiation, typically occurring in adolescence, while studies of adult drug use tend to examine periods of peak use, typically in early adulthood (twenties). Thereafter, drug use generally declines, although a number of people continue or begin to use drugs in their thirties and forties (Grant, Moore, and Kaplan 2003; Merline et al. 2004). Drug use during this stage of life is of particular concern because it is past

the time of normative experimentation and may indicate problem use, which often hinders the successful fulfillment of family and work roles. In addition, problems with drug use in mid-adulthood could trigger a decline in health and social role functioning that continues into later stages of adulthood. Among African American adults the use of drugs is especially problematic, given that they are more likely to develop drug-related difficulties than are white adults (Herd 1995; Wallace 1999).

Research on adult drug use is limited by the predominant use of cross-sectional surveys, prohibiting distinctions between antecedents and consequences or identification of mediating and moderating relationships among risk factors (McCord 1993; Nurco et al. 1998). Of the existing longitudinal studies on drug use, few have extended into the forties, the beginning of mid-adulthood. This understudied period, characterized by a complex array of both

* This study was supported by National Institute on Drug Abuse grants RO1 DA06630 and RO1 DA0223366. We wish to thank the Woodlawn community and the Woodlawn Project Board for their support and cooperation in this project over many years. Address correspondence to Kate Fothergill, Johns Hopkins University, Bloomberg School of Public Health, Department of Health, Behavior, and Society, 624 North Broadway, Room 729, Baltimore, MD 21205 (e-mail: kfotherg@jhsph.edu).

stable and changing social roles, brings challenges distinct from those faced in early adulthood (e.g., parents with declining health, significant child care duties, increased responsibilities at work and in community organizations, and extensive economic demands) (Lachman 2004). African Americans face a disproportionate level of social, economic, and health problems during this phase of life (Bureau of Labor Statistics 2005; Centers for Disease Control and Prevention 2004; U.S. Census Bureau 2005). It has been proposed that they are fairly resilient until about age 40 when they begin to succumb to ongoing pressures and turn to unhealthy coping behaviors, including drug and alcohol use, cigarette smoking, and unhealthy eating (Jackson 2006). Learning more about antecedents affecting mid-life health and psychological well-being, including those in early adulthood, is important for preventing premature declines in health and functioning later in life (Lachman 2004).

The goal of this prospective study is to use data from the Woodlawn Project to identify pathways across the life course to marijuana and cocaine use among African American men and women in their late thirties and forties. Earlier Woodlawn research has found childhood and adolescent social adaptation, family and social bonds, and school achievement to be associated with drug use in early adulthood. Here we aim to: (1) extend this inquiry to mid-adulthood and determine if these relationships still remain given the changes in social roles in adulthood; (2) examine for the first time the influence of early adult factors (i.e., social bonds, income, and school attainment) on mid-adult marijuana and cocaine use; and (3) identify indirect pathways over the life course to mid-adult marijuana and cocaine use.

CONCEPTUAL FRAMEWORK

Our conceptual model is guided by the "social adaptation life course" framework (Kellam et al. 1975), which proposes that one's performance in key social roles over the life course reflects both individual characteristics and interactions with the social environment (see Figure 1). Social role performance at each stage of life has an important developmental influence on subsequent adaptation and maladaptation, including illegal drug use. We aim to determine whether drug use in mid-life (operationally defined as thirties and forties) is related to social role performance at earlier

stages of life (first grade classroom behaviors, adolescent school achievement, early adult educational attainment). Thus, are the trajectories that are established early on still important to later stages in life?

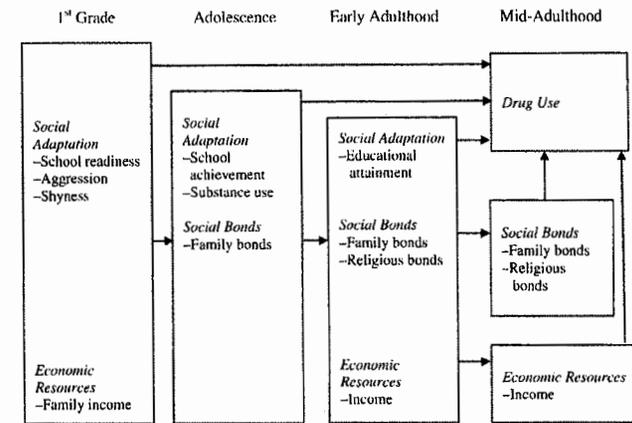
Our conceptual framework also takes into account social bonds and social structural characteristics (e.g., economic disadvantage), allowing for consideration of individual and contextual influences on drug use. According to theories of social control, strong bonds with appropriate social groups (e.g., family, co-workers, peers, community groups) encourage adherence to positive social norms and give meaning to one's life (Burton 1998; Hirschi 1969; Umberson 1987). We therefore expect that mid-life drug use will be influenced by the strength of bonds within important social contexts, such as school, family, and community over the life course. In addition, the structural theories of Pearlin (Pearlin et al. 2005) and Turner (2003) suggest individual behaviors are often in response to structural factors such as economic disadvantage and other adverse conditions.

Social Adaptation

We hypothesize that social adaptation at various stages along the life course will influence later adaptation because there is continuity in behaviors. Early in the life course, school and family are key social contexts. We view social adaptation as being influenced by both individual and social context characteristics. For example, teacher ratings of a child reflect the child's characteristics, the atmosphere of the classroom, and the characteristics of the teacher, such as experience and background. Prior Woodlawn research found that teacher ratings of first grade social adaptation—especially aggressive behavior (less authority acceptance) and shy behavior (less social contact)—were related to drug use in adolescence and early adulthood (Ensminger, Juon, and Fothergill 2002; Kellam et al. 1983). These findings correspond with those from other longitudinal studies suggesting that aggressive children are at greater risk for substance use in both adolescence and early adulthood (Brook and Newcomb 1995; Hawkins, Catalano, and Miller 1992), and that shy behavior is protective (Farrington 1989; Sieber and Angst 1990).

Earlier Woodlawn research also found that first grade readiness for school predicted earlier initiation of drug use in adolescence

FIGURE 1. Conceptual Framework



(Kellam, Simon, and Ensminger 1983) but decreased risk of use in early adulthood (Ensminger et al. 2002). These findings support Moffitt's (1993) theory that adolescent-limited drug use can be considered experimental, while use that continues into adulthood may indicate more deeply rooted problems (Block, Block, and Keyes 1988).

In the current study, we assess whether poor adaptation in childhood (aggressive behavior, low readiness to learn) distinguishes those who are at risk of drug use in mid-life (and, conversely, if shy behavior distinguishes those who are not at risk). We are interested in these relationships for two primary reasons: (1) to assess whether childhood adaptation has long-term effects and (2) to identify indirect paths from childhood social adaptation to mid-adult drug use.

We also explore the role of social adaptation in adolescence (academic achievement) and early adulthood (educational attainment), which have been linked to an increased risk of substance use in adolescent and early adult populations (Brunswick and Messeri 1984; Fothergill and Ensminger 2006). Here, with two adult assessment periods, we can examine whether educational attainment assessed in

early adulthood is associated with subsequent drug use.

We also hypothesize that adolescent substance use will affect mid-adult drug use both directly and indirectly. Although a large number of adolescents experiment with drugs and alcohol without becoming frequent users (Johnston, O'Malley, and Bachman 1988; Newcomb and Bentler 1988), use in adolescence has been shown repeatedly to predict use in early adulthood (Brook et al. 1995; Duncan et al. 1997). Previous research with the Woodlawn data found that adolescent substance use increased the risk for early adult drug use (Ensminger et al. 2002; Green et al. 2006), and we expect this relationship to continue into mid-adulthood. Teens whose use of drugs is a maladaptive response to social role expectations rather than normative experimentation may be more likely to use drugs in mid-adulthood as a maladaptive response to the demands of this time of life.

Social Bonds

Family is a key social context in childhood and adolescence, and prospective studies, including the Woodlawn Study, have found that family bonds deter adolescent drug use (Elliott, Huizinga, and Ageton 1985; Ensminger

ger, Brown, and Kellam 1982). We now examine whether family bonds in adolescence influence mid-adult drug use, either directly or indirectly. We also expect early adult family bonds to be important given that this is a period of transition during which individuals begin to develop families, careers, and commitments to community institutions, while ties to parents may weaken as these new relationships develop (e.g., with spouse, children). Failure to develop or maintain family relationships in early adulthood may increase the risk for marijuana and cocaine use in mid-adulthood.

Church involvement is widely regarded as an indicator of community integration, particularly among African Americans, who report higher levels of religiosity than other groups (Chatters 2000; O'Malley, Johnston, and Bachman 1998). Involvement with church, which reinforces positive social norms, may help the transition to adulthood. Most studies on the association of religion with substance use have found an inverse, contemporaneous relationship (e.g., Bowic, Ensminger, and Robertson 2005; Gorsuch 1995). However, we know of no prospective studies that have examined the association between religion in early adulthood and subsequent drug problems.

Economic Resources

Cross-sectional studies have found economic resources to be inversely related to drug use in adulthood (e.g., National Institute on Drug Abuse 1990), and a few longitudinal studies have found early economic disadvantage to be related to substance use in early adulthood (Farrington 1989; Poulton et al. 2002). Examining the impact of economic disadvantage on health behaviors in mid-adulthood is of particular interest because this is when African Americans begin having disproportionately high morbidity and mortality (Cooper et al. 2001; Sorlie, Backlund, and Keller 1995). Much of this difference is attributed to socioeconomic differences along the life course, although the mechanisms are not well understood (Williams and Collins 1995).

One way childhood economic disadvantage may affect adult substance use is through its effects on social roles and relationships (McLoyd 1990; Sampson and Laub 1990). Families under economic stress may have weaker parent-child relationships (Larzelere and Patterson 1990), which in turn can lead to drug and alcohol use (Lempers, Clark-Lempers, and

Simons 1989). An earlier Woodlawn study found that family socioeconomic status in first grade indirectly affected early adult drug use problems through its impact on educational attainment (Fothergill and Ensminger 2006). We expect that childhood family income will continue to influence drug use in mid-adulthood directly and indirectly. We also hypothesize that the individual's own income in early adulthood will be related to mid-adult drug use. Income at this stage of life represents not only the availability of important resources, but also the individual's ability to achieve economic independence, a key indicator of successful transition to adulthood.

Gender

Males consistently report more drug use than females (Kessler et al. 1994; Kandel et al. 1997), and evidence shows that the prevalence of childhood and adolescent risk factors differs by gender in both frequency and pattern. For example, males are more likely to be aggressive, and females are more likely to be shy (Kellam et al. 1983). Studies, including our own, provide increasing evidence that men and women experience different trajectories to drug use (e.g., Boyd, Blow, and Orgain 1993; Ensminger et al. 2002).

Research Questions

This study differs from past examinations of drug use in several important ways. First, the antecedents of mid-life drug use have not been investigated extensively within either the Woodlawn study or other longitudinal studies. Second, in studying mid-life drug use we focus on an understudied group at a stage of life when most have stopped using drugs. Third, antecedents that have been identified for drug use at earlier stages may or may not be relevant for this mid-adult stage when different roles and expectations exist. Further, the importance of young adult characteristics for later mid-adult drug use has not been examined in the literature. Economic well-being, community involvement, and family relationships have different meanings in early adulthood than in adolescence, and their relevance for mid-life outcomes is relatively unknown.

We hypothesize that social adaptation, social bonds, and economic resources over the life course relate to how the individual responds to the multiple and complex demands of mid-adulthood. Drug use at this time may reflect

failure to accomplish key tasks in adulthood: (1) to meet social role performance expectations; (2) to develop supportive relationships at home or in the community; or (3) to acquire sufficient economic resources to handle responsibilities. Our research questions focus on the role of *social adaptation*, as indicated by prior behaviors and academic success; *social integration*, as indicated by family and church involvement; and *structural influences*, as indicated by economic resources. We expect these three domains to interact throughout the life course to affect risk for mid-adult drug use. We examine marijuana and cocaine use separately as they are perceived differently and may have distinct etiologies and constituents. Our specific research questions are as follows:

1. Do first grade aggressive behavior, shy behavior, and readiness to learn directly relate to marijuana or cocaine use 30–35 years later? Do they indirectly affect later drug use through their influence on later social adaptation, social bonds, and economic resources?
2. Do weak adolescent family bonds directly increase the risk for marijuana or cocaine use 25 years later? Do they have indirect effects through later family and church bonds? Do early adult family and church bonds increase the risk of mid-adult drug use?
3. Does economic disadvantage in childhood or early adulthood directly or indirectly increase the risk for marijuana or cocaine use in mid-adulthood?
4. Do pathways to drug use differ for males and females? If so, how?

METHODS

Study Design and Sample

This is a prospective, longitudinal study of a cohort of 1,242 males and females who began first grade in the 1966–1967 academic year in Woodlawn, an inner city community on the south side of Chicago. The cohort has been followed for more than 35 years. In the 1960s Woodlawn was one of the five poorest areas in Chicago, yet there was economic variation in the community. Teachers and mothers (or mother surrogates) reported on the children's social adaptational status, their mental health, and the family and classroom contexts. In 1975–1976, when the study cohort was in adolescence, 939 of the mothers or mother surrogates were re-interviewed, as were 705 of the teenaged cohort members (Kellam et al. 1983).

In 1992–1994, when the cohort was age 32–34, 80 percent (N = 952) of those who were alive and mentally competent were interviewed. In 2002–2003, we successfully located 1,002 (84%) of the 1,187 individuals who were not known to have died. Of these 1,002, 833 (83%) were re-interviewed (Crum et al. 2006). To test for attrition biases, comparisons were made between those who were interviewed in 2002–2003 and those who were not interviewed in regards to relevant factors assessed in first grade, adolescence, and early adulthood. We found no relationship between interview status at mid-life and multiple social adaptation indicators (i.e., first grade school readiness, first grade shy and aggressive behavior, adolescent school achievement, and adolescent substance use). We did find that those interviewed in mid-adulthood reported higher educational attainment, higher first grade and early adult family income, and stronger early adult family bonds than those not interviewed. These differences could lead to an underestimation of the impact of educational attainment, income, and family bonds; we consider this in our discussion of the results.

Measures

Table 1 shows either the percentage or mean and standard deviation of each dependent and independent variable for males, females, and the total sample.

Mid-life marijuana use and cocaine use. Each of the dependent variables, marijuana use and cocaine use in mid-adulthood, was represented by a latent construct comprising self-reports of frequency and recency of use in the past 10 years. Frequency responses ranged from 0 (none in the past 10 years) to 7 (more than 200 times). The recency responses were categorized as 0 (never or not at all in the past 10 years), 1 (in the past 1–10 years), and 2 (within the past year).

First grade school readiness. The standardized Metropolitan Readiness Test (range 9–99), which was administered in classrooms by school personnel, scores a child's initial responses to the cognitive tasks of the classroom (Anastasi 1968).

First grade shy and aggressive behavior. Teachers used the Teachers' Observations of Classroom Adaptation (TOCA) to rate a child's level of adaptation in five domains. This study used the aggression and shyness ratings, which

TABLE 1. Summary of Study Variables by Gender and for the Total Group*

	Males	Females	Total
<i>Social Adaptation</i>			
First Grade School Readiness (mean, sd)	57.0, 18.3	59.1, 18.7	58.1, 18.5
First Grade Shy Behavior** (% maladapting)	35.1%	26.8%	30.9%
First Grade Aggressive Behavior*** (% maladapting)	38.7%	24.8%	31.6%
<i>Adolescent School Achievement (mean, sd)</i>			
Math achievement test-7th grade***	82.5, 12.9	85.6, 12.3	84.2, 12.7
Reading achievement test-7th grade**	80.6, 14.2	83.8, 13.5	82.3, 13.9
Math achievement test-8th grade***	89.6, 12.0	92.4, 11.8	91.1, 12.0
Reading achievement test-8th grade**	86.3, 15.8	89.5, 15.4	88.0, 15.7
<i>Adolescent Substance Use</i>			
Beer or wine ever: ***			
no	14.6%	25.8%	20.3%
<10 times	38.6%	43.5%	41.1%
10-39 times	23.7%	19.7%	21.6%
40 or > times	23.1%	11.1%	16.9%
Hard liquor ever: **			
no	53.5%	61.7%	57.7%
<10 times	27.4%	28.3%	27.9%
10-39 times	11.5%	6.4%	8.9%
40 or > times	7.6%	3.6%	5.6%
Marijuana ever: ***			
no	28.4%	48.6%	38.8%
<10 times	27.3%	27.1%	27.2%
10-39 times	15.5%	13.0%	14.2%
40 or > times	28.7%	11.3%	19.8%
Marijuana past 2 months: **			
no	35.6%	57.5%	46.8%
<10 times	28.0%	28.2%	28.1%
10-39 times	19.5%	9.4%	14.3%
40 or > times	16.9%	5.0%	10.8%
Early Adult Years of Schooling (mean, sd ***)	12.3, 1.9	12.9, 2.0	12.6, 2.0
<i>Early Adult Educational Attainment***</i>			
No diploma or GED	22.6%	18.2%	20.3%
GED	9.5%	4.8%	7.1%
High school diploma	21.3%	17.2%	19.2%
Some vocational/trade school	14.5%	12.1%	13.3%
Some college	19.3%	29.5%	24.6%
Associate's degree	4.4%	6.5%	5.5%
Bachelor's degree	7.7%	10.5%	9.2%
Graduate degree	.7%	1.2%	.9%
<i>Economic Resources</i>			
<i>Family Income Below Federal Poverty Level*</i>			
1st grade	56.4%	50.6%	53.4%
Early adulthood	38.4%	39.3%	38.9%
Mid-adulthood	22.8%	27.9%	25.6%
<i>Social Bonds</i>			
<i>Family Bonds: mean, sd</i>			
Adolescence ***	4.9, 1.1	4.6, 1.3	4.7, 1.2
Early Adulthood	1.7, 1.1	1.7, 1.1	1.7, 1.1
Mid Adulthood **	1.5, 1.0	1.8, 1.1	1.7, 1.1
<i>Early Adult Church Attendance*</i>			
Less than once/year	33.7%	26.2%	29.8%
Once/year to less than once/week	39.9%	43.0%	41.5%
Once/week or more	26.4%	30.8%	28.7%
<i>Mid-Adult Church Attendance**</i>			
Less than once/year	23.4%	14.9%	18.7%
Once/year to less than once/week	40.5%	40.4%	40.4%
Once/week or more	36.1%	44.7%	40.9%
<i>Mid-Adult Drug Use</i>			
<i>Marijuana Recency***</i>			
Never/not in the past 10 years	66.4%	77.7%	72.6%
Used, but not in the past year	20.1%	12.9%	16.1%
Used in the past year	13.6%	9.4%	11.3%

(Continued on next page)

TABLE 1. (Continued)

	Males	Females	Total
<i>Marijuana Times Used in Past 10 Years</i>			
Never	66.8%	78.7%	73.3%
1-2 times	4.4%	3.3%	3.8%
3-5 times	5.2%	2.9%	3.9%
6-10 times	4.9%	2.4%	3.5%
11-49 times	3.5%	4.0%	3.8%
50-99 times	3.8%	3.3%	3.5%
100-199 times	3.0%	2.0%	2.4%
200+ times	8.4%	3.3%	5.6%
<i>Cocaine Recency*</i>			
Never/not in the past 10 years	78.9%	86.0%	82.8%
Used, but not in the past year	14.6%	10.7%	12.5%
Used in the past year	6.5%	3.3%	4.7%
<i>Cocaine Times Used in Past 10 Years**</i>			
Never	79.3%	86.4%	83.2%
1-2 times	3.0%	2.2%	2.6%
3-5 times	1.4%	.9%	1.1%
6-10 times	2.2%	1.5%	1.8%
11-49 times	3.3%	1.5%	2.3%
50-99 times	3.5%	.9%	2.1%
100-199 times	1.4%	1.3%	1.3%
200+ times	6.0%	5.3%	5.6%

* Total Group N at First Grade assessment is 1,242 (48.8% males), at Adolescent assessment N = 705 (48.7% males), at Early Adulthood assessment N = 952 (47.9% males), and at Mid-Adulthood N = 833 (44.9% males)
 ** $p < .05$; *** $p < .01$; **** $p < .001$ in chi-square analysis or Student's t-test by gender

ranged from 0 (fully adapting) to 3 (severely maladapting) (Kellam et al. 1983), because we have found them to relate to earlier drug use, school achievement, and delinquency (Ensminger and Slusarek 1992; Ensminger, Kellam, and Rubin 1983). Cues that teachers were given in rating children as shy were timid, alone too much, friendless, aloof. Aggressiveness was indicated by teachers as fighting too much, stealing, telling lies, resisting authority, destructiveness, disobedience, uncooperativeness.

Adolescent school achievement. This construct comprised four indicators: scores from Chicago Public School tests of 7th and 8th grade math and reading achievement (range 25-140).

Adolescent substance use. This construct included four indicators: adolescents' self-reports of how many times they had ever used marijuana, beer or wine, and hard liquor and how many times they had used marijuana in the past two months (1 = never to 6 = more than 40 times).

Early adulthood educational attainment. This construct comprised two indicators: self-reports of years of schooling (range 4-20) and self-reports and school records of level of education completed (1 = dropout to 8 = graduate degree).

Childhood family income. This observed indicator was based on the mother's report of household income in 1966. Responses ranged from 0 (less than \$1,000) to 10 (\$10,000 or more).

Early adulthood income. This observed indicator was based on self-reports of household income in 1992. Responses ranged from 1 (less than \$1,000) to 23 (\$75,000 or more).

Mid-adulthood income. To control for concurrent income, the model included an observed indicator based on self-reports of household income in 2002. Responses ranged from 1 (less than \$1,000) to 18 (\$100,000 or more).

Adolescent family bonds. A latent construct was based on the adolescent's report on the frequency of engaging with family in five ways: going out for entertainment; doing homework; playing sports/recreation; hanging out around the house; engaging in community activities. Responses ranged from 6 (several times a week) to 2 (every few months) and 1 (less often).

Adult family bonds. In early adulthood, this latent variable comprised six indicators asking which family members the respondent could turn to when (1) sick, (2) in need of money, (3) had decision to make, (4) felt sad, (5) was in a fight with a friend, and (6) needed help with

.04, CFI = .94). Table 2 summarizes the direct, indirect, and total effects on marijuana use.

Direct effects. We found three factors with direct effects on mid-adult marijuana use. Those who used drugs and alcohol more frequently in adolescence and those with low income in early adulthood were more likely to use marijuana in adulthood; those who went to church frequently in early adulthood were less likely to use marijuana in mid-adulthood. Those who were shy in first grade were marginally ($p < .10$) less likely to use marijuana in mid-adulthood.

Indirect effects. School readiness and aggressive behavior in first grade influenced adult marijuana use indirectly through adolescent drug use such that those who were aggressive and those who had low readiness scores were more likely to use drugs as teenagers. Those who were shy in first grade were less likely to use drugs in adolescence. Those from families with low incomes were more likely to have low school achievement, which increased the likelihood of having a low income in early adulthood. Adolescents who used drugs were less likely to attend church in early adulthood. Those who had low school achievement and those who used drugs in adolescence were more likely to have low income in early adulthood.

Total effects. The total effects capture the combination of direct and indirect effects on marijuana use in mid-life, helping us to assess the overall impact of each construct over a number of years. Although AMOS does not provide significance levels for these analyses,

we considered effects of .10 or greater to be potentially important since direct effects of this size were statistically significant. There were five factors with total effects at .10 or greater: adolescent substance use (.256), early adult church attendance (-.142), early adult income (-.105), first grade aggressive behavior (.105), and adolescent school achievement (-.100). While the large total effects for adolescent substance use, early adult church attendance, and early adult income corresponded to their large direct effects, first grade aggressive behavior and adolescent school achievement had high total effects due to their strong indirect associations.

Cocaine Use

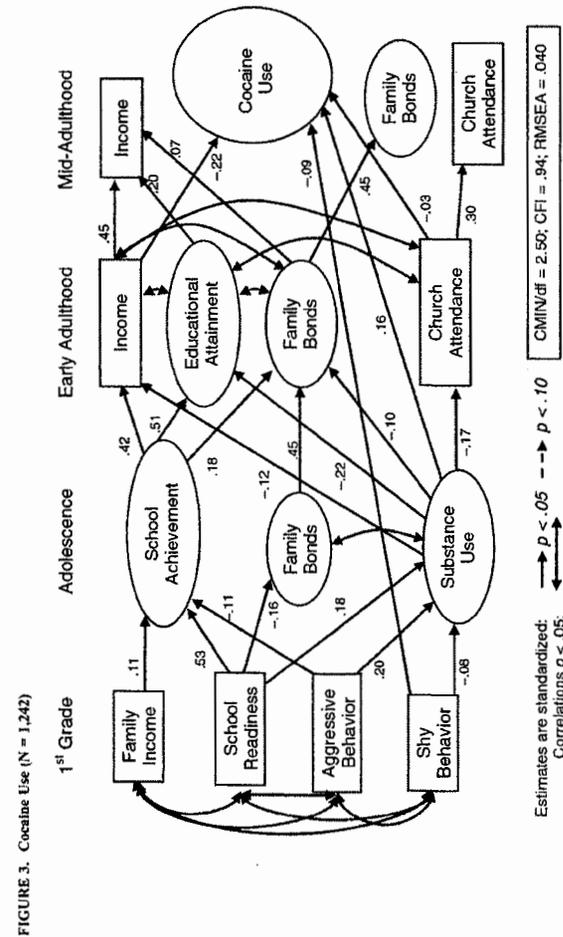
The model for cocaine use is shown in Figure 3. Again, only statistically significant pathways are shown. All factor loadings for the measurement models were statistically significant ($p < .005$). Fit statistics indicate that the model fit the data reasonably well ($\chi^2 / df = 2.5$, CFI = .94, RMSEA = .04). Table 2 summarizes direct, indirect, and total effects on cocaine use.

Direct effects. We found four factors with direct effects on mid-adult cocaine use. Shy first graders were less likely to use cocaine in mid-adulthood; adolescent drug and alcohol users were more likely to use cocaine in mid-adulthood; those who went to church more frequently in early adulthood were less likely to use cocaine in mid-adulthood; and those with low incomes in early adulthood were more likely to use cocaine in mid-adulthood.

TABLE 2. Standardized Effects on Mid-Adult Marijuana Use and Cocaine Use from Structural Equation Modeling Analysis

Predictor	Marijuana Use			Cocaine Use		
	Direct Effect	Indirect Effect	Total Effect	Direct Effect	Indirect Effect	Total Effect
1st Grade Family Income	.005	-.033	-.027	.034	-.034	-.000
1st Grade School Readiness	-.014	-.001	-.015	-.029	.000	-.030
1st Grade Shyness	-.063†	-.017	-.080	-.088*	.012	-.100
1st Grade Aggression	.044	.061	.105	.057	.050	.108
Adolescent Substance Use	.210*	.046	.256	.163*	.050	.214
Adolescent School Achievement	-.025	-.075	-.100	.050	-.115	-.065
Adolescent Family Bonds	-.029	-.009	-.037	.028	.002	.029
Early Adult Church Attendance	-.142*	.000	-.142	-.197*	.000	-.197
Early Adult Family Bonds	.018	.000	.018	.057	.000	.057
Early Adult Family Income	-.105*	.000	-.105	.219*	.000	.219
Educational Attainment	-.049	.000	-.049	-.053	.000	-.053

Note: AMOS 7.0 provides statistical significance levels for direct effects only when using maximum likelihood estimation. Other indirect and total standardized estimates $> .10$ are considered meaningful.
 * $p < .05$; † $p < .10$.



Note: Cocaine model with full-information maximum likelihood standardized estimates. Rectangles are observed variables; ellipses are latent. Arrows show significant pathways (solid lines); $p < .05$; dashed arrows show significant correlations with $p < .10$. Items not included to save space: the composite of all variables in the model, including all variables in the measurement model, and from first-grade family income to early adult income; nonsignificant paths are not shown. All factor loadings for the indicators of each latent variable are statistically significant ($p < .005$).

Indirect effects. Shy behavior, aggressive behavior, and school readiness in first grade influenced adult cocaine use indirectly through adolescent drug use. Children who were aggressive or had high readiness scores as first graders were more likely to use drugs as teenagers; those who were shy were less likely to report substance use in adolescence. Those who were from low-income families in first grade were less likely to do well in school, which in turn related to having a low income in early adulthood. Adolescents who used drugs were less likely to attend church and more likely to report low income in early adulthood.

Total effects. For cocaine use, five variables had total effects equal to or above .10: early adult income (-.219), adolescent substance use (.214), first grade aggression (.108), early adult church attendance (-.107), and first grade shy behavior (-.100). These total effects largely reflect the high direct effects of each of these variables, although, again, first grade aggressive behavior had strong total effects because of its combined direct and indirect effects.

DISCUSSION

Little is known about drug use in mid-adulthood, particularly among African Americans. This understudied period of the life course is characterized by multiple social roles (e.g., parent, grandparent, son/daughter, employee, community member), some of which are stable, others transitional. Researchers have suggested that in mid-adulthood African Americans may adopt unhealthy behaviors in response to social and economic pressures that have built up over time (Jackson 2006). Drug use in mid-adulthood may be in response to the multiple, complex demands of this period as well as to the failure to meet social role expectations earlier in life.

Guided by the "social adaptation life course" framework and theories of social control and structural disadvantage, we hypothesized that social adaptation, social bonds, and economic resources over the life course influence marijuana and cocaine use among African Americans in mid-adulthood. By using structural equation modeling to examine four assessment periods over the life course, we identified multiple pathways to marijuana and cocaine use. We found that social adaptation, social bonds, and economic resources at various

stages of life have direct and indirect relationships with later use of these drugs.

Hypothesizing that substance use in mid-adulthood was rooted in poor social adaptation in childhood, adolescence, and/or early adulthood (i.e., aggressive and shy behavior, school achievement, teen drug use, educational attainment) (Kellam et al. 1975), we found adolescent drug use to be a key factor in the development of risk for later marijuana use and cocaine use. These results support the hypothesis that early maladaptive behaviors lead to subsequent maladaptation. Our findings indicate not only the persistence of adolescent drug use into mid-adulthood, but also that adolescent drug use leads to lower adult income and less church attendance, both of which were associated with later drug use. This suggests that adolescent drug use is important not only because of its continuity but also because of its impact on other factors that increase risk for later drug use.

Contradictory to our framework, one indicator of social (mal)adaptation, first grade shy behavior, was protective in its impact on mid-life cocaine use (marginally so for marijuana use). What is surprising in these results is the considerable length of time that elapsed between recognition of shy behavior in first grade and drug use in mid-adulthood, even with many other factors controlled, highlighting the importance of studying pathways that are set into place in early childhood. Early shyness may reduce risk-taking behavior in general. Also, because of their reduced social interactions, shy individuals may have more limited opportunities to use drugs and be less influenced by drug-using peers.

Aggression in first grade and adolescent school achievement were not directly related to mid-adult drug use. However, the total effect of childhood aggression suggests long-term negative implications of being aggressive early in the life course for outcomes 35 years later in mid-adulthood. Similarly, school achievement had strong indirect effects.

The finding of no relationship between educational attainment and mid-adult drug use is noteworthy. This may be because of education's high correlation with income and church attendance in early adulthood, highlighting the interrelationship of economic and social resources and the need to recognize the complexity of the pathways to drug use. It may also be that education is less salient for mid-adult

drug use than it is for early adult use. The social adaptation life course framework explains that the influence of various social fields shifts over the life course, but to date little research has examined which social fields influence mid-adult behaviors. Additional research is needed to further examine the role of education and other social fields on mid-adult drug use.

We next examined whether marijuana and cocaine use in mid-adulthood is related to weak social bonds in adolescence and early adulthood. Results show that church attendance in early adulthood plays an important role in decreasing later marijuana and cocaine use. While studies have shown contemporaneous correlations between church involvement and substance use (e.g., Gorusch 1995), this is the first known study to find this longitudinal relationship. Potential selection effects (i.e., those who use drugs are less likely to attend church) were minimized by including adolescent substance use in the model. The finding corresponds with Durkheim's ([1897] 1951) social integration theory and Hirschi's (1969) social control theory suggesting that social ties prevent deviant behaviors and alienation from social norms. It also supports what is known about the importance of church among African Americans. Church involvement in early adulthood may be a critically important buffer against the buildup of pressures that lead to unhealthy coping behaviors in mid-adulthood. Increasing young adults' involvement with church has the potential to not only prevent later drug use but also to help steer troubled individuals in a more prosocial direction (Catalano and Hawkins 2000).

Neither adolescent nor adult family bonds were related to later drug use. Although others have found family bonds to be an important part of the pathway to drug use (e.g., Elliott et al. 1985), it may be that family bonds are important concurrently but do not have a sustained impact. We did find a strong negative correlation between adolescent family bonds and adolescent drug use, and we found a strong positive correlation between early adult family bonds and income. It may be that as a person matures, the role of family bonds may change so that drug use becomes more independent of family relative to other bonds, such as that with community.

Focusing on the relationship between mid-adult drug use and prior economic disadvan-

tage, our goal was twofold: (1) to assess whether the influence of early family income on drug use persisted beyond early adulthood and (2) to examine whether early adult income was associated with later drug use, a relationship not yet examined in prior research. Childhood family income was not directly related to either mid-life marijuana or cocaine use, but it was indirectly related, primarily through its influence on school achievement. In addition, family income was correlated with early readiness for school and early classroom aggressive behavior; thus, being from an economically disadvantaged family may influence later outcomes by its impact on adaptation in the early years.

Early adult income was related to both marijuana and cocaine use. We suspect that having poor income in early adulthood exacerbates the stress of the growing social role expectations of adulthood, thereby increasing the risk of drug use in mid-adulthood. This is an important finding given the dearth of longitudinal studies of drug use with more than one assessment period in adulthood. As noted earlier, these findings regarding income may be underestimated given that those who were not found for follow-up were more likely to have lived in low-income families in first grade and to report low income in early adulthood.

Finally, contrary to our expectations, we found no significant gender differences in either the marijuana or cocaine use model, and thus we combined males and females in our final analyses. Prior research on adolescent and early adult drug use suggests that males and females can differ in risk for drug use (e.g., Boyd and Mieczkowski 1990). One explanation for this discrepancy is that those who use drugs in mid-adulthood have a distinct set of problems and are more deviant than those who use them earlier in the life course when drug use is more normative and experimental. Thus, males and females who continue or begin to use drugs at this later stage of life may have more similarities than differences in their life histories. Also, differences in drug use trajectories for males and females may be related to the cohort under study. Gender roles and the acceptability of drug use for females have changed greatly over the life course of this cohort.

In summary, the main contributions of this article are (1) demonstrating the long-term effects of childhood and adolescent maladaptation on drug use in mid-adulthood, relation-

ships that have not been tested in earlier research, and (2) identifying factors in early adulthood that contribute to the risk of mid-adult drug use. Although correlational analyses are common in adulthood, little is known about the impact of early adult factors on subsequent drug use.

The study has limitations that should be acknowledged. First, the Woodlawn population is all African American and from a specific community in Chicago that was disadvantaged at the initiation of the study. The generalizability of the findings is limited until replicated with other populations. For example, it may be only in disadvantaged populations that early maladaptive behavior affects later drug use. In populations that are not disadvantaged there may be multiple opportunities to escape these deviant pathways. Prior Woodlawn findings have often been replicated in other populations. Second, attrition and other missing data must be considered even though missing data were taken into account using maximum likelihood estimation. Finally, self-reports of drug use may be biased (Schwarz 1999), although studies have shown self-reports to be valid 70 to 90 percent of the time in some populations (Darke 1998), and prior tests with the Woodlawn data found no evidence of systematic bias (Ensminger et al. 2007).

Using prospective data collected over 35 years from multiple sources and focusing on African American males and females, these data provide a rare opportunity to study the development of risk for mid-adult marijuana and cocaine use within a community population. Findings show continuities in social maladaptation over time and the importance of social integration and economic resources in the early adult years. Results support those suggesting that drug use has early origins and that early prevention may be effective; they also point to early adulthood as a key transition point in life and a critical time for preventing long-term or late initiation of drug use.

NOTE

1. We also assessed the significance of the gender differences in individual parameters (e.g., whether the relationship between early adult church attendance and marijuana use differs significantly for males and females). In the marijuana model, only one parameter was significantly different for males and females: The relationship between in-

come in early adulthood and marijuana use was stronger for females (-1.83 vs. $-.027$, $p = .034$). There were no significant gender differences in the cocaine model.

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Kate Fothergill is an Assistant Scientist in the Department of Health, Behavior, and Society at the Bloomberg School of Public Health at Johns Hopkins University. Her research with the Woodlawn Project focuses on the influence of individual, social, and environmental factors over the life course on risk behaviors, including drug use and crime, and their influence on health.

Margaret Ensminger is Professor of Health, Behavior, and Society, Bloomberg School of Public Health at Johns Hopkins University. Her research focuses on the developmental course to health and well-being across the life course, especially among disadvantaged populations. Her current work, supported by the National Institute of Drug Abuse, examines the interrelated trajectories of drug use and crime within the Woodlawn Longitudinal Study.

Kerry M. Green is Assistant Professor of Public and Community Health at the University of Maryland School of Public Health in College Park. Her research focuses on development over the life course, and in particular how early family, school, and environmental influences, as well as behaviors (e.g., substance use), affect later health and well-being. She is particularly interested in gender and racial differences in development. Much of her research has been a longitudinal study of low-income, urban community populations, and, thus, health disparities is a key topic of her work.

Judith A. Robertson is a Research Associate in the Department of Health, Behavior and Society at the Johns Hopkins Bloomberg School of Public Health. As data manager and analyst for the Woodlawn Project, she participates in studies of life course factors relating to alcohol and drug use disorders, physical and mental health problems, criminal behavior, and issues associated with aging.

Hee Soon Juon is an Associate Professor of Health, Behavior, and Society at the Johns Hopkins Bloomberg School of Public Health. Her research focuses on substance abuse, criminal behavior, and mental health among minority populations. She is particularly interested in trajectories of substance use in the Woodlawn Project.

Marijuana - No way to know if 'pesticide free' - Chico Enterprise-Record (Chico, CA) - July 13, 2016 - page 4

July 13, 2016 | Chico Enterprise-Record (Chico, CA) | By Lauren King Woodland Daily Democrat | Article | Page 4

Further investigation into the state's burgeoning medical marijuana industry has produced a dangerous revelation that suggests what you don't know could hurt you.

As the state works to regulate the once underground industry, ag officials are uncovering unanticipated problems.

The latest, reported by Yolo Ag Commissioner John Young this past week, is that some marijuana crops are being treated with unapproved pesticides, and legitimate labs have federal licenses that prohibit them from testing these products. That means even marijuana labeled "pesticide free" at dispensaries may still contain anywhere from trace to large amounts of pesticides.

Ingestion of unapproved pesticides can cause a range of health ailments, and according to Young, burn tests have never been conducted to see what happens when they are ignited — potentially posing a greater danger to those who smoke their medicinal herb.

Chlorpyrifos, Disulfoton, and Imidacloprid have all been discovered on local marijuana crops and can have consequences ranging from skin irritation to cancer to fatal toxicity upon contact or ingestion.

This problem is not isolated to Yolo County either, but rather a warning that patients across the state should heed.

"In the Department of Agriculture we're used to being able to deal with pesticides and we discovered pesticides that are being used on medical marijuana that aren't on the Department of Pesticide Regulations' approved list," said Young. "Immediately, my thought is, we'll run a sample and if there are any pesticides we'll order a crop destruct just like any other commodity."

"We rapidly found out that nobody will run the test," he continued. "Also, all of the labs that are being used out there in the industry do not run an appropriate test to be able to screen for the pesticides."

After digging a little deeper, Young found that labs willing to run tests on the crop only screen for 12 different pesticides that are not typically used anyway. "They come back to the dispensary with the certification of 'no pesticides found,' but they didn't look for the vast majority of them," explained Young.

Additionally, the labs only do a one-gram test and, for other crops, a two-pound test is typically required for clear results.

"We have a situation where the consumer is under the impression that the stuff is screened for pesticides when it's not," he continued. "A lot of those statements that say 'pesticide free' are not true."

Growers are not necessarily trying to harm consumers, but rather, are unaware of the dangers these pesticides pose because a lot of them have operated in the black markets up until recently and learn of pest control methods through word of mouth.

"Some of them just don't know what a systemic pesticide is," Young explained. "A systemic pesticide is one that goes into the interior of the plant. It's not something on the outside that you can wash off. It's in the plant and doesn't come out of the plant. They have to be used at the right time, there are a lot of processes on a normal agricultural commodity like a '30-days-to-harvest' or something like that — which means you have to wait 30 days before you can harvest this commodity to make sure there are no residues."

Growers may also not be aware that use of these unapproved pesticides can pose health risks to those who work around the crops. Growers, themselves, may see adverse health effects.

"That's why we want growers to have operator ID's so that we can talk to them and say, 'What are you using? Where are you getting it? Don't use that,'" Young continued.

Young points to the marijuana industry as one of the few, true free market economies and the lack of regulations is a double-edged sword. "Unfortunately, in a true, free market economy you get to see what really happens," he explained. "Labor is exploited, illegal pesticides, environmental damage — you see all of the things that happen in a free market economy without regulation in this industry."

Young also noted the additional risks with edible cannabis products. "The baked goods that you see in the dispensary were made in somebody's own kitchen and not to commercial standards," he began. "You start to see that the food safety is not there. There is no listeria testing, salmonella testing, E. coli testing — there's huge potential for food-borne illness to be transferred in this product because it is not being held to the same standard as every other food product we produce."

Young estimates that it will take five to 10 years to clean up the industry and predicts that liability cases will be the real catalysts for change.

"People will start to say, 'Oh, wait a minute. You said this didn't have any pesticides and I consumed it and had it tested in Colorado and it had pesticides and I got sick. My symptoms match what is on that sheet.' Then, they'll sue everybody in the chain," he said. "That's what we're going to see and what will clean the industry up."

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Marijuana - Pot pesticides pose health risks - Lake County Record Bee (Lakeport, CA) - July 16, 2016 - page 1

July 16, 2016 | Lake County Record Bee (Lakeport, CA) | By Lauren King Woodland Daily Democrat | Article | Page 1

Further investigation into the state's burgeoning medical marijuana industry has produced a dangerous revelation that suggests what you don't know could hurt you.

As counties and the state work to regulate the once underground industry, local ag officials are uncovering unanticipated problems.

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Within a month, according to a recent Los Angeles News Group report, the federal Drug Enforcement Administration is expected to release a decision as to whether marijuana will continue

to be considered a Schedule 1 drug (on par with heroin, LSD, and the like) which, if descheduled or moved to a lower tier, could help with barriers to federally sanctioned drug research, lab testing, and improved regulation.

The current ranking lags behind a growing public consensus. Roughly 80 percent of Americans believe medical marijuana should be legal, according to recent polls, and some 60 percent support legalizing the drug for all adults.

Medicinal marijuana is legal in 25 states and recreational use is allowed for adults in four states plus Washington D.C.

In the event that the drug is completely descheduled, putting it on common ground with alcohol, sweeping changes could be close behind. This would allow local governments to create policies free from federal interference."

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Synthetic marijuana poses long list of dangers - Victoria Advocate, The (TX) - December 12, 2016

December 12, 2016 | Victoria Advocate, The (TX)

Kyle McCauley

In November, Victoria County experienced an unusual rash of illnesses associated with the use of synthetic marijuana. According to law enforcement authorities, Emergency Medical Services responded to about 30 calls related to synthetic marijuana use within a 72-hour period. The regional hospitals also reported an increase in patients under the influence of synthetic marijuana.

The use of synthetic marijuana in our community is a serious concern for the Victoria County Public Health Department. Synthetic marijuana is a dangerous illegal drug that can cause serious medical complications when an individual overdoses or if the drug is laced with unexpected chemicals. Symptoms that are often associated with the use of the drug include raised blood pressure, rapid heart rate, vomiting, violent behavior, and suicidal thoughts. Less often, users can develop more serious symptoms or complications, including hallucinations, seizures and even death.

While synthetic marijuana is marketed as similar to marijuana, there are major differences between the two. While using marijuana carries its own set of risks, marijuana being a minimally processed plant means that the chemical compounds found in the drug are somewhat consistent if the drug has not been contaminated with other chemicals. On the other hand, synthetic marijuana is even worse. While synthetic marijuana contains plant material, that material is only a base. The active ingredients in the drug are chemicals made in a lab by a "cook" and sprayed onto the plant base. This difference in source means that synthetic marijuana is far more inconsistent and dangerous than regular marijuana.

These sprayed on chemicals, called synthetic cannabinoids, act like the chemical in marijuana that causes a high, tetrahydrocannabinol, but are actually completely different. These chemicals can be 10 to 200 times stronger than tetrahydrocannabinol and the strength of the chemical will also vary from batch to batch. They also may have additional effects on top of those caused by tetrahydrocannabinol. Worse yet, synthetic cannabinoid cooks may sometimes run out of the ingredients they need to make their drug and will substitute another chemical for a regular ingredient or even for the synthetic cannabinoid itself. Testing of synthetic marijuana has found it to sometimes contain household insecticides, pesticides and kitchen cleaners. Sometimes synthetic marijuana is not just a dangerous drug - it is quite literally poison.

There is one other major thing that makes synthetic marijuana a problem - it is far more addictive than marijuana. Synthetic marijuana users who try to quit or go without using for a while can experience withdrawal symptoms, including headaches, anxiety, depression and irritability.

Synthetic marijuana is often sold in sealed, colorful foil pouches. It is often marked "not for human consumption" and marketed as incense. These packages often have fun-sounding names like

Black Mamba, Twilight, Joker or Scooby Snax, despite the danger contained within. The drug is often marketed as a "safe alternative" to marijuana, but it is actually far more dangerous.

So remember, Victoria - stay drug-free and avoid synthetic marijuana. It is illegal and is not a safe alternative to marijuana. Additionally, if someone ever stops breathing, collapses or has a seizure - possible reactions to synthetic marijuana use or the use of other drugs - please call 911 immediately. These symptoms can be life threatening and require immediate medical attention.

Kyle McCauley, is an epidemiologist with the Victoria County Public Health Department."

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Office of Senator Clynton E. Ridgell

From: Lucas Storts <[REDACTED]>
Sent: Thursday, March 7, 2019 12:50 PM
To: sen.cridgell@teleguam.net
Subject: Testimony in Favor of Bill 32-35

Senator Ridgell,

I am writing today to offer my support of your proposed bill 32-35, known as the GUAM CANNABIS INDUSTRY ACT OF 2019, RELATIVE TO REGULATING THE USE, PRODUCTION, SALE, AND TAXATION OF MARIJUANA; ADDING A NEW CHAPTER 9 TO DIVISION 1, TITLE 11 GCA, RELATIVE TO CREATING THE CANNABIS CONTROL BOARD; DECLASSIFYING MARIJUANA AS A SCHEDULE I CONTROLLED SUBSTANCE AND REDEFINING REFERENCES TO IT IN THE GUAM UNIFORM CONTROLLED SUBSTANCES ACT.

It is my opinion that Cannabis has an unjustified bad reputation and it's prohibition is the antithesis of freedom. It's been proven time and time again that Cannabis is safer for consumption than most pharmaceutical drugs, alcohol and tobacco as well as many processed foods.

It's use in medicine and even in manufacturing is severely under served. As a tourism destination we should offer all forms of relaxation to our guests, especially if this is something that they would actually go somewhere else for.

Also as our economy is in a dire need of an influx of capital, we should take the time to tax the already existing market for such commodities.

Further we need to re-prioritize our law enforcement personnel to actively pursue and arrest people at risk of hurting themselves or others and not people in possession of a harmless plant, this additional strain on an already cash strapped police force helps no one.

Medicinally we need to take care of our own people, we can't let people with chronic disease continue to needlessly suffer as the government can't put in place the simple measures it would take to create a medical cannabis industry here on Guam.

Please senators follow the already established will of the people on this subject and open this market up for the people whom you work for.

Thank you
Lucas A. Storts

Lucas Arthur Storts



Erin M. Grajek <egrajek@guamlegislature.org>

Testimony for Guam Cannabis Industry Act 2019

1 message

Phil Diaz <phildiaz518@gmail.com>
To: egrajek@guamlegislature.org

Thu, Mar 7, 2019 at 11:56 AM

Senator Ridgell,

I support your Bill and also would like to add;

Allow the local farmers registered with the Department of Agriculture to be the only ones to cultivate and sell marijuana for both medical and recreational use. Establish regulations that restrict where, when, and who to sell to. For example, only those 21 and over should be allowed to purchase marijuana. Allow these registered farmers to sell to anyone over 20 years old, at a public market or to registered retailers. To fund the regulation of this law, large fees should be charged for registration and renewal of such permits and licenses. Cannabis that are Genetically Enhance for greater high Shall Not be Grown, Sold or Brought in. Residents on food stamps or Section 8 should not be allowed to consume/smoke or purchase cannabis.

Only residents of Guam who have established such residency and own their own home should be allowed to grow a limited number of plants for their own use and for which they cannot sell and with no criminal records of drugs. However 3 adults plants might not suffice for a family of 4/5 adults, kids nowadays don't want to move out. They also must register with the Government of Guam and also be charged with fees. With a certain percentage to Strictly fund our Hospital and Schools.

And lastly, install stiff penalties/fines and loss of privileges for those who violate the law. anyone violating the Rules and Regulations should not be confined if they have a job and can't pay in full, Payroll deduction.

Thank You for your time Senator,
Philip Diaz
Resident of Chalan Pago

Hafa Adai,

Guahu si Raphael Unpingco. I'm a painter/film director/former art teacher of 7 years and a registered voter on Guam among many other things. I am testifying in support of bill 32- 35 for the following reasons:

1. For tourism, it will increase visitor arrivals in percentages unmeasured from our existing markets like Japan which was once on top when my father managed things at GVB.
2. Yes, DUI's will increase initially like anything does during change but so will a new market of things such as transportation businesses like stroll or uber.
3. It would be great for our government to be proactive and get this passed before it looks like they are waiting for our colonizers to tell us what we the people already know again.
4. I feel it can work if a portion of the tax revenues go to beef up local customs and quarantine . No drugs come in or out without the government knowing.
5. The food industry will definitely benefit and the opioid industry won't.

Si yu'us ma'ase

Raphael Unpingco

• 671- [REDACTED]

Testimony Against Bill 32-35 or the Guam Cannabis Industry Act of 2019

Senator Clynt Ridgell and Fellow Senators,

I am presenting this testimony for our organization, The Catholic Daughters of The Americas Court of Tamuning. We are forty mothers, grandmothers, and great grandmothers of Guam who have lived to see the actual negative impacts of various laws that come along and have clearly altered, and in some cases, destroyed our local culture and way of life. There is no doubt in our minds, based on our many years of observation and experience, that this is just another tragic proposal.

We oppose the legalization of recreational marijuana.

We strongly believe that this will be a BAD LAW. It will bring greater social ills and a financial burden to we, the people of Guam.

It is a fallacy to say something is going to bring great prosperity when all it's going to do is lead to more crime on our island. It will lead to more home invasions and burglary in order to acquire items to sell in order to purchase this drug.

Studies have been done on the effect of marijuana on the brain. Dr. Ruth Potee, MD, gave a presentation on marijuana and brain development. Scientific studies showed that brain development in humans begins in utero and continues growing and developing until it reaches its potential at the age of 25 years. God in His infinite wisdom created in us to strive, to achieve, to conquer; but we have to work hard to earn it and sometimes we fail but He also gave us hope. He developed in our brain the "feel good" receptor called dopamine to help us to be and stay strong in our daily struggles in life because He knows that we all have to go through hardship and fear. To keep the dopamine receptor healthy in the brain, it must not be bombarded with the effect of chemicals like mind altering drugs such as marijuana or other drugs or alcohol, or any other substance that will surge the "feel good" stage for a short while then come crashing down when it wears off. This behavior will become very addictive especially to brains that have not reached their maturation. Marijuana addiction will lead the user to seek other substances that will help him/her feel good. The main preoccupation of people who are users will cause them to become less productive in our society. We already have an epidemic of drug addiction that has cost us the lives of family members, millions of dollars in damage, and the loss of irreplaceable, precious possessions that have been stolen from homes to pay for drugs.

We already have a large number of people on Guam who are not paying their medical bills or property taxes. Encouraging the use of this drug would only aggravate such financial obligations to the government.

This is an insult to the people of Guam. We urge all of you to dump this bill in the trash.

Thank you and May God bless all of you and guide you with wisdom.

Si Former Senator Carmen A. Kasperbauer
(15th and 16th Guam Legislatures)



March 16, 2019

The Honorable Clynton E. Ridgell
Senator
I Mina'trentai Singko Na Liheslaturan Guahan
238 Archbishop Flores St.
DNA Building, Suite 906
Hagatna, GU 96910

RE: Testimony on Bill 32-35

Håfa Adai Senator Ridgell and members of the 35th Guam Legislature,

Thank you for the opportunity to provide testimony for Bill No. 32-35 (COR) – An Act to Add a New Chapter 8 to Title 11 Guam Code Annotated Known as the “Guam Cannabis Industry Act of 2019,” Relative to Regulating the Use, Production, Sale, and Taxation of Marijuana; Adding a New Chapter 9 to Division 1, Title 11 GCA, Relative to Creating the Cannabis Control Board; Declassifying Marijuana as a Schedule I Controlled Substance and Redefining References to it in the Guam Uniform Controlled Substances Act.

The Guam Visitors Bureau (GVB) is a public, non-stock and non-profit membership corporation that represents the island’s tourism industry. Our mission is to efficiently and effectively promote and develop Guam as a safe and satisfying destination for visitors and to derive maximum benefits for the people of Guam. Tourism is Guam’s top economic driver and we take great pride in the job we do to make the island a better place to live, work, and visit.

GVB has received direction from our Board of Directors on Bill No. 32-35. After much discussion with our board, we strongly recommend that the Government of Guam conduct an impact study and gather data on the effects the legalization of recreational cannabis will have on our island and our visitor markets. GVB cannot have an opinion on the recreational use of cannabis without an impact study, which should involve asking our source markets how they feel and what their expectations are. The impact study should also involve how recreational cannabis will affect our local economy and the different industries on island.

Over two years ago, we received generalized feedback from our overseas markets on the use of recreational cannabis. They generally agreed it may compromise Guam’s image as a family friendly and safe destination. Our industry also expressed serious concerns about the legalization of recreational cannabis and the unintended ramifications it will have on tourism. There were many questions and not much substantial data to measure its impact. GVB’s source markets are very different from the U.S. mainland market. Asian countries, particularly Japan and Korea, are very conservative about the use of cannabis and promote harsh penalties in its communities.

With Guam branded as a family, friendly destination and over 21,000 jobs supported by tourism, it is imprudent to take responsible actions to measure the impact of legalizing the recreational use of cannabis and reach out to destinations and markets that have had similar situations.

We also want to remind you that the medicinal cannabis program has not yet taken off since voters approved it in 2014. While home cultivation recently allows those qualified to grow medicinal cannabis until the program is ready to go, much still has to be done until that happens. If this medicinal cannabis program still isn't set, is Guam really ready to pass Bill 32-35 to make the recreational use of cannabis legal?

In the meantime, GVB has already started reaching out to its travel trade and tourism contacts to seek destinations and organizations that allow for that dialogue in researching what this could mean for Guam and our Asia Pacific region.

As representatives of Guam's tourism industry, we do not see the rush in legalizing a Schedule I Controlled Substance if we don't have an impact study to back it up. We agree there is a niche market for using cannabis recreationally, and the opportunity for the creation of a new industry. We have a great deal to learn about this industry and GVB looks forward to seeing how this can be practical in the international market place.

We've already invested over 50 years into our tourism industry. If it takes a little more time to invest in an impact study that can support a potential new industry for Guam, then it would be beneficial to obtain those reliable sources of information that can better guide our businesses, leaders and ultimately, the community to make the best choice for the island.

Si Yu'os Ma'åse' for allowing us to testify and share our recommendations.

Senseramente,


PILAR LAGUAÑA
PRESIDENT & CEO

CC: All Senators of the 35th Guam Legislature



Selina Onedera-Salas <sonedera-salas@guamlegislature.org>

Document: Fw: Bill 32-35 Testimony (Oklahoma & Nebraska vs Colorado Cannabis Law 2015)

1 message

August Fest <[REDACTED]>

Sat, Mar 16, 2019 at 11:28 AM

To: "sen.cridgell@teleguam.net" <sen.cridgell@teleguam.net>, Selina Onedera-Salas <sonedera-salas@guamlegislature.org>, "Erin M. Grajek" <egrajak@guamlegislature.org>

Senator Ridgell & Staff,

Provided for testimony and/or reference, (attached & linked) is a briefing document found, submitted by the State of Colorado to the SCOTUS.

At your discretion and/or conscience versus convenience include for testimony or file for reference.

I apologize as apparently I was under a misconception about the case, from further research it would appear the SCOTUS declined to even hear the case, and more interestingly officially did not explain why.

I also apologize for late entry of the document, but I have been constantly plagued by computer hardware problems, and only intermittently able to use a computer and/or internet, since the most recent strong storm..

Thank You...
August Fest
828-8586

<https://coag.gov/sites/default/files/content/uploads/ago/press-releases/2015/03/03-27-15/032715coloradosscotusbriefoppositionneok.pdf>

----- Forwarded Message -----

From: August Fest <[REDACTED]>

To: governor@guam.gov <governor@guam.gov>

Cc: speaker@guamlegislature.org <speaker@guamlegislature.org>; senatortcnelson@guamlegislature.org <senatortcnelson@guamlegislature.org>; officeofsenatorshelton@guamlegislature.org <officeofsenatorshelton@guamlegislature.org>; office.senatorkelly@guamlegislature.org <office.senatorkelly@guamlegislature.org>; senatorbiscoelee@guamlegislature.org <senatorbiscoelee@guamlegislature.org>; senatorjoessanagustin@gmail.com <senatorjoessanagustin@gmail.com>; senatorterlajeguam@gmail.com <senatorterlajeguam@gmail.com>; senatorpedo@senatorjpterlaje.com <senatorpedo@senatorjpterlaje.com>; office@senatorperez.org <office@senatorperez.org>; wilcastro671@gmail.com <wilcastro671@gmail.com>; senatorlouise@gmail.com <senatorlouise@gmail.com>; ttaitague@gmail.com <ttaitague@gmail.com>; senatormoylan@guamlegislature.org <senatormoylan@guamlegislature.org>; senatormary@guamlegislature.org <senatormary@guamlegislature.org>

Sent: Friday, March 15, 2019, 1:09:27 PM GMT+10

Subject: Fw: Bill 32-35 Testimony (Oklahoma & Nebraska vs Colorado Cannabis Law 2015)

Governor Guerrero & Senators of the Guam 35th Legislature,

Please review information in this supplemental testimony for Bill 32-35, and again please vote YES for the Governor to sign Bill 32-35 into law.

----- Forwarded Message -----

From: August Fest <[REDACTED]>

To: sen.cridgell@teleguam.net <sen.cridgell@teleguam.net>

Cc: Selina Onedera-Salas <sonedera-salas@guamlegislature.org>; Erin M. Grajek <egrajak@guamlegislature.org>

Sent: Friday, March 15, 2019, 12:04:22 PM GMT+10

Subject: Bill 32-35 Testimony (Oklahoma & Nebraska vs Colorado Cannabis Law 2015)

Senator Ridgell,

As per our discussions regarding Cannabis Law for Guam, Congressional Research Service Attorney Brian T. Yeh has opined that the Guam Organic Act has no bearing on Guam's intent to pass and implement an Adult Use Industry Regulation Law, as States and Territories are mentioned in current GCA

§ 67.608. Application of Federal Law and **Cooperative Agreement** Between Local and Federal Enforcement Agencies. **Unless there is a positive conflict** between this Act and the Federal Drug Abuse Prevention and Control Act so that the two (2) cannot **consistently stand together**, the U.S. Congress has provided (21 U.S.C. § 901) that **there is no intent on the part of Congress to occupy the field in which that provision operates**, including criminal penalties to the exclusion of **any state or territorial law on the same subject matter** which would otherwise be **within the authority of the state or territory**.

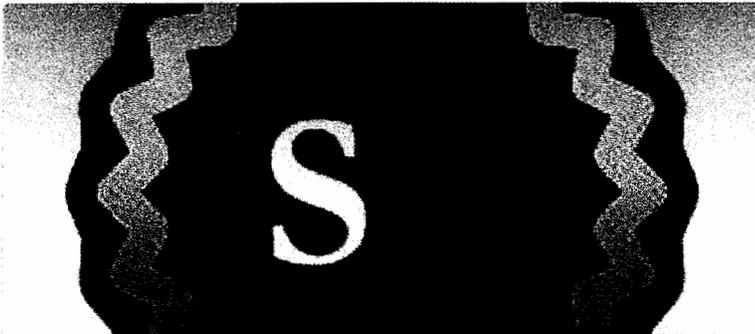
This agreement is one of a **voluntary nature**, not mandatory, as true with all States and Territories.

A regulatory law equates to enforcement, and is within the authority of the state or territory. Since a regulatory law is indeed a form of enforcement, **there is no positive conflict**.

Please note the information in the links below for Guam Senate and Committee discussions concerning the past SCOTUS findings concerning Oklahoma & Nebraska vs Colorado Cannabis Law of 2015 in favor of Colorado **under the same construct**.

Congressional Research Document: <https://fas.org/sgp/crs/misc/R43034.pdf>

Nebraska and Oklahoma v. Colorado - SCOTUSblog

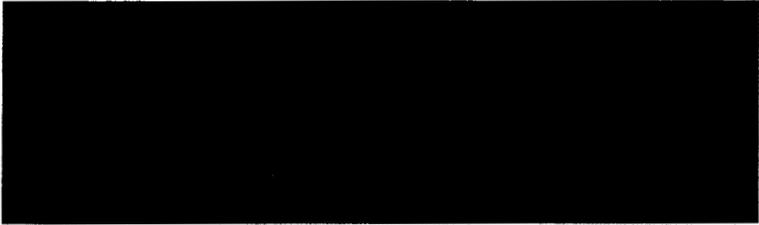


Nebraska and Oklahoma v. Colorado - SCOTUSblog

The Supreme Court of the United States blog

Nebraska and Oklahoma Sue Colorado over Marijuana Laws





Nebraska and Oklahoma Sue Colorado over Marijuana Laws

State attorneys general of neighboring states seek Supreme Court authority to file suit over Colorado's legaliza...

Are Nebraska and Oklahoma just fair-weather federalists?



Are Nebraska and Oklahoma just fair-weather federalists?

The states' lawsuit against Colorado's decision to legalize marijuana under state law is ill-conceived and could...

<https://www.youtube.com/watch?v=AE30cCXmYSM&t=0s&index=60&list=WL>

 **032715coloradosscotusbriefoppositionneok.pdf**
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Clynton E. Ridgell

Senator - 35th Guam Legislature

*Committee on Economic Development, Agriculture, Maritime Transportation,
Power and Energy Utilities, and Emergency Response*

COMMITTEE REPORT DIGEST

I. OVERVIEW

Bill No. 32-35 (COR) was introduced on **January 31, 2019** by **Senator Clynton E. Ridgell**, and was subsequently referred by the Committee on Rules to the Committee on **Economic Development, Agriculture, Maritime Transportation, Power and Energy Utilities, and Emergency Response** on **February 4, 2019**

The **Committee on Economic Development, Agriculture, Maritime Transportation, Power and Energy Utilities, Emergency Respons** convened a public hearing on Bill No. 32-35 (COR) on **Thursday, March 7, 2019** at **9:00** AM in *I Liheslatura's* Public Hearing Bill.

Public Notice Requirement

Public Hearing notices were disseminated via **e-mail** to all senators and all main media broadcasting outlets on **Tuesday, February 26, 2019** (5-Day Notice), and again on **Tuesday, March 5, 2019** (48-Hour Notice).

Senators Present

Senator Clynton E. Ridgell, Chairperson

Senator Régine Biscoe Lee, Committee Member

Senator James C Moylan, Committee Member

Senator Jose "Pedo" Terlaje, Committee Member

Senator Amanda S. Shelton

Senator Joe S. San Agustin

Senator William M. Castro

Senator Telo Taitague

Senator Louise Borja Muna

Senator Kelly Marsh (Taitano), PhD.

Senator Sabina E. Flores Perez



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II. SUMMARY OF TESTIMONY & DISCUSSION

The public hearing was Called to Order at 9:00 AM.

(a) Committee Chairperson Introduction

Chairman Senator Clynton E. Ridgell: All right, good morning. This public hearing conducted by the Committee on Economic Development, Agriculture, Maritime Transportation, Power and Energy Utilities, and Emergency Response will now come to order. Notice of the public hearing was disseminated to all local media outlets via electronic mail on February 26th of 2019, with the second notice provided on March 5th of 2019. Notice of the hearing was also made known on the Guam Legislature's website. The first half of our hearing will be recessed at twelve o'clock today and will reconvene at two o'clock this afternoon until six o'clock this evening.

The Committee will hear a testimony on Bill 32-35, an act to add a new Chapter 8 to Title 11 Guam Code Annotated, known as the Guam Cannabis Industry Act of 2019, relative to regulating the use, production, sale, and taxation of marijuana; adding a new Chapter 9 to Division 1, Title 11 GCA, relative to creating the Cannabis Control Board, declassifying marijuana as a Schedule I controlled substance, and redefining references to it in the Guam Uniform Controlled Substances Act.

The Guam Cannabis Industry Act seeks to create a whole new industry for Guam which will in turn create new jobs and new revenues for the island of Guam. This is an industry that is literally growing nationwide. A majority of the states in the United States of America—or 33 states to be exact—and Washington, D.C. have legalized some form of cannabis, whether medicinal or adult use. Canada has fully legalized cannabis, and countries in Asia are following suit. South Korea recently legalized medicinal cannabis extracts. Thailand has legalized medicinal cannabis, and even Malaysia is now considering cannabis reform. The Green Wave is spreading, and Guam can either position itself to ride this wave, or we can get left behind. The prohibition of cannabis has failed, just as the prohibition of alcohol has failed. Despite cannabis being illegal, cannabis use on Guam is prevalent as evidenced by a report from the United Nations that ranked Guam third in the world for per capita cannabis consumption. We are turning a blind eye to this, pretending cannabis does not exist, while the black market thrives. This bill hopes to bring that black market out into the light, where it can be properly regulated and taxed. The bill will also allow for farmers and entrepreneurs to get licenses to grow, manufacture, and sell cannabis products.

This bill will provide adults the access to safe, legal products, while generating revenue via a fifteen percent excise tax on top of the Business Privilege Tax. This bill will also boost the economy and other sectors as ancillary support businesses will benefit. Cannabis farmers and sellers will need to hire electricians, plumbers, and other professionals to support the operations of these facilities. Business owners will have to buy various supplies for their businesses. The new jobs they create will go to locals who will in turn, spend their paychecks here on Guam in various stores and restaurants and other businesses. Not only will this new industry generate new revenue specifically from cannabis sales, but also more revenues in other sectors of the economy.

Before we begin with testimony, I'd like to recognize my colleagues who are present today, beginning to my left with Senator Joe San Agustin, Senator Telo Taitague, Senator Wil Castro, to

my far right, Senator Jim Moylan, Senator Régine Biscoe Lee, and Senator Amanda Shelton. Senator Pedro Terlaje has just joined us as well.

Thank you, Senators, and now I'd like to begin with our first panel of members who wish to present testimony. If you haven't signed in to testify, please sign in, but I'll go ahead and call up who has signed in so far.

Sedfrey Linsangan, Paul Zerzan, Bill Cundiff, Jonathan Savares, and Raymond Salas has signed in, but I'm not sure if he's planning on—he didn't indicate whether or not he would be testifying. Let's go ahead and begin with Mr. Sedfrey Linsangan.

(b) Testimony & Discussion

1. Mr. Sedfrey Linsangan, Small Business Owner: Good morning to all of you senators. While I am in the opposing side, I have to commend you Senator Ridgell, because during the campaign, you indicated that this is one of your platform, and now here we are, debating with this issue. I'd also like to commend that you and your colleague sponsors have together with your staff have made very good work. You have almost 27 pages of document for this marijuana bill.

First of all, correct... there are 33 states, U.S. states, that medicinal marijuana is legalized, and there are ten states, U.S. states, that recreational marijuana is legalized. That's ten out of 50 for recreational marijuana. Looks like the percentage is not on your side, because there are still 40 that is against it or not legalizing the recreational marijuana.

Despite that it is a federal law, in 1970, it was enacted Controlled Substance Act that it is classified as a dangerous drug. It is illegal for having high potential for abuse, and it is not safe to use without medical supervision. Let us check how did the U.S. states that are sovereign get away with this? If you will study their process or their method, they use the people's initiative to propose the marijuana to be medicinal and recreational. That's how you neutralize the federal law, not through legislation, because through legislation, even if it is legislation through submission, which was effectuated during the medicinal marijuana is wrong, because you don't have authority.

When it's illegal, it's illegal, no matter what you do. You have to follow the process, because the people—we, the people, are the sovereign, and the only way to neutralize the federal law or to overturn the federal law is through initiative, because through initiative, there will be an educational reach out to everybody. That's why we have so many problems with medicinal marijuana. For five years, it is not really being implemented according to their expectation, because the physicians know that it is illegal that you did the wrong process—this body—on the medicinal marijuana. They went to the legislative submission which is not authorized by the Organic Act. In fact, the only authorization that you have is to initiate a referendum if you want to remove a governor, a lieutenant governor, or one of your colleagues. Unless you garnered a two-thirds of the votes of the senate. Now, Mr. chairman, that's why it is very important that the right method is adhered.

Let the people or a group of people do the process. Just like in Missouri, they collected 220,000 signatures—there's a group of people. Also in our law, we need to collect signatures, ten percent of the registered voters, and then you have to distribute voters' pamphlets through every mail—to the mayor, to the jobs, to the legislature. So, it will be an educational reach out to everybody so every issue will be covered, will be engaged. The people will be engaged, and then in our law, you need to conduct ten village meetings that is recorded and documented. That's why this legislation is a violation, is a gross violation of Organic Act. Not only gross, but it is flagrant

and blatant violation of law. Because of this, in case this one will pass, you're putting the government at risk, because no legislation that you created—even you created the law that will protect the government from lawsuit, the people can still file a lawsuit against the government, and you will put the government treasury at risk, because in the first place, it is illegal, and the way the medicinal marijuana is being implemented, there is no physician that is recommending it.

If you want this legislation to succeed and to progress, you have to follow the right process. You have to follow the right process and not only violation of federal law but also constitutional right because of the procedural due process which is the right process for the people to make the initiative to make that law. Let's say for example, why did California get away with this? There's ten million people that voted for recreational marijuana. There's eight million, five hundred that is against it. So how could the federal government put to jail those ten million people? They said they cannot do anything about it—they're just silent—they're just laxed.

That's how you do to get away with the federal law. You let the people do the initiative, because by doing so—with this legislation, you are not only violating the federal law but also the constitutional right—the due process, the procedural process, and then the substantive due process which is the right of a person that the government cannot take away, that cannot interfere. Just like the game fowl here on the island—it's the culture. The U.S. Congress have no business to interfere with the culture of the people. I'm just frustrated that the governor did not raise this concern to the Congress, because she promised that she will raise this concern, and then also, taxation without true representation.

We have a congressman in the U.S. Congress that cannot vote, and then we don't have any representative in the U.S. Senate. We need to have the senator also that is represented in the U.S. Senate, financed by the U.S. Federal Government, because we are paying IRS taxes. It's called representation without true representation. This is the reason why the U.S. founding fathers staged a revolt—George Washington, Benjamin Franklin, Thomas Jefferson... they're also members of the game fowl fraternity. Even Abraham Lincoln—he's a referee in the game fowl fraternity. That's why to support his living, he worked as a referee, and you need to have that character to stage the revolt, and that's what they did.

That's what you need to do also. You need to file a lawsuit against the U.S. Government for not letting our congress vote in the U.S. Congress, and also we need to have a senate that can represent us in the U.S. Senate that can also vote. That's why Mr. Chairman, I hope that you will reconsider this bill, and reminds me of the quote of Neil Blumenthal: *it's not the amount of wealth or money that you accumulated or the profit that you gained, it is the impact and change that you created*. I know you're trying to make a change, but let's do it right, and I hope I was able to make an impact that will change the position of you and your colleague sponsors. Thank you very much, Mr. Chairman.

Chairman Ridgell: Thank you, Mr. Linsangan, for your testimony. Just to clarify a couple of things you mentioned quickly, with regards to its relation to the Organic Act, I did check with the legislative legal counsel, and it's their opinion that we're okay to proceed with this bill, that it's not in violation of the Organic Act. That's our legal counsel's opinion. In addition to that, with regards to the states that have legalized it via referendum, that is correct. There are many that have; however, there are some states that have begun legalizing it through their legislatures. In fact, I believe, I don't remember which state off-hand, but I think it could be the state of Vermont. I could

be incorrect, but I remember at least one or two states have legalized it via their state legislatures. Just to clarify those two issues. Thank you.

Mr. Linsangan: Mr. Chairman, thank you. I respect your opinion, but it's like what they say, but it's only an opinion of the legislative counsel. The right jurisdiction for this is the federal court that has the judicial power on equity and loss arising from the federal law, constitution, and treaties of the united states, because this federal law, constitution, and treaty, that take precedent or priority over the territory law or the Guam law. I'd like to add that all those 33 states and ten states, they all use the initiative process.

Chairman Ridgell: That's what I'm saying is incorrect, there actually is—

Mr. Linsangan: Not the legislative process.

Chairman Ridgell: There is at least one state that has legalized via the state legislature.

Mr. Linsangan: Thank you.

Chairman Ridgell: That's not an opinion, that's fact. Thank you, Mr. Linsangan. Thank you. Thank you.

Mr. Linsangan: Excuse me, Sir. Just one minute. This one is very important from the scientists. Just give me one minute.

Chairman Ridgell: Sure.

Mr. Linsangan: Thank you.

Chairman Ridgell: This is relative to the bill?

Mr. Linsangan: Yeah.

Chairman Ridgell: Go ahead.

Mr. Linsangan: Ruben Baler, Health Scientist at National Institute on Drug Abuse: much of concern is with young people who use the drug, because drug interfere with the development of the brain while it's still maturing. Smoking marijuana interferes with connection being made in the brain at a time when the brain should be at a clear state of mind and accumulating memory and data and good experiences that should be laying out the foundation for the future. You've got to remember, the youth—the young—is the hope for our island so, we need to protect them. Thank you, Mr. Chairman.

Chairman Ridgell: Thank you, Mr. Linsangan. We'll proceed with the next person. Just to clarify again, this bill only allows it for those 21 and over. We'll not allow youth to partake. Let's move on to the next person on the list. I have a Mr. Raymond Salas. Go ahead, Sir.

2. Mr. Raymond Salas: Good morning. My name is Raymond A. Salas, and I'm from Guam, and it's been over 70 years since Vietnam. I tend to agree with the individual that just got through speaking. I'm not in support of your bill at this time. I think, for a couple of reasons... I think we need more preventive medicine, more education, more public education for the community at large and not just maybe a random segment of the community. I think the entire community needs to be knowledgeable on cannabis.

The other thing is cost. I hope that—is there anybody here from the Behavioral Health organization—Mental Health? I think studies have shown that marijuana can lead to addiction, and if that's the case, then you probably need to increase the budget for mental health, because not only are you dealing with young people, but you're going to deal with folks who probably are going to get addicted. Mental Health is going to get flooded with those people needing counseling. That's another one.

As far as enhanced revenue, I think there are better ways to enhance our revenue. We're having problems with the Liberation right now. We should all focus on maybe putting our heads together in working with the community and the public at large in better ways and looking at enhancing revenue other than medical marijuana at this time. That's just me, personally. That's about all I can say. Thanks for the Bill. I haven't read all of it, but just a couple of things that I noted. I think it will be very important that this body take a look at the community at large. I think the wider education and knowledge about—true knowledge of marijuana, the effects, families, and more importantly, addiction, if it comes to that. Thank you for having me testify this morning.

Chairman Ridgell: Thank you, Mr. Salas. Up next is Mr. Paul Zerzan.

3. Mr. Paul Zerzan: Can you hear me now? I'm here, because I'm a teacher, and I've devoted my life to trying to improve people's minds. Now, marijuana, like alcohol is a poison. It poisons the mind, it does not make people smart. It makes people stupid, that's why they call it dope.

Now, most of what I'm going to talk about are things that you said on the radio this morning. I heard your whole spiel, but I wasn't able to call in. One thing you said was that people have died from alcohol but nobody's died from marijuana. Well, if you're talking about overdose, perhaps that's true, but most of the alcohol deaths are not overdose, alcohol poisoning. They are indirect results, drunk driving, damage to the liver or damage to the heart. Saying marijuana has never killed anyone is like saying tobacco has never killed anyone. Nobody dies from a tobacco overdose; nobody has smoked themselves to death. But people die from cancer which is caused by alcohol—by smoking. So, people have died from marijuana. A study published by the University of Colorado School of Medicine, May 2014, let me repeat this so you can write this down and look it up on the internet... a study published by the University of Colorado School of Medicine, May 2014, found that the proportion of marijuana-positive drivers involved in fatal car crashes in Colorado increased dramatically since the commercialization of medical marijuana in the middle of 2009. This is the December 2014 National Institute on Drug Abuse, found marijuana is increasingly detected in fatal vehicle accidents. We see this in Colorado, and we see it in California.

Since the legalization of recreational marijuana, opioid abuse and also meth abuse has greatly increased in both of those places. According to the Tribune News Service September 11, 2018, and the figures I give here refer to the figures of 2017. Figures are not out yet for 2018. In

Colorado, 1,012 people died of accidental overdoses in 2017—this is a hundred more than 2016. More than half of those people—560—died from opioids. This is a five-fold increase from 20 years ago, when marijuana use was not legal in Colorado. Again, on the internet, Tribune News Service September 11, 2018.

According to an article by John Ingold in the Denver Post April 4, 2018, more people in Colorado died in the year before from drug overdoses than any year in Colorado's history. Drug overdoses killed more people than car crashes. Since recreational marijuana was legalized in Colorado, deaths from hard drugs, hard drug use are skyrocketing. This is in complete contradiction to what you said on the radio this morning. You go on the internet, I can find sources that back you up, and these are the pro-marijuana crowd, but this is newspapers.

According to an article by Mary Shinn in the Durango Herald, Durango, Colorado March 3, 2019—I repeat, the Durango Herald, March 3, 2019, as drug use in Colorado rises, so does the spread of syphilis. The same thing is happening in California. Both Colorado and California are suffering from syphilis epidemics that follow the hard drug use like opioids. Opioid use is attributed to the increase.

You went on great length about the wonders of commercial hemp production. I have three degrees: one is a degree in History from the University of Washington. Another is a degree in Agronomy from Washington State University. The third degree is in Speech Therapy from San Jose State. So, I am an expert on history, for the people in this room, I'm probably the biggest expert on history of hemp as a commercial crop.

It's not economic. It wasn't prohibitionists that ended hemp production. It's an extremely labor-intensive crop, fiber. The two most labor-intensive fibers are silk and hemp. Silk is high-value so, it pays for itself. But hemp is not. Hemp was used for rope production until better sources—hemp, cannabis hemp—when sisal hemp from the banana trees of the Philippines came out or jute in India became commercially available, then cannabis hemp was no longer economical, because it's only used for rope, and better rope and cheaper rope is made from other fibers. Again, the problem is labor. This was in the U.S.—in the U.S. hemp production dropped until World War II, when our sisal hemp production from the Philippines was cut off, then it started growing cannabis hemp, because it needed a lot of rope for the war effort. As soon as the war ended, and we could access better fibers from other places, then hemp production dropped. It is not economical. Currently, in—hemp is grown legally and commercially in Australia since 1998. Canada since 1998. France since 2003. France has the largest acreage of hemp production in Europe. Russia has been continuous growth. Until the 60s, hemp was a big crop in Japan and Russia, because labor was cheap. In both places, hemp production dropped off, because it is not economical. The U.K. since 1971, 1971, they've been trying to grow it commercially, and all of these places, it's an experimental crop. People hear about how, "Oh, it's a wonder crop," and it is not.

The U.S.—it has been illegal without a permit since 1970. You can grow it with a permit in the U.S., but before 1970 you didn't need a permit. It is not economical. The production in Europe, they try to make hemp clothing—believe me, you don't want to wear hemp clothing. Burlap is more comfortable. The production of Europe and Australia, all of these places, the product is used almost exclusively as bed straw for horses, because they can't sell it for any other use. It is extremely labor intensive. They've tried to come up with machinery that can make it processed but cheaply. Switzerland invested a lot of money in this, but it is not an economic crop.

I ask you to look these things up and look at the sources on the internet. You'll find that marijuana has no medicinal value other than like, medicinal whiskey. It makes you feel good, it makes you feel good by poisoning your brain. It is a poison. It was made illegal for some very good reasons. One of the things is, it is a gateway drug. In 2001, medicinal marijuana was legalized in Vancouver, Canada. The law had all these regulations and all these ways to control it and tax it and maintain it. The world didn't fall apart overnight, but slowly in Vancouver, recreational use—even though it was illegal—started taking over. If you're a cop, and someone's got a little bag of marijuana, and they say it's for medicinal use, you could get in a lot of trouble and waste a lot of time if you arrest them and find out it actually is. So, they turned a blind eye to recreational use, and it got out of hand. Pretty soon, marijuana coffee shops were operating in the open with signs, even though it was illegal in Vancouver, Canada. They call Vancouver, Vansterdam, like Amsterdam.

As always happens, things that affect our brain, our brain adjusts. You take one aspirin, and it helps you because you got a headache. In three years, you may have to be taking two. Five years, may have to go to Advil or Excedrin. All products that affect the body's pain threshold, the body modifies it. It's very important that our body feels pain. If we're taking medicine or opioids, our body will adjust. We need stronger and stronger doses. Even recreational stuff... you drink beer, over time, you switch to martinis and scotch. You drink wine, they switched to cognac. The same thing with marijuana. You're selling marijuana, you're in—have competition, so those who come out with stronger strains are going to be able to sell our product better, then people with the stronger strain then it goes to resin concentrates like hashish. And then not *all* pot smokers, but many of them find out that's not—it doesn't give them enough kick. They start going to the opioids.

This happened in Vancouver, Canada. It didn't happen overnight. It happened since 2001. Every year, in British Columbia, 1,500 people die of overdose deaths, heroin mixed with fentanyl, but every single one of them started out with marijuana. Marijuana, just like aspirin or beer, it is a gateway drug to stronger things. This is happening in the U.S. the opioid crisis is following marijuana use. Even in states where marijuana is not legal, because the idea that, "Oh, it's safe. Oh, we can control it," spread throughout the country so, marijuana use is increasing throughout the U.S., and the biggest danger is to our children.

We already have huge problems on this island because of alcohol and drugs. Legal or illegal, they're here. We're like the third highest per capita marijuana consumption in the world, number one is Jamaica. Jamaica is the murder capital of the world. Believe you, me, we do not want to be Jamaica. Claims that marijuana is harmless, "Oh, chill out. Oh, it's going to reduce opioid use." This is nonsense. I don't ask you, I *beg* you as a member of this community, do not pass this law, okay? What's the rush? Why don't we wait and see, 20 years from now, if the problem in Colorado is as bad as Vancouver? Why don't we wait? Why do we have to jump off a cliff because all our friends are jumping off a cliff? Does anybody have a question or comment for me?

Chairman Ridgell: No, thank you for your comments. You can go ahead and turn off your mic; however, I do have to clarify a couple of things that you stated. One is that the opioid—there is an opioid crisis in the U.S. Now, there's no evidence to show that that opioid crisis is connected to cannabis. As a matter of fact—

Mr. Zerzan: [Off microphone.] [Inaudible.]

Chairman Ridgell: As matter of fact—Sir, please let me finish. As a matter of fact, the data is showing otherwise, and states that have legalized—and states that have legalized cannabis—

Mr. Zerzan: [Off microphone.] [Inaudible.] ... Colorado—

Chairman Ridgell: Let me finish. In states that have legalized cannabis, those states have shown a reduction in opioid use.

Mr. Zerzan: [Off microphone.] [Inaudible.] That is not true! Look it up.

Chairman Ridgell: Please remain civil. Please remain civil in this discussion, Mr. Zerzan. All right, in addition to that, you're also using some other statistics which I have read that same report about the fatalities; there is no increase in fatal car accidents, however, in that state. The fatal car accidents didn't go up. Now what that report showed was that there was THC found in people that were in those fatal car accidents; however, they did not parse out which ones had alcohol. Most of those fatal car accidents involved alcohol *and* THC so, they were actually under the influence of alcohol when they got into a car accident. It's just they began testing for THC after they made it legal, they began to test more stringently for THC; whereas, in the past, they would just test for the alcohol, and now they're testing for THC so, they're finding both in the system. That report doesn't parse out the two. In addition to that, with the ongoing opioid crisis, again, it's spread out throughout the U.S., and the data is showing the states that have legalized cannabis have shown reductions in opioid use and abuse.

Mr. Zerzan: [Off microphone.] Everything you said about hemp being a commercial product...

Chairman Ridgell: And please—please hemp—

Mr. Zerzan: [Off microphone.] ... is nonsense... is nonsense.

Chairman Ridgell: Hemp is—hemp is a separate topic. That's not what this bill is about so with that I just wanted to clarify those few things, and thank you very much. We will move on now to the next person—

Mr. Zerzan: [Off microphone.] You're a liar. You're high on drugs—look at your red eyes.

Chairman Ridgell: Sir, that is uncalled for. That is completely uncalled for, and that is false. Please remove Mr. Zerzan. He's not discussing this in a civil manner. I believe Mr. Zerzan has a personal vendetta against me—

Mr. Zerzan: [Off microphone.] You're a liar!

Chairman Ridgell: Let's please keep this discussion civil, Ladies and Gentlemen. That's uncalled for, and if anything, it shows perhaps he is under the influence of something that is causing him to act out. All right, now I'd like to call on Mr. Bill Cundiff.

4. Mr. Bill Cundiff, President – U.S. Air Force Veterans Association: My name is Bill Cundiff, and I'm from Agat. I'm also the president of the U.S. Air Force Veterans Association, and I want to thank all of you for allowing us to express our opinion on this bill. I also respect other opinions now and other opinions later on today and this afternoon. We all have our opinion, and I'm here today to tell you about my opinion. First of all, I do not support this proposal. Twenty-five of the U.S. Air Force Veterans Association members do not support this proposal. Forty members of the Tohge Group are recovering addicts—40 members do not support this group—almost all of them or all of them do not support this bill at all. These are recovering addicts. They're trying to straighten out their life, and they do not support this bill at all.

I have no qualms with people doing their thing on their lives. I really don't have. You can smoke marijuana, you can gamble your way of life. I have no problem with that at all. To each his own; however, if what you're doing creates a problem for this community, whereby, it causes strain on a lot of the agencies and taxes my pocketbook, then I have a problem. I don't have any problem with what you do, but when you tax my pocket, then I have a problem.

Bill 32-35 is an unfunded mandate. It is an unfunded mandate, and it creates more liability for this government. You will create more strain, more tasks to get this program off the ground should it pass. All we talk about here this morning so far is what other people are doing. There is no study whatsoever that you have done, that I've read on your webpage about this program. There is no study about how it's going to affect Guam. All we talk about is how it affects everybody. Take the time, do not rush, and study what the impact on this law will be for the island.

Now I respect you if you do that. This is a quick fix to patch the many leaks, many financial leaks that we have in this government. There is what you need to concentrate not this bill. This bill admitted... this bill admitted that there will be problems. The unwritten, the unfunded problems. What I'm talking about is the unintended consequences. You don't have any study about what the unintended consequences is. All you think about is what money you can bring into the coffers of this government by way of this bill, this program.

Look at section—your legislative finding and intent... it says, and this is the proof of the promise you just admitted with this program—it says i liheslaturan Guåhan finds that the interest of enhancing revenue for public purposes with the creation of a new industry, enhancing individual freedom, and promoting the official use of law enforcement resources, the use of cannabis should be legal for persons 21 years of age and older, and the production (this is so confusing), and the production and sale of cannabis should be regulated for public health, welfare, safety, and taxation purposes. This is so confusing. What are you talking about? What you've just admitted is that you have unintended consequences. What does *regulated* mean? Regulated means to control. What do you want to control? Why do you want to control public health? What do you want to regulate public health? Why do you want to regulate safety and welfare? Why?

The unintended consequences is there, you must admit that. You ignore the major crisis, the major risk. You're adding fuel to the fire. I do not see anywhere in this law, anywhere in this law, that instructs the other agencies where people may have to go if there's a problem with cannabis I don't see any part of this law that instructs to collect data. To collect data to see if there

are marijuana problems related to this law. I don't see any data. I don't see anybody being instructed to do that. This is one reason why we cannot show that there's a problem with marijuana, because we have no data here. We have no future data to say that there's a problem. Nothing. Nothing, whatsoever. Other states have begun to look at the data, but still, they cannot capture all the data, because their processes of catching the data is not there so, therefore, it's showing that there's no problem of marijuana. Nothing, whatsoever. How do you place a guardrail?

You mentioned today that there's a huge problem on black market here. How do you put a guardrail up to stop that? How do you stop that? It's a big thing, we have admitted, there's a big problem here. So, how are we going to stop that? In business, if I am selling a joint for ten dollars, and you can get a joint for five dollars on the black market, are you going to come to me and pay ten dollars? All of us are looking for bargains. These are the things you have to address. Also there's a here in Subsection 8103, Personal Use of Cannabis... in here, it says you would allow, per adult, six plants I believe, and only one house would be allowed to have the plant. It's what it's saying. How do you control that? If you have ten thousand people planting, how do you control the legality of these things? If you have ten people in that house who want to plant marijuana, how do you control that? Would you allow those ten guys or people to plant marijuana in only one home? If you allow them, that then becomes a production place for marijuana. What about the police department? Does the police department have a well proven tool to field test either presence or impairment with cannabis for suspected impaired driving? This is the unfunded mandate that we're trying to—wow, this is a problem. If they don't have the proven test kit to detect presence or impairment, then we don't test, we don't do anything, and then we're saying there's no problem. What is the possibility of negative problem, false negative tests created by law enforcement for not routinely taking people to the hospital for a blood test or urine test?

I was a drug manager in the Air Force, and we lost many cases, because we didn't test properly. When we take them to the hospital, and we give a urine test and a blood test, there's no way they can escape if we find them with dope in their system. To take people to the hospital, it's time-consuming and very costly, and the gentleman mentioned the Department of Justice.

I wrote to the Department of Justice, and I'm waiting for their response, hopefully today or tomorrow, on this this issue. Is it really, really legal for us to do this? If we were challenged in court to the federal court, I'm waiting for that response from the Department of Justice, and I will promise you, I'm not a rich guy or anything that if this passes and it goes against the federal law, I'll be first in line to file a lawsuit for this government.

I don't know how I'm going to do it. Maybe I'll sell my Volkswagen. I don't know. What this bill reminds me of is a story that I once heard when I was in a sauna with a lot of veterans at Naval Station. There was there was a brother who was going to the village looking for the post office, but he could not find the post office. So, he stopped by and asked a kid, "Son, where is the post office? The kid said, "You go down, turn right, and you'll find it." So, the brother went down, found the post office, and on his way back, he stopped and thanked the kid and said, "Thank you, Son for helping me find the post office. One day, I'm going to show you the road to Heaven. The kid turned around and said, "How can you show me the road to Heaven when you don't know where the post office is at?"

This is what we're doing with—I'll cut it short here and say that this is very counterproductive. It is a slap to the face to a lot of our professional teachers who are teaching all children to stay clean, to stay away from drugs. Thousands of kids are taught this every single day. How are we going to stop just from happening? How? What would you do... what would you

do—all of you—if you found your kid smoking marijuana? What would you do if you find your grandchild smoking marijuana—your small kid? What would you do, and why would it be only good for those over 21-years-old and not good for those kids? Why? Thank you.

Chairman Ridgell: Thank you, Mr. Cundiff. Just to answer that question, I would personally tell my kids to wait until he or she is 21 to make that decision. Let's go now with Mr. Camacho.

5. Mr. Dave Camacho: Can you hear me? Good morning.

Chairman Ridgell: Please introduce yourself for the record.

Dave Camacho: I'm sorry. Dave Camacho. I retired from the Guam Police Department after nearly 30 years of service. I know the other two gentlemen there. My main concern is as a parent, as a citizen of Guam, and overall our wellbeing. I'm not saying I'm for it, I'm against it, I just want to read what facts we have. I am for medicinal marijuana. I read all the articles on it. I saw all the doctors' reports. The only thing is now, are doctors willing to prescribe that knowing that they might lose their DEA license? I hope it will—because I'm a product of somebody with high anxiety, and currently or for the last three months or three weeks, I've been using CBD oil. I've cut down my antianxiety tablets, and it's helped me tremendously. I recommend anybody who wants something that's natural, but make sure it says FDA approved. but it's helped me—it has helped me tremendously. I reduced my anti-anxiety tablets, I'm more calm. Yes, I still get my triggers. Who doesn't get their triggers?

I'm neither for it or against it, but I want to clarify something. It's called unintended circumstances, Mr. Cundiff said. Let me give an example. You know when the legislature, a few years ago, said you can ride your motorcycle without any helmet. But you notice that many of our motorcycle accidents or deaths or actually, half of them, the cyclist was traveling at a slow speed unfortunately, they hit their head against the concrete, and that's what killed him. Yes, a fatal choice. California was like that at one time, but now they require wearing helmets. It's unintended circumstances.

I don't know if anybody knows this, but in the federal law, if you are participating in medicinal marijuana or maybe in the future recreational marijuana, you cannot own a firearm. You have to turn it—you relinquish it. It's a federal law. You cannot. So, those people who are in those programs, be aware the federal government says if you are participating in medicinal or recreational marijuana, you must really quit or surrender your firearms. I don't know how many people are willing to do that, especially the crime rate. The way the island is, because I'm not. I'm just going to stick to hemp oil or CBD. Other than that, that's my point is, just look at it thoroughly. I'm going to read it. I'm going to see what I can maybe help our people. Is it a good bill, is it a bad bill? I don't know yet. I have to look at it. Yes, Vermont did pass their law for recreational marijuana. They're the tenth state, but going back to those states that approved it, they also are part of the highest state for suicide rate, but I don't know what caused their suicide rate. To me, it's all about the family. The strongest drug we have is our family, People, and we don't want to break that core. None of us want to do it—none of you folks want to do it, but we do need some kind of solution to our finances, and maybe some other—I don't want to say the word, drug, but some

solution towards our total wellbeing. Like I said, I'm looking at it as a law enforcement—retired law enforcement officer.

Let me give you a story. In 1990, when I was in the police department, a very good friend was charged with narcotics. Colonel Sgambelluri, then our Chief of Police, asked us, my friend and I, “What is the biggest problem in the future for Guam?” He says, “Crystal meth.” That was in 1990, and we told him, “If we don't get a handle on this, it's going to overwhelm us.”

Two thousand and nineteen, it has. So, something like this, Senators, you have to get a handle on it, make sure that all the participating parties—I was hoping maybe to see Customs, Public Health, Wellness, GPD—we all get together, and put our heads together collectively. What can we do? Let's get those guys in here, get those players, get everybody as a team, like the New England Patriots... you know, they didn't have the highest-paid salary, but they played us a team. Like they say, let's own this, because this is all our island. That's all I have to say, Senators.

Chairman Ridgell: Thank you, Mr. Camacho. Mr. Cotton, and now please introduce yourself for the record.

6. Mr. Elmore “Moe” Cotton: I'm sorry I didn't hear that.

Chairman Ridgell: Please introduce yourself for the record before you begin your testimony.

Mr. Cotton: My name is Elmore Cotton. Everybody calls me, “Moe.” I don't know where that came from. I'm a veteran. I was in the U.S.M.C., Marine Corps during the Vietnam era. I was not in combat, but I was around a lot of—I was living in Okinawa and around a lot of military that that got the habit of smoking marijuana, but I am here as a patient to declare the fact that I have had cancer since 2000, that's almost nineteen years, and I'm very—I was very, very happy when the public of Guam voted that they wanted to see marijuana available. Then there was very close effort to have medical marijuana approved. I was happy to hear that too. I'm not in pain, by the way. I've had other ways of taking care of my cancer which is growing, by the way, but I'm 83, and I'm still not taking, what's that other thing... see my brain's gone a little bit, before—and I don't smoke marijuana, but anyway I'm for it, because there will come a time when I may be in pain, and it would be nice to have something available that I know is being used for that purpose. I'd also like to say that I have a daughter that lives in California who smokes marijuana every—oh, gosh, she's going to kill me. She smokes marijuana every evening so she can sleep, but she used to drink, and she doesn't drink anymore so, for those of you that think that smoking marijuana is going to lead to other drugs, it might be just the reverse, because it is a pacifier. So, I'm in favor of this, because it's not really what I would like to see. I'm frankly for recreational marijuana, because I think that would be easier for Guam to pass than something that's very restrictive, but the only reason I want recreational marijuana is I don't want to get my doctor into trouble, who might get into trouble by some legal problem.

I was hooked on Percocet for a while, after a very painful operation in my ear cancer. I had four operations—two of them went right into the cartilage, and that is very, very painful so, I got five marijuana pills. Later, I was up to 90 a month. I got off it, I cold turkeyed myself and got off it, but there are there things out there that are really, really—they work, but they're also addictive, and I think I'd rather be addicted to something that I think I could use instead of alcohol.

People are worried what happens if children get ahold of it? Well, the same problem we have with alcohol, what happens if your kids are getting alcohol? You have to stop them. So, I'm not worried about that. I think there will be cases where marijuana would be used for people under 21. I've heard that children who go get different medical problems, they're helped by it. I believe this is a step in the right direction, because I'd frankly like to be able to use it, myself if I'm in pain. It may be coming. As my cancer grows, that problem exists so, I sit here patiently waiting for the fact that there will be a time when I can use it myself. Thank you very much.

Chairman Ridgell: Thank you, Mr. Cotton. I'd like to now allow my fellow colleagues here to comment or ask any questions they may have beginning with Committee Members, and beginning with Senator Régina Biscoe Lee.

Senator Régine Biscoe Lee: Si Yu'os ma'áse', Mr. Chair. I just want to take the opportunity to thank everybody who's provided testimony today. There have been some in opposition and some in support of this bill, but it's really important for all the members of our community to come out and let us know what they think and let us know how we could potentially improve this bill. If they're completely against it, what their reasoning is. I also especially want to thank our veterans who've come forward to give us your testimony today. We thank you for your service, and we thank you again for continuing to participate in this process. That's really what's going to help us to have the best results at the end of all of this so, I really just want to thank you and thank you, Mr. Chair, for giving us this opportunity. I know that there is additional opportunity for testimony, I believe, later this afternoon and into the evening. Then we also just want to encourage people to provide testimony, even written testimony, they can email it in to the Committee, but it's so important for us if you have a concern about this bill, if you're in support, in opposition, we need to hear from you. That doesn't mean commenting on Facebook, because we don't accept that as testimony unless you email it in, or you hand-deliver it so we really want to encourage our community.

I know a lot of people have been participating in this discussion on the radio and other things. We really just want to encourage the public to come out. This is a big issue with lots of potential ramifications and potential benefits, so we want to continue to have that discussion. It's so important to hear from all of you so, thank you very much. Si Yu'os ma'áse'.

Chairman Ridgell: Thank you, Senator Lee. Senator Pedro Terlaje, any questions or comments?

Senator Jose T. "Pedro" Terlaje: Thank you very much, Mr. Chair. I really do appreciate the comments that were made on the pros and cons regarding the cannabis sativa type of plant. There's issues that—and it's good that we have this interaction, not dyadically but monologically. It's giving me the insight to decide based on the pros and cons that were raised this morning, and I just want to thank each and every one of you for your interest and giving us your insight and in making us make our own decision, make the right decision if you will, in regards to passing this particular bill. Thank you very much.

Chairman Ridgell: Thank you, Senator Terlaje. Senator James Moylan, any questions or comments? Go ahead, Senator Lee.

Senator Lee: Thank you, Mr. Chair. I just wanted to reiterate something that Mr. Camacho had brought up, and that this is something, you know I have a number of questions for some of our government agencies and other government partners and so, I really hope that they also participate in this hearing today, because we have a lot of questions that we wanted to ask them about kind of the implications of this bill and how it would affect their particular agencies and any questions they might be able to answer for us. I agree with you, Mr. Camacho. I think we need to hear from some of the agencies in terms of how this impacts them so, thank you for bringing that up.

Chairman Ridgell: Thank you, Senator Lee. Senator Telo Taitague.

Senator Telo Taitague: Thank you, Mr. Chair, and good morning to everyone that came out today to testify in favor and not in favor of the bill and those who just want to see a good bill put together to ensure that we have all the right amendments that could go into this bill to make it stronger. I'm here to listen to the testimony of everyone's concerns so that this bill can actually help those who need this type of assistance, and I just wanted to say thank you, Mr. Cotton, for taking the time. I know in your condition it's very difficult to make this trip, and I see that your passion with regards to the medicinal side and now on the recreational side... to going to something that's less invasive to your body and appreciate that comment, especially coming from—I have a sister too, as well, who actually has lung cancer.

I'm grateful for that. I had a mother—the same thing happened to her as well, and I greatly appreciate you being here. It's difficult, but I appreciate everybody's concern, and we're looking at what's best for our island, and I really think that the more testimony that comes forward and your concerns will be helpful to us. I encourage that. Thank you so much.

Chairman Ridgell: Thank you, Senator Taitague. Senator Kelly Marsh Taitano.

Senator Kelly Marsh (Taitano), Ph.D.: Buenas and háfa adai. I want to add to my colleagues in thanking everybody for coming here. It is important to hear all the pros and cons that the community feels. It's important to be able to hear it all, to understand their concerns, and then to weigh it and hopefully address as much of it as possible. I have a few comments on ways that perhaps we could strengthen what is here or questions that could be answered. One of them—I know that the way that the bill is written is looking for the rules and regulations for cannabis establishments to be set up by a Control Board, and so, even though labeling will probably come underneath that I just want to encourage really strong labeling be part of what they are setting up. I think that's definitely really important, and it needs to be very, very clear to everybody what the product contains, especially if it's been placed into a consumable, like edible brownies or cakes or things like that, that the labeling needs to be very, very clear.

Also, with the board, I believe there's language in there that gives the Board the ability to look at the books and the records of the distributors and those setting up establishments and that there's a representative from Rev and Tax on the Board. It seems to make sense that a Rev and Tax representative would be part of the looking at the books and records and then therefore kind of being able to make sure that we have somebody from our agency being part of that process and then therefore, just kind of strengthening that review.

One of the things that I'm interested in learning more about is with the prohibitions on driving under the influence and how that's typically tested for at this time, I don't know. We're trying to look it up, but maybe somebody has the answer for that and just making sure... oh, here, I'm sitting next to Senator Pedro Terlaje maybe knows.

Making sure that that's a feasible test and is able to be implemented most easily and in a most cost-effective way so that it's something that can readily be utilized and meet its intended purpose with those rules and regulations. I'd also like to see that they be established but then come back for legislative approval just to have that final oversight by us on behalf of the community to make sure that everything is strong and in place in a way that makes sense to us for the safeguarding the community.

I'm also trying to look up—I understand that, I believe it's Section 9, but one of the sections is removing the penalty for the distribution of less than a pound of marijuana, and they use the term *pound*, because that's what's currently written in the law, but I'd like us to further examine what's typical personal amounts to be held in other models. Indiana, in other states... I may be incorrect—a pound seems like an awful lot for personal use to be walking around with or to be having and holding. If we could just see if that's comparable with what other legislation has as an amount of course, not affecting the amount for medical cannabis—that is a different category of use and its situation is different so, not in ways as this Act talks about -- not in ways that affects the medical cannabis.

I'd like to—well, I'll be examining further, but I'd like to maybe hear—not necessarily from you but from agencies about how they think this will affect tourism. Maybe again this is something to encourage for the Control Board, that they are looking at impacts to tourism and tourism—that type of tourism's impact to our community to make sure that it still fits in with the community and safeguards the communities and the community's expectations out of the tourism industry.

I'd also like to recommend that a percentage of the income generated from this industry that that be a set aside for awareness campaigns so that for the youth, we feel like we're really safeguarding them and for the community at large. We're providing the right information so that they are making informed choices. Those are really largely my comments.

I do think that there is value to this bill and certainly for the medical marijuana aspects that we've tackled before and that would have some impact from this bill as well as Senator Taitague with saying, many of us, if not all of us, have friends and family who would really benefit from the ability to access this. I talked to one veteran, and he had shared that sometimes, with the way that medical marijuana is set up, he didn't want to be tied to or regulated in those sort of ways, and there might be that feeling amongst others that maybe there's a feeling of something associated with it, having to access it as medical marijuana. Them feeling like their situation can be better supported, and they could feel better about it if it was a personal use and a personal choice. Si Yu'os ma'âse' for all of the time of coming out here. I know it's not easy to come up and publicly testify a lot of times. It takes time, it takes standing before the community and all of us so, si Yu'os ma'âse' for that.

Chairman Ridgell: Thank you, Senator. Are there any other senators that would like to make some comments? Senator Joe San Agustin.

Senator Joe S. San Agustin: Thank you, Mr. Chair. I'd like to thank the folks that showed up today to testify for and against, but I also would be recommending as the Oversight Chair on

Appropriations and Office of Finance and Budgeting, we need to be concerned about the impact to the other agencies, and Bill brought that up—the unintended consequences and the impact.

We need to take a look at, across the board, the same as what they brought up. We're going to have to take a look at every agency that it impacts. The medicinal is a separate issue. Recreational is for everybody else that wants to use it and exactly what Mr. Cundiff brought up, if you choose to use it then go for it. The one speaker—the teacher that spoke, soon as you start talking about Denver, I pulled it up on my phone: wrong, wrong, wrong.

Most of his comments, I think, his data must be pretty good, but it must have been yesterday's, because as when I looked it up, the fatality rate on driving has reduced more than 50 percent in Denver. Yeah, there are some issues with children. The dropout rates and education has pretty much—hasn't changed or has gone down—the dropout rates. Like it's doing on Guam, but then the question would be the unintended consequences. We're going to have the impact in the government of Guam. I'm not worried about the money we're going to make. We're going to make money if it passed, but how much money is going to go to public health? Exactly what Senator Kelly brought up, what everybody's been talking about, where's the study? And if we want to ask the question of what's the impact on Guam, you can't have an impact until something happens. We can use everybody else's study, but we always have to remember, Guam is Guam.

We are a captive audience. We need to make sure there's a good education out there about what is marijuana all about, because we know what the benefits are for medicinal. That's separate. You got to make sure we stay focused. This bill is about recreational. This is not about medicinal. This is not about changing the medicinal portion. Stick to the recreational, what is the impact? We do need to get the other agencies involved: GPD, Public Health... everybody's got to get involved. They got to sit down, and if they don't sit down with this bill, they will sit down during the budget hearing and ask—and I will ask that question: what is the potential impact at GMH? At the police department? At every agency?

Because we have to project that. We can't assume that if this bill passes, there's no impact at Public Health—there will be. There's on impact at Rev and—there will be. Maybe through collection and maybe, I don't know, maybe the rate that he's got here, the \$5,000 to get a license... maybe we need to make it higher, and we'll work it from there. But we'll measure it based on what they report. Every agency's got to report it. We need ask the community, is this what you want? Because I've talked to a lot of folks, and half of them say, "Go for it," the other half says, "I don't like it," and I'm going to—I'm a co-sponsor of this bill, and I advise the authors that make sure all the mechanisms are protected from children, and everybody seems to think that we're going to have people driving around smoking marijuana.

It says, if I'm correct, it says you smoke it at home. They catch you out there, my God, put you in jail. Teach you a lesson. Follow the rules of engagement. That's all it's all about, and when we look at the impact in our community, we've got to let our community know what's going on, what's coming down, what are the risks, what are the do's and don'ts, and we move from there. We've got to make sure too that everybody understands there's a bill to be paid, GPD, everything. With that, Mr. Chairman, thank you.

Chairman Ridgell: Thank you, Senator. Senator Kelly Marsh Taitano, you had something else to add?

Senator Marsh (Taitano): Si Yu'os ma'åse'. I do have a couple more questions. I think again in light of strengthening the bill to make sure there's language in there that addresses those that are already serving time and how that will be addressed. Also, to look at—we've all talked about getting some input from agencies, but to make sure that we understand how this affects both employer and employee rights. If we could be looking at that as a body or the author's writing that as well. Si Yu'os ma'åse'.

Chairman Ridgell: Thanks, Senator. Just to clarify, the bill preserves the employers' rights to set their drug workplace policies. Thank you, Gentlemen. I'd like to call up the next—if there is no other senators with any other questions or comments, I'd like to call up the next panel of testimony. Mr. August Fest, Mr. Matt Giger, Jon Savares, Adrienne Cruz, and Anthony Quenga.

Mr. Cotton: Oh, excuse me, could I make one more clarification?

Chairman Ridgell: Sure.

Mr. Cotton: I mentioned my daughter smokes it every night, but she also lives in California.

Chairman Ridgell: Yes, yes... you stated that. You stated that.

Mr. Cotton: Okay. I want to make sure.

Chairman Ridgell: Yes, yes, Sir. All right, Mr. August Fest. Please introduce yourself for the record before you begin your testimony, thank you.

7. **Mr. August Fest:** Yes, my name is August Fest. I don't think it's a big secret which way I come down on this bill. I'd like to start with written testimony I've already provided, just touching on some of the points and maybe some of the points that were mentioned by the first panel. Maybe I can come back in the afternoon session and comment, subsection by subsection. Due to the storm, my computers have been out. I'm running on a 775 socket with [inaudible] and no printer hooked up so, I met a little bit of a disadvantage. What I did already send to Senator Ridgell. Oh, let me first start by saying, "God bless you and anybody else that votes for this bill, any other senator who votes for this bill.

Fraud for the last hundred years needs to stop. Schedule I, out-and-out fraud on the planet. Schedule I says no medicinal use, how many states say otherwise? How many doctors say otherwise? So, out now fraud. Potential for abuse, anything has the potential for abuse. Me standing here has the potential for abuse. This is—I'm just going to touch on some things. I'm not going to take a lot of your time, get too far into the weeds with this—no pun intended.

I said this on February 2nd, previously mentioned and suggested, any tax and all tax including excise tax should be collected entirely at the end point of sale to the consumer, as in the current subsection, "no tax shall be levied on cannabis intended for medical use." The way it is currently stated and collected from the *cultivator*—cultivator, only—would require the cultivator to separately cultivate or separately or separate flowers specifically for medical use. This also complicates the process and products from a processor or manufacturer. To simplify tax

exemption, collecting the tax at the end point of sale, a registered patient shows proof of status at the sales register, and whatever products are purchased by the patient would be a medical tax-exempt sale. I feel the change would simplify the process and tax exemptions for all concerned. This would also maximize the tax revenue collected on the retail price of products rather than that at the lower wholesale cultivation price.

Submitted on February 3rd, sunset clause for medical home cultivation with its much higher plant counts. This was the bill Senator Muña authored and re-amended, and I testified against that sunset clause. Now *your* bill says *retail outlet*. Some would argue that it's the same thing as a dispensary, but either way, if a regular citizen can cultivate, this sunset clause in Senator Muña's bill needs to be amended, taken out. With the passage of this act, nullify the sunset clause for medical home cultivation with the much higher plant counts. In P.L. 34–125, subsection 122530(a) should be amended within this new Bill 32-35. The words, “If there is no operational dispensary for medical cannabis products,” that part should be deleted. The higher plant counts and possession for patients should be upheld.

The higher acquisition cultivation position for patients should not be affected, but it should be specified in this new Bill and to amend Public Law 34-125. Now, with a current patient, the way that the 33-220 is set up, it says, 2.5 ounces every two weeks, but then again, it's specified, “purchase from a dispensary.” You go to the previous law which is, I think, 32-237... it doesn't have a definition of *allowable amount* as a definition of—anyhow, it's more specific to the possession for a patient—adequate supply—that's what it was, it was *adequate supply*, and it said no more than a three-month supply. Well, if you take the new definition of allowable amount purchased from a dispensary, 2.5 ounces every two weeks, you times that, you do the math, you're ending up at a pound for a three-month supply.

So, just points of interest that maybe—should be amended by medical cannabis bill offers. I submitted this on February 8th... off-island testing: U.S. Congress reps, the Congressional Research Service National Council State Legislature, Professor Mikos and DEA and Senator Barnes: the past email string reaches out to all, the scripts of my interaction with the local DEA office prior research into the matter and reaches to local senators and now the former and current Congress reps' staff, the National Council State Legislators, Professor Mikos, and the Congressional Research Service Attorney Yeh... I had sent him a long email in looking at his work product for Congress in past years.

One would read his work product and would suggest that the exemption for the Department of Health would be authorized. It is already authorized in our current public law that they be allowed to test or conduct tests, but if you read Attorney Yeh's work product for the Congress, it states an exemption for offices or officers or persons involved in the enforcement of Controlled Substance are exempt from DEA registration, and if you follow that into the postal code, it loses the same exemptions. Now, Attorney Yeh did do this research, and he finished up. He sent it to former Congresswoman Bordallo, but she dropped the ball, put everything in a box, and threw it away. We don't know. The current Congressman, Senator San Nicolas, through my contacting—Senator Ridgell contacted him also, they reached out to Attorney Yeh. He said, “I already gave it to you guys,” now, he has to go back and dig up what he sent Congressman Bordallo. So, we've got some kind of statement on it from a Congressional Research attorney, we just don't know what it is, because he's got to dig it back up and send it to us.

But the way that the wording doesn't limit the Department of Health or Customs or the local police to only testing medical cannabis, it would allow any one of these departments to

contract with an off-island, stateside testing lab and conduct tests on it for adult use, also. I won't go into the long letter or read it, for value of time, but I did send it to all those persons.

I'll just maybe summarize what Attorney Yeh's past work product was. This says any office officer or office of a local jurisdiction is exempt from DEA registration, so by Department of Health's own mandate to protect the people... it's part of their mandate to protect the citizens.

Submitted on February 6th, microbusinesses... please consider for your bill in the forthcoming Commission to make allowances and accommodations for microbusinesses as lesser licenses and permits fees as in legislation for the CNMI and many other stateside jurisdictions.

Please add this testimony February 27th (doctors) for testimony bills 32-35, as in other states and as in here in Guam, finding a doctor that is compassionate and/or understanding cannabis as medicine is not at all easy to come by. This is an excellent reasoning for this bill, 32-35. Everybody's happened to play hide-and-seek with a doctor, and the doctors are uninformed what's been on the books from the Supreme Court since 2003.

They cannot lose their license, can't be penalized DEA registration, or otherwise just for merely recommending cannabis to a patient. And in our law, in our form from Department of Health, it's not even a recommendation—it's merely a certification. The doctor is only certifying he has a bona fide relationship with the patient, and in his opinion, the patient has a qualified condition, and he believes in the potential health benefits, not *proven* health benefits, just *potential* health benefits, and he's also testifying that he believes that it may—likely—would outweigh the risks to patients. So, what he's only saying is he has a potential, likely belief. Now, if you certify, testify in states that you believe in God, that's not the same thing as you recommending someone to go to church. Two different things. He's only testifying that we have a relationship, he's got a condition, it possibly may help him and it probably won't hurt this particular patient.

The doctor is not stating that he's recommending anything. There's no word, “recommendation,” in his statement. That's it for my written testimony; I've already submitted it to Senator Ridgell. If I can briefly comment on the last panel's testimonies, I will if I could come back in the afternoon session, and I'll study the bill further, make notes and make quick comments... I didn't catch the first citizen's name, when I walked in, but he's talking about scientific studies on brain development.

If you look at the studies he refers to and anything in the National Center for Biotechnical Information, when you look at these studies—and I've noticed this since I started studying medicine for my own conditions... when you look at the doctors—it's almost like legalese. They use words like *may*, *could*, *suggest*, and *possibly*.

What Zerzan and the other gentleman, when they were saying about these studies, you got to read between the lines. They're not saying, “Yes, this is true. This is positive. This is what's going to happen.”

“It may be, it could be, it suggests,” the language is very suggestive. Paul Zerzan. There's this brazen B.S.—excuse me—the study from Colorado—no causation with the studies, with the the driving, and the fatalities, and everything like that. If you consume potent cannabis right now, today, 28 days from now, you're going to test positive, and that's the problem with these drug tests and urine testing for employment. They're not testing for active tetrahydrocannabinol.

What they're getting is once your brain absorbs the THC, it leaves a byproduct. So, it's like a campfire. You have a campfire. Yes, there's a campfire that's burning, it's got active constituents to it. Two days later, you have a pile of ashes there. That's not a campfire. That's not active. So, in your blood and your urine, what gets stored in your fat cells is the byproduct of your brain

absorbing or using the THC. So, you're seeing residual byproducts; you're seeing waste products so, it's not active. So, any of these studies that show a correlation—they don't actually show a correlation, they just said—well, they had THC. Again, you consume some potent cannabis, if you can find some, 28 days later, only the byproducts are going to show up in your urine test. It has no effect on your performance, whatsoever.

He also mentioned something about hemp, and it's not a good thing. Oh, one thing Paul Zerzan said, increase in syphilis because of cannabis use. I mean, com'on! How do you even make that correlation?

Hemp, I would say uses less pesticides. He was downplaying the hemp industry, you got less chemical pesticides versus nylon or plastic products. That's all done by chemical process. Hemp is much more organic and friendly to the environment. So, we got the brainwashed trying to brainwash us. Yeah, it's brainwashing that's been going on for about a hundred years now. There are no gateways; there are only choices, period. This is just the rhetoric of the paranoid prohibitionists, and I hear people say, "Yeah, smoking marijuana, you're going to become paranoid." I say it's prohibitionists that are exhibiting paranoia – foaming-at-the-mouth paranoia.

Mr. Cotton, he made a good point, it leads away from alcohol and opioids, and it's an alternative. It's a very safe alternative. I know for myself, I haven't consumed a drop of alcohol since I didn't keep track of it, but I think it was 2000 or 2001. I did not replace it with cannabis, because I was already a cannabis user. So, there was no replacement. I just took alcohol out of my consumption diet. I didn't replace it with cannabis, because I was already a big fan of cannabis anyhow. I didn't increase my use of cannabis, but it was something that allowed me to stay away from alcohol. It's a safe alternative... if you can spend your money on something that's as pleasant as cannabis, why spend your money on all that other man-made stuff that does make you crazy?

That's all my rebuttals so far. I will continue to take notes in the afternoon session. I will study the bill again and make notes on some of the points. I do want to say, I know off the top of my head, this Commission or whatever, who's going to come up with the rules, don't make the same mistakes we did with medical, don't put prohibitionists in charge of making the rules. You're just—you know, that's just a recipe for failure. You have to have people that are pro-cannabis, fresh blood, fresh minds, and please dust away the prohibitionists and the paranoid people, and let's start making sense of our lives. See you in the afternoon session. Thank you.

Chairman Ridgell: Thank you, Mr. Fest. All right, Jonathan Savares.

8. Mr. Jonathan Savares – Guam Legal Movement: Thank you for allowing me to speak. My name is Jonathan Savares. I'm a U.S. Army Combat Veteran who suffers from PTSD, TBI, chronic pain amongst other conditions. I'm also a father, a husband, a student, medical cannabis patient, and advocate here on Guam. I would like to bring up some concerns that I have heard from patients. Three of them specifically.

Number 1 – The cost and supply. Currently, looking at what's going on with the legalization in California, there's a rise in cost that's affecting medical cannabis patients. That is something that I do not want to see happen here and the patients that I've been speaking to, do not want to see that happen here. This is a medicine and people actually need it. We do not want to inflate the cost for patients who actually have a need versus a want. Also, the lack of supply. When I was in Washington State, waiting on my retirement orders and when the legalization happened

and dispensaries ran out of medicine. Can you imagine hearing about people running out of medicine that they need and didn't have safe access to? That's a problem.

Number 2 – The lack of awareness of patients suffering, who are suffering. There's a scenario that's always talked about. About a doctor and a patient. The doctor comes in and tells a cancer patient that, "There's not much more we can do." Here, at least here, you know there's no further treatment available. The patient asks, "What are their options?" and because that patient is suffering. There's an actual ailment, there's issues that need to be addressed. The pain, the agony that that patient is going through. But not to be given an option, and that's what's has been happening. This option of certifying a patient has not been given, is not readily available through providers. The information just isn't clear. We need to clarify that information through the doctors. We need to help educate our patients who are suffering through with conditions.

Number 3 – Support. No patient can currently go to a doctor and get sound advice about cannabis. About dosing, how to medicate. The difference between medicating and recreational use. There's a huge difference that's not being talked about. The difference between THC and CBD or CBD that's hemp derived. Overdoses. How to counter a THC overdose. Literally we sell that over the counter right now. It's a federally legal via the Farm Bill of 2018. No current bill addresses these issues.

I am proud to say that I am the co-founder of the "Guam Legal Movement". We founded it, we are a patient focused movement that is currently offers support for medical cannabis patients here on Guam. We had our first meeting on the 22nd of February, which was mostly comprised of combat veterans. Please follow us on Instagram, Facebook, and YouTube at "Guam Legal Movement". If any patients have any issues and would like to learn more, or potential patients, we are here for them. There hasn't been much support for these patients and this bill has not addressed support. No bill has addressed support for patients.

In closing, Senator Ridgell, I would like to thank you for the introduction of this bill. It brings us closer to getting people medicine. I would like to close with this note. As long as we place patients first and always place patients in our hearts, we will win. We will win. It's been a rough journey for me. Two years, two plus years that I have been certified on this island and I haven't had actual access to safe medicine. That's a huge problem. I thank you guys, I will be here in the afternoon. I'm taking notes just as Auggie, Mr. Fest and I'll probably have a rebuttal for some of these arguments. Senator Ridgell thank you for standing up for some of these things that are being said and you guys have a great day.

Chairman Ridgell: Thank you Mr. Savares. Mr. Anthony Quenga.

9. Mr. Anthony Quenga: Buenas yan hãfa adai, Senators. Let me preface by saying I made the right choice when I checked off the blocks. That didn't mean that we were going to see eye to eye throughout your whole tour and this is one of those days. So, with that said I want to share a personal note about marijuana. I'm half CHamoru half Filipino but I left Guam when I was two years old, grew up in New Port, Rhode Island.

At the time in the mid 60s and early 70s, are you kidding me?! That was during the hippie days, drugs was all around. Marijuana right there in my face, alcohol, everything. I was fortunate though because I was one of those kind of kids that I got to learn how to surf at thirteen. I was in martial arts, I played baseball. Started body building through my young life. Very very sports

oriented and uh, however I had friends that smoked the weed. I say this from the heart because I know that there are patients that are utilizing marijuana as a medicine, one of them, is my son.

He spent two tours, in two wars Iraq, Afghanistan and it breaks my heart to even talk about that cause I just spoke to him about two hours ago, he's in Arkansas. So I asked him I said, "Son. I'm going to be on my way to speak on against marijuana. What are your thoughts on that?". He said, "Dad, I take marijuana for medicine, helps me to sleep. I have pain. and um---". So, I listened to my son and I saw his take on marijuana. I cannot accept that and the reason for that is because, Senator Will Castro, you are well aware of my medical demise. I've had medical issues. I didn't have to take marijuana to deal with that and I still don't have to take marijuana to deal with that and I'll tell you why.

I volunteered myself to get into Alcoholics Anonymous to stay sober. I've now been sober two years and a month now and that was on my own accord. Because I knew it wasn't any good. However, I use alcohol for my medicine, to help me sleep, to help me get through some difficult times in life and the only reason why I did that because, alcohol is legal. I don't want to see marijuana get legal because I know the ramifications of marijuana. I know what it'll do. So, folks that I have heard share in the last two years and a month now that are addicts that have taken alcohol as their medicine here on Guam. Let me tell you it's not a good thing. They started since they were yay high (signaling a small height size) to this high (signaling a height taller than previous, signifying height/age/growth). Most of them got arrested and I don't want to see that happen.

I share that with you because I have a five-month-old granddaughter. We are very proud of this little girl. I don't want to see her get into a situation with her peers where marijuana is going to seep into our school systems. And it will, trust me. Alcohol did it, other drugs did it and again I know those that are for the marijuana medicinal is fine you know. I just don't think our island needs that. What I do think our island needs is more focus on making, continue to make Guam a better place. I love Guam man, you know when I returned to Guam in October of 2009, I was only going to visit my parents for a couple months. I'm still here.

Brother Will knows man I'm active in nearly fourteen organizations here. Why? Because I have a passion for the people here. I got a job under Mrs. Ada with disabilities, because I want to help them. I didn't self seek for myself, and believe me. You know, I know there are those that want the marijuana for their medicine, I just can't go with that. I'm a proud Air Force member. I served the United States Air Force and got a commission, went from no stripe to bars and we have a program in the United States Air Force, Chief Bill Cundiffe can attest to that. It's called a personnel reliability program. I had my hands on jet aircraft. I had my hands on HVAC. I had my hands on the ICBM's, you know the North Korean President over there shooting those missiles off, I had my hands on that.

I came to Guam in 1987, did a three year tour and with the Assistant Port Operations Officer at Anderson. So, I know about the ammunitions. But can you imagine if I was taking medicinal marijuana for some of the ailments that I had that I would've had?! Are you kidding me?! It was bad enough drinking alcohol. But you know why?! Because drinking alcohol was legal. *Sighs* I come to Guam and, OH MY GOSH! Every event I go to, there it is man, at least three coolers, beer. You all know that, go to meetings, beer. I don't want to see that.

I don't want to see my five-month-old granddaughter, I'm going to walk down the line and share her with you guys. Because you know why?! I love you guys. I know all you guys you know. I made the right choices when I made the check mark. Because all of you were on there and I know

you guys, where ever your heart's at, whether you're for or against I know your heart's in the right place. I just wanted you to hear my heart, ok. Because I believe that this island doesn't have to exist with medicinal marijuana or recreational marijuana. I believe this island can exist with us. So here's Kaira (Mr. Quenga approaches the Senators showing them his phone.)

Chairman Ridgell: Thank you Mr. Quenga, for your testimony. Now a Mr. Raymond Laguana, former Mayor of Barrigada.

10. Mr. Raymond Laguana – former Mayor of Barrigada: Good morning. First for the ladies, Madam Senator and then Senator. I'm the Godfather for marijuana. Way back when the first marijuana came to Guam, the Thai Gold they call it, it was going around the village. It was a time when the gangsters were big, fighting each other. It tamed them down, it really works on their brains. It became "Håfa brown?!". It does wonderful! Not only to the young ones but old men who had heart surgery in the hospital told his son, "Ask fan Ramon 'Gå'di' can I try marijuana.". He tried it, the brother the sister was a nurse at the Guam Memorial Hospital. When she came in, she said, "Ai, you're going to get your father arrested!". You know what the father said? "Sister, I never felt so good up until now. Every time I go to the hospital, they shoot shoot shoot, I get hurt. Yeah, I smoke, and I relax, and everything is good."

Why don't we do it and make it legal because we are running out of cash and at least this can help the people of Guam get some money. Marijuana is not a dangerous thing, I went through the heroin I help it stop coming in when I became a mayor. The Ice when it first came to Guam, I hope at that time that it will never get down to two hundred and fifty, because it will never come to the village. It only stays at the massage parlor and Tumon area. When it went down, they tried it. You can see how that very effective for in the beginning. If a person does something, he'll never quit doing it. One old man said, "Let me try that fan mayor?". I went to his ranch he gave me one pig and I make him try. He got the [Inaudible] all day all night keep working. [Inaudible] one time said, "I hope they can approve this because it's very good. All those people that are lazy to work can get up and go to work. All those that are---

But now a days nai, it's not the same, everything changed. Now they tattle tale on each other. They talk about people's business, that's not the job that I know of. I keep asking them to quit. A person that goes through life, experience everything, can be a good teacher. Because he knows how to be patient. He knows how to talk to the person and you can tell how to talk to that person. If he's a fifteen years old try to get down to that age and talk like a fifteen years old, they'll listen to you. I'm here, again, Madam Senator and Senator, supporting this bill. No matter what people that read the book. If they don't have the book they don't know what to do. But experience and knowledge to try the best you can. If you can make it good, you try so much. But only us CHamoru nai are so stubborn too. Even if they say, "Two teaspoon." let's put make if four, put four. That's how we are.

A guy that is so smart, they came to a well. Don't drink this water, it's poison. That guy that didn't go to college, "ai I don't want to drink that.". But the guy that went to college "ooh I want to test it whether it's poison!". [Inaudible] --- But please make it legal, that way we can control the money. We can control the people that are buying. Nobody's going to get rich because this is a medicine. What are we going to do in Guam, all our Suruhånu medicine is gone? All the medicine that we used out in the boondock "Maigo Lålu". There's no more there. It flew away. So

ladies and gentlemen, I'm here as an experience. I'm supporting all of you who support this bill. Thank you.

Chairman Ridgell: Thank you Mayor Laguaña. I believe there's one more person on the list to provide public testimony, Mr. Will Parkinson. Mr. Parkinson if you could begin by introducing yourself, for the record, before you begin your testimony. Thank you.

11. Mr. William Parkinson: Hello my name is Will Parkinson. I'm a private citizen and local business owner and cannabis proponent. So, I'm here to speak in favor of this bill. So, Brass taxes. (Written Testimony Presented Orally)

Chairman Ridgell: Thank you Mr. Parkinson for your testimony. I'd like to open up to my colleagues again if they have any questions or comments. Senator Taitague.

Senator Telo Taitague: Thank you Mr. Chair, thank you so much. And thank you so much for coming and testifying today and all those who testified before you on this second round of questioning. I greatly appreciate your testimony. It was enlightening and I'm definitely going to take that. If you have a copy of your testimony, I'd greatly appreciate it if you can email it to me as well. Cause I don't I don't have one here for my reference. Greatly appreciate it. Thank you so much.

Chairman Ridgell: Thank you Senator Taitague. Thank you, Mr. Parkinson. If there are no other people here to testify at this morning's hearing. We can go ahead and conclude this morning's hearing unless there's someone in the audience who still wanted to testify. If not, we'll conclude this morning's hearing and we will continue the hearing. Yes. Sure. Sorry we have one more person here who would like to say something, Mr. Matt Giger. Please go ahead. And introduce yourself for the record.

12. Mr. Matt Giger: Hi I'm Matt Giger, I'm a local business man and I know most of you are, supported you on your last run with the campaign. I'm willing to build a lab. I have investors that, we've been looking at this for two years, on how to bring it forward and the gentleman that just testified. With any practice from a burger joint to any medical facility there's always shoddy, there's always a bad apple. But what we have found, is that sixty percent of the facilities that we're mirroring have standards that over reach what's required and that's what we're going to build here. Is we're going to actually going to build a redundant lab that's looking at volume five years from now. Because the worst thing that could happen to us would be, we build a lab the demand gets so high that we get back ordered which stops the dispensaries from providing products to the consumer.

One thing we noticed is as I'm did my due diligence from my investors. I'm pretty good, I've opened a lot of businesses here and I can usually fill in and circumvent an executive summary when I'm missing gaps. But here there's really no guidelines, I've talked to you about this, there's no guidelines on what you expect or what the expectations are of the lab. It's just it's a paragraph. We know what our scope of work and our quality of scope of qualities and classification are. But I don't know how to build that into our business model when I go and show the investors what

we're expecting. Because each state that has it legalized, sorry I don't mean to be going up and down in volume.

But each state that has it legalized the labs have slightly tweaked requirements and I just need that summarized for myself. Nobody wants to hold back getting this on the market, and I understand that I would be now, I'm the only one that's picked up a packet. So, it's going to be on us. We're ready to be up and running in eight months. I know that sounds like a long time, but that's actually lightning speed. So, if I can just get, I'm going to try and meet with each of you individually, just to get your thoughts on the lab and what you expect. And I can put that into my testimony to my investors as well. But what I'd just like is, it doesn't have to be long maybe three pages of what the expectations of the committee are and what you expect for Guam of the lab.

And then on a Segway, Guam's so small. I've been part of so many businesses as a partner, because it's small and the opportunity is there. And there's really only 400 guys, on isle --- gentlemen and women on island that own eighty percent of the businesses. So somehow you are linked to somebody through partnership or joint venture. Having said that, I own I just built a green house in preparation. I was going to build use it for tomatoes and straw berries but this is going to be better and I don't want to be held back, because of the it looking inappropriate or I have a conflict of interest because I'm going to have a growing facility and a lab. I'm going to get my own product and say it's better than everybody else's or put unfair standard requirements on other people. I would be willing to take myself out of that situation. I'm fully going to be one hundred percent on the lab. But I don't want to be held back from having a partnership in something, because I want to build the industry.

I was looking at it as a vertical when I pitched it to our investors. They care about Guam and they care about what we're doing, but they really for me I have to give them a return on their investment. I just want to be able to have a vertical opportunity. I want to have a dispensary, I also want to have a growing facility and I also want to have the lab. But I'm only going to be participating in the lab. Is that something that we can talk about? Because it just seems like it's so open ended on what the lab requirements are.

And then lastly. Is there a QC possibility for the lab only? Because it's going to be it's going to hold such a vital role in what we do in this new industry, and if you look at what the lab is actually going to help generate. Just on a small scope we're going to be making fifteen to twenty million dollars a year on taxes, year one. Year six that doubles. Year nine, ten that triples. So, we're going to play a vital role, but our investment is two million dollars up front. And it's just going to trickle in because you know I don't know how many dispensary licenses you that you're going to have.

I don't know how many outside products that we're importing. I know the edibles and the ingestibles are something is a challenge right now for me personally because I had a friend in the states, have some gummy bears on his counter and they're having a football party and they swear they didn't do it on purpose. They thought it was candy. So, I just think that there needs to be a stricter guideline on those particular things. But I'd like to have you folks just take this away ---. I wasn't prepared to talk today but I need help in getting this through to my, standing this up and getting it through to my investors.

I'll close with this, it's very vague on where the lab can be. It just can't be on the grounds of my green house and it can't be in my dispensary. Can you give us some other guidelines on what you'd like to see? Because we're going to make this a showroom for Oceania cause we're also going to have to ---. You know I usually I'm a marketing guy so I usually do things, to a pretty

high standard. So we're going to try to make this a showroom for Oceania that way we can be a model and then we also have to take care of CNMI. And then if it does become a tourism issue, we're going to do tours through the facility so people can see that Guam's product is you know Guam Seal, you know Guam marketing, Guam branded.

So, if I could talk, I'm going to I've sent a note to you Will, and I just sent one to Clynt. I'm going to ask I'm going to send one to each one of you just so I can get your comments and then I can have that as testimony. But if you could just take all these things into consideration for the lab. Because two million doesn't sound like a lot of money, but I'm just a guy. I'm just a businessman and I have you know one partner so we would really need the help and then if but we can get it we could probably get it up in eight to ten months.

Senator Régine Biscoe Lee, Committee Member: Thank you very much, Mr. Giger, for your testimony. We certainly want to address many of those issues and I just want, for the record if you could, just state if you're in support or in opposition to this bill.

Mr. Giger: Oh no I've been in support for a long time. I just didn't know how to help and then it just seemed like over the last year, that the lab was a sticking point. So, I went in to get the packet for the lab and they were shocked and they said, "You sure you want the lab?" and I said, "Yeah." I said, "How many people have picked up the packet?" and they said, "you're the only one on the list."

Senator Lee: You're the only one.

Mr. Giger: So, I thought that it was something that we can do.

Senator Lee: It's also my understanding that a Cannabis Control Board will likely give guidance on many of the questions that you're asking but the Chair is back so I just want to hand it back over to him. But thank you very much for your testimony. Si Yu'os Ma'åse'.

Mr. Giger: Thank you guys and thanks for the help going forward with putting this lab information together.

Chair Ridgell: Sure. Thank you for your testimony as well. Just to clarify. Yes. The Cannabis Control Board will be fine tuning the rules and regulations of cannabis and that would include also sort of the question you're asking about how the lab is to be run. So that---

Mr. Giger: Do you have a timeline on that?

Chairman Ridgell: The bill does. The bill says that the Cannabis Control Board has to provide rules and regulations within a year.

Mr. Giger: See so if I got it in a year, I couldn't open a lab for a year. Basically.

Chairman Ridgell: Well hopefully, my hope is that they'll do it sooner. The year is the deadline for them to produce it produce rules and regulations. But hopefully they can ---.

Mr. Giger: And the board's already set?

Chairman Ridgell: No. This board has to be appointed by the Governor, five member board.

Mr. Giger: And then did the Governor say when she was going to do that?

Chairman Ridgell: No but the Governor has expressed her support for the measure. So, my hope is that if we can pass it, the Governor will sign it into law and then with that support from the administration hopefully we can get the board and panelled quickly.

Mr. Giger: Do you think you and I could talk to the Governor? You know one on one meeting and I can express --- She's a business woman. She's funded a lot of my projects from Bank of Guam so.

Chairman Ridgell: Sure. That's something we can discuss later. I want to focus this hearing on the bill itself. But any other specifics, we can discuss that later. Thanks.

Mr. Giger: Great. Thank you guys.

Chairman Ridgell: Oh. I'm sorry. Please stay Mr. Giger. There is a question from Senator Taitague.

Senator Taitague: Yes. Thank you, Mr. Chair. Matt, are you familiar with what they're doing in the CNMI with regards to the labs there?

Mr. Giger: Yeah.

Senator Taitague: And what is that?

Mr. Giger: Well they have a sta --- They've actually set a precedent for standards in a way they do theirs, but they've simplified their lab footprint, and a lot of them are doing lab in a boxes to get them up and running out of Taiwan. And I'm having one done out of Canada. But they've got it to where it's a recipe, a soup recipe and you just follow the guidelines and those really run on your scientists and who your doctors are on that. But the lab facilities are fantastic.

Senator Taitague: So, it is up and running in Saipan right now?

Mr. Giger: I thought you said "Montana".

Senator Taitague: Oh no! No.

Mr. Giger: Yeah, no. Saipan...

Senator Taitague: In Saipan.

Mr. Giger: I think they're waiting for me. To be honest with you. That's the phone calls I get all the time is, "What are you, what's taking you so long?" and I said, "You know, I'm trying."

Senator Taitague: So, there is a requirement for a lab in Saipan, which they've legalized marijuana there.

Mr. Giger: Now they're saying no one wants to put up, they're looking at a million-dollar investment, we're looking at a redundant lab so we're looking at a two-million-dollar investment with a showroom. So, they're waiting, they're kind of waiting on me.

Senator Taitague: Ok. Ok, thank you so much.

Mr. Giger: Sure.

Chairman Ridgell: Thank you Senator Taitague. Mr. Fest would you did you have another comment to make? And Mr. Parkinson did you have anything to add?

Mr. Parkinson: No. It's just nice to sit up here [inaudible].

Chairman Ridgell: Ok. Sure. Thank you. Mr. Fest go ahead.

Mr. Fest: Yes. August Fest again. I just had a couple points that I missed in my written testimony. And one I actually didn't put in. I'm sorry. But listening to this gentleman, I read the CNMI bill. They don't there's no requirement for any lab testing. Not that there's not requirements or specification, they just there's no requirement for lab testing period. They don't have. Arizona does not have lab testing. Maine does not have lab testing. Many states do not have requirement for lab testing.

But, on to the points that I missed in oral presentation. I had mentioned to you, talked about how the businesses whether medical or an adult use cannabis business is. They're not allowed to take any deductions what so ever for their businesses. Couple with [Inaudible] you know especially with the small population, it's just another recipe for disaster. This is what I sent you in an email for testimony. BPT exemption: Considering the cannabis businesses will not be allowed the normal tax deduction as we previously discussed in IRS form 280E. I suggest and propose that until such time these businesses are able to take full and equal deductions in tax forms declarations. That these businesses should be exempt from Local Guam Business Privilege Tax. To consider the proposed Point of Sale Tax and rate is also unique and different than all other businesses. This proposed exemption is very minimal compared to the denied normal deductions the businesses will be paying taxes on.

But at least it will be something to offset the unfair rules they must endure, until the U.S. Congress and IRS asks to reconcile the discrepancies and then [Inaudible] penalties imposed on these businesses. This exemption should be included in the language on the bill, before it's on a vote. The other thing I forgot to mention in the written, but I did send the Senator many articles in discussing, "Seed to sale". Nothing but problems. Technical problems with software no matter

which company you go with. Built in glitches, these companies want to make you buy their hardware to go with their software. Very expensive, millions and millions of dollars and the businesses have to pay thousands and thousands of dollars a month to be able to access the system.

Now, with Department of Health with the medical. They obscured even looking in to the “seed to sale”. They wrote their own law which is now Public Law 34-80. They wrote their own law and put in the “Seed to Sale”. Senator Rodriguez tried to do a save on it by saying, “Well the businesses didn’t have to incorporate it for two years. We’re already past the one-year mark after that. The RFI that the Department of Health issued was issued on the day that it expired. The Director, there’s always a cover letter with an RFI and that cover letter has a date stamp on it. If you look at the cover letter on that RFI, there is no date stamp on it. Department of Health has been doing anything and everything they can to stall Medical Cannabis.

But technically speaking back to an adult use market or markets in general, just look at the news articles I sent you. Pennsylvania, they had to shut dispensaries down because the numbers didn’t reconcile, the software didn’t work right. They couldn’t track the sale so they couldn’t do any sale so, and we’re talking still just medical in Pennsylvania. For such a small market as Guam, even with our population, you know you can, on a high side take our population and look at twenty percent will be consumers.

It’s not that big and I discussed the flaws in seed to sale just in the concept. Say you’re a cultivator, and you have to log in the yield of a plant. What is to prevent you from only logging in half of what the plant actually yield, yielded?! Nothing. Absolutely nothing. So, thinking that seed to sale is some catch all for any diversion is just fantasy, and a very expensive fantasy at that. And you’re going to have to do paper back up anyhow, because of the inherent software glitches and everything else. So, you’re going to be doing double the work for the same thing.

You incorporate seed to sale, the government and the businesses are going to spend eighty percent of their time trying to reconcile or, satisfy the software. Rather than doing what they’re supposed to be doing. Growing good product and the government being able to keep track. It’s going to need paper back up anyhow until such time as it can be research and I did mention this also, free software for tracking. Arizona again, they don’t have seed to sale tracking. A lot of the States don’t have seed to sale tracking. So, it’s just something to consider if you want to get this off the ground and moving and the product flowing and the taxes coming in. Don’t mire it down and everything that can stall it and cause problems. I’m not saying not have it but incorporate it in a way that’s going to be cost effective, foolproof, and knock off all and not have in stone while we have to have it and it’s got to be this way, or you can’t do any sales. The priority is the cultivation in the sale and collection of the tax revenue. Everything else is icing or decorations or whatever. It’s not needed. Let’s just go with what’s needed. See you in the next session.

Chairman Ridgell: Thank you Mr. Fest.

Mr. Giger: Could I possibly just make a comment on that?

Chairman Ridgell: Sure. Go ahead.

Mr. Giger: You could put that on the burden --- to streamline it. We talked about that in a meeting we had last week. To streamline it you might want seed to sale to go through the lab where it goes there first. And then we’re going to already have a division set up to process that quickly.

Because there are so many hybrids that address different medical problems that that's going to have to be categorized anyway. Versus somebody giving us a product and saying that it's this strain and then we have to double test it triple test it see what strain it is and the THC value. If it came directly to the, I say this because I'm going to get revenue as well but, if it does that, you'll save a lot of time and you know exactly what's going out there. And then if you have people, monitors, that are going out and checking people's cultivation facilities and things like that. They can get the report from us what we've sold them or what they've ordered and then you can verify it and categorize it that way. Which is super-efficient and like this gentleman said save us a lot of time.

Chairman Ridgell: Thank you Mr. Giger and thank you Mr. Fest. We're going to go ahead and wrap up the hearing for now and then we'll continue this afternoon with the continuation of this hearing. So, we'll recess for now. We'll be back at 2pm for the hearing on the "Guam Cannabis Industry Act" thank you.

Chairman Ridgell: Alright welcome. This public hearing conducted by The Committee on Economic Development, Agriculture, Maritime Transportation, Power and Energy Utilities, and Emergency Response is now reconvened. The first half of our hearing was conducted this morning at nine o'clock and was recessed at twelve o'clock this afternoon. And this hearing is on the "*Guam Cannabis Industry Act*". A bill that would legalize adult use cannabis for those age twenty-one years and over. And with that I'd like to recognize my colleagues who are here. Beginning to the left, Senator Pedro Terlaje, Senator Kelly Marsh Taitano, Senator Régine Biscoe Lee, Senator James Moylan, and Senator Sabina Perez. Thank you everyone for joining us today I'd like to call up whoever has signed up to testify. Please join us up at the front.

Alright is anyone else here to testify on behalf of the measure, please join us at the front, at the table. Ok. So, we can go ahead and begin with, we can begin with Andrea Pellacani. Andrea please go ahead and introduce yourself first before you begin your testimony.

13. Andrea Pellacani – Grassroots Guam: First of all, I'm sorry it says "Senator Joe San Agustin," 'cause for whatever reason, I thought this was the Appropriations Committee, so I didn't correct that Senator, Chairman Ridgell. But I am Andrea Pellacani and I am a managing partner of Grassroots Guam. And I'm here to pledge our support for bill 32-35. (Written testimony presented orally)

One: Guam Has already decriminalized cannabis...

Most people do not realize that possession of under an ounce of cannabis is a violation punishable by citation of One Hundred dollars. This is already in our law. This has been in our books since nineteen-eighty-something. Most people don't realize that Guam has already decriminalized cannabis. It's a non-classified offense, it's not a misdemeanor, just a violation. The same level as a speeding ticket.

We're still at zero.

Prohibition is conclusively ineffective and turning a blind eye does not make it go away.

On the next page you'll see a chart here. This is in no way shape or form, a scientific study. But if you want to talk about what our black market could potentially look like, sort of put some unscientific measurables to it. We do know that thirteen-point eight percent is are or fifteen, eighteen-point three percent is our, according to the U.N. World Drug Report, is our consumption.

And if we assumed, made some assumptions on how much they would consume per year. Some medical on the high end, some social and recreational on the lower end. We found sort of a number in the middle. We made an assumption there to calculate approximately twenty-six hundred to fifty-two hundred pounds moves through our black market. That's a conservative number. I would probably say it's more than six thousand pounds.

The estimated market value is based at ten thousand dollars per pound. That would be twenty-six to fifty-two million dollars moving in our black-market economy. Again, on the conservative side. The potential GRT collections for that would be one point three million dollars to two point six million dollars. The potential Excise tax could be three point nine to seven point eight million dollars. And corporate taxes subject to IRC-280E with no standard deductions, so cannabis businesses wouldn't have standard deductions. We have no idea what that would be.

Again, these are conservative numbers, based on a single transaction per pound. That doesn't even take into account when the pound gets grammed out. When it gets sent to the manufacturer it gets turned into oil that all gets taxed. The excise tax only gets taxed, should only get taxed once. At the very first level. But after that you still have GRT and you still have every cannabis business on the distribution chain subject to corporate taxes. Again, the tax rate for a cannabis business is much higher than any other business. Between sixty to seventy percent of their total income is taxable. Corporate taxes.

Opposition to cannabis policy reform is support for this continued effort to happen to continue moving this through our black market. And it's turning a blind eye enables this robust economy to continue on unchecked prohibition clearly does not take cannabis off the streets.

The other thing that I wanted to talk about was "What recreational use is.". Because I hear this term often used, but this is an adult use bill. So, I want to clarify what adult use means.

Now, what is a debilitating medical condition? That means ---

So, that is legally what medical use may be.

These are not considered medical use. Now you tell someone with Fibromyalgia, that they don't, they can't have medicine. But currently our law states that. Or they have to go out and convince a doctor to tell them to find. When cancer patients can't even, can't convince their doctors to write them certifications.

What is recreational use?

Now if we take a look at, we drew up another chart. What are the major differences between our medical, current medical laws and what an adult use program would look like? So, I kind of narrowed it down to four areas of major difference. All the other regulatory means can simply be mirrored or run parallel.

The taxes would be different. Medical would be. I'm sorry, this is also four percent BPT, plus I'm sorry what's not here is corporate tax. Subject to IRC-280E. Adult use would be four percent BPT fifteen percent excise tax as well as corporate tax subject to IRC-280E. Now dosage is also a big issue. For a medical program there are no dosage requirements. You could make products such as; Phoenix Tears, would be one gram a day for a cancer patient. Whereas typically in an adult use program it would be ten milligrams per serving size. And why is that come about? We'll talk about that later. Cause that's like about ER room visits and how we can mitigate that.

So typically, an adult use program would adopt a ten-milligram dosage of THC per serving size. Now you don't want to, if you're a cancer patient and you need Phoenix Tears at a gram a day, you're going to have to buy one hundred doses on an adult use market. Who can afford that? There's also a possession limit or a purchase limit difference. Medical is two and a half ounces of

dried cannabis or it's THC equivalent every two weeks and on this proposed bill it's flower up to one ounce. Concentrate eight hundred milligrams THC. Again, noting it's up to one ounce, which by the way if you currently have in your possession, you would only get a speeding ticket for, a citation. So, this just basically what this does is makes the supply a legitimate, regulated operation on Guam.

Minors would be able to avail a medical cannabis with a certification from a doctor, for adult use, they would not. The cultivation limit for on our current home cultivation plant is six mature and twelve juvenile. For adult use it would be only six plants as proposed in this bill. So, I just wanted to sort of clarify when people come up and talk about what recreational use some oppose. I don't think they're aware they're opposing patients that qualify for medical program by condition but won't can't find a doctor. Patients that want to avoid being on a registry because they work for GovGuam and GovGuam won't protect their jobs. That we've asked for years. Or a private company that won't protect their jobs. That's what we're talking about here. These are people who are included as being covered under this bill.

So, every year they do an annual report and they see where their program may be failing the community and then they change policy. And that's how it's supposed to work, I mean isn't that how everything is supposed to work? You know we implement a law and then we go back and say, "Hey you know what? Some things aren't working. This maybe fell through the crack." We go back and fix it. And so, to me Colorado has done the best job at doing this.

So.

We've brought and included in our testimony, yes I'm that person who just made the committee report like five thousand pages long, I apologize Senators. And I apologize to all the trees that we had to damage to make the printouts. But we thought it was important. I'm not here to cherry pick data and convince you why you should believe my data over their, over anybody else's. What I want to do is allow you the tools to make the best and most informed decision. I feel strongly that the data speaks for itself.

These are policies that came about after the fact, because of their response and proactive response to the data that they've collected. So, if they see emergency room visits go up, we'll say you know what's causing these emergency room visits. You know what? They're taking too much cannabis. So, what do we do about it? Well we lower the servings size dosage. That hopefully should mitigate some of that problem and so you'll see the numbers start to go down.

All these really good policy adjustments that have happened in Colorado is because they kept track of their program. We don't have to make those mistakes. They've already made some of them for us. You'll see on our medical cannabis bill, as a part of the rules we actually also asked to ensure that cannabis products are not attractive to children. So that already, that impact in Colorado from social use has already impacted other programs, including medical programs.

---By year---

We have included the latest reports for you so you can review those.

Areas of crime, areas of concern that are specific top of mind for people.

Or DUIs

And available resources for stake holder agencies including law enforcement and medical facilities so those are the major areas of concern that people have.

I do have a few recommendations for the policy. I think we need a division. An entire division.

This is new to us, and so there isn't any reason why we can't reach out to people who have already done this. Over and over and over and over in all these new states that are coming up online, who know where the problems are. They know where some of the standard problems are and can help us mitigate it. So, I think money should be an important. Money is going to be the make or break on this bill and money is going to be the make or break on the success of this program.

With the funds that she would be requesting.

The medical cannabis commission should be dissolved and eventually they should be one board. One board and so that's why Public Health should be on the Cannabis Board.

To apply or come into compliance. However, the board is going to want to integrate the programs, it just should include an integration period.

It's going to happen, we're going to have to change after, if this should pass. We're going to have to change some of it. Based on integration or implementation problems the board will come across. The same is going to happen for medical use. It's going to happen. In order for them to integrate some of the laws may be conflicting and will need to be adjusted. So, it shouldn't be a bump in the road. Let's plan for that.

Hopefully we want to create a division with full time staff.

The current yearbook and sort of mimic or mirror some of the data that they require and how they collect it.

This again is just trying to be proactive, you know let's, we see time and time again where, "You know Senator. We need more resources to do this and we need five people to do it." And they have to come to you every year to ask for that money. So, this is could be a proactive way for them to justify from a program that could be generating you know as little as ten million dollars in tax money. Offer them to justify what their portion should be.

Already, it's a different way. It's from the ground up. It's not from the top down. But it's happening already. Completely miss the boat.

That's our testimony for today, there are some citations here. Also, included from some studies and also links to articles and studies that you can also review. Thank you.

Chairman Ridgell: Thank you Ms. Pellacani if I can ask you to stay up here in case we have any questions.

Ms. Pellacani: Sure.

Chairman Ridgell: Alright I'd like to also recognize Senators Telo Taitague as well as Senator Louise Muña. And call up now, Maga'aniti Roberto to speak.

14. Howard "Maga'aniti Roberto" Hemsing: Håfa adai. Guåhu si Maga'aniti Roberto. Gi i hinengge-ku para i 'Republic of the Sinåhi Archipelago,' lao gi fino' i tano', i bokka' i sinåhi. Gi i 'government of Guam,' si Howard Hemsing yu'. Ya guåhu nai, esta manhongge yu' nai na guaha iyo-ku, 'master.' Hamyo, guaha iyon-miyu 'master.' Ilek-ña guihi, 'Congress.' Ya annai un taitai i 'Organic Act,' åmbres ilek-ña i 'Organic Act,' håfa un pása, an ti yan-ñiha, ma na'para ha'—ti siña un cho'gue. Yan maseha håfa un 'legalize' marijuana pã'go ha', yanggen ilek-ña i 'master Congress,' na ti siña, ti siña. Ayugue' kuentos magåhet. Måtto yu' guini para bai hu

supotta i marijuana, lao puru ha' hamyo manggaititanos yan guaha taotao-miyu para u cho'gue i che'cho' para u fanespiha enfotmasion, para un tungo', ya para un pása huyong gi taotao.

Ayugue' guaha giya hamyo. Yan hamyo ni' manggaisalâppe'—un tungo' ha' na maolek salâppe' gi marijuana. Atan ha' i 'State of California, State of Colorado,' tâya' deficient. 'Over-supply.' Bula salappe'-ñiha pâ'go. Hu komprende ha' na 'tax—sales tax.' Guaha bisnes i 'tourism,' lao un tungo' hâfa mäs man na'mames este lokkue'? Este i manmañaki giya hita ha'. Hita ha' kontra hita. Sigi ha' hit manmañaki, ya un tungo' hâfa na siña hu sângan ennao? Guâhu guini, 'illegal.' Sesso yu' mahâtme. Ya hu tâtanom marijuana. Estague ha' pâppet-hu ginen i kotte, ilek-ña, 'Dismiss with prejudice, that I'm insane and incompetent.' Hunggan nai, 'I'm insane.'

Taimanu na para un fanhongge dâkon? Ya parehu hit nai. Hamyo, en hongge dâkon yan âgumento. Guâhu, ti hu hongge dâkon ya tâya' para âgumento. Ni' hâfafa ha' para âgumento giya guâhu, lao ti âpmam na mañañaki yu' lai para i salappe'-hu. Ayugue' nai i marijuana nai, atan ha' gi i bisnes, i 'tourist' siempre manhâlom. Guaha ha' 'restaurants,' guaha 'delis,' mamâhan. Trâs, Japan—ai ki koñu! Illegal, Japan, marijuana. Manmâtto mâgi, ma bende guini. Siña ha' mamâhan. Mäs ma âpmam sagan-ñiha guini. Mäs salâppe' ha gâna i 'hotels' yan 'bed and breakfast.' Mäs salâppe' manhâlom guini. Para hâfa hit esta para ta falak Washington, D.C., "Master, can we have \$50,000? Can we have five million dollars? Please, Master." Ti un nisisita ennao pâ'go. Ti un nisisita.

Hu sâsangan ennao na klâssen kuentos guini nai, ya puru hamyo nai, 'on a Bible, "I swear to uphold the Constitution of the United States of America."' Lao ni' hâyi giya hamyo, U.S. Citizens, lao mângge i direcho? Tâya'. Ayugue' na tumachu yu', manggâna yu'. Hu kontra i kotte. Presu hit. Para hâfa na para un presu? Ya mungnga yu' ma âmen i Amerikânu gi tano'-hu. Hâfa? Hâfa guaha? Hâfa yan-miyu?

Bâsta yu' nu ennao dâkon. Mandânge' i taotao tâno', ayugue' na duru na manma hâtme giya guâhu, yan mandânge' para u fanânom, sa' para u fâtto i pulisman ya ma presu. Ma konne' i kotte salâppe', ya ti dibâtde i kotte lokkue'—salâppe'. Puru ha' guini salâppe', pues yanggen malago' hao lai salâppe', na *legalize* marijuana, ya bulan salâppe'.

Ya ti u mañañaki i taotao pâ'go. Ayugue' mana'mames ayu, ti u mañañaki i taotao, lao para guâhu nai i hinengge-ku nai taotao tâno' ha' siña manânom. Yanggen ti taotao tâno' hao, fumâhan gi i taotao tâno'. Po'lo ha' ya i taotao tâno' u fanânom. Ya hâfa guaha guini maolek? I taotao tâno' ni' lai, ni' ma prutetehi kottura ni' hâfafa ha'. Pues hâfa guini maolek para i taotao tâno'? Puru ha' bâba. Ayugue' pâ'go opotunidât-miyu para un na'maolek para i taotao tâno', na siha siña manânom. Yanggen malago' otro na taotao mamâhan, po'lo ya u famâhan. Malago' marijuana? Po'lo ya u ma fâhan gi i taotao tâno', ya bâsta hit fan manmañaki. Bâsta hit fan, puru ha' problema—ta hahasso amânu na para un fañule' dies pesos. Ya i familia, kontra i familia ha'.

Ilek-ña, Maila' fan guenao dies pesos ni' hu nisisita para u famâhan gas.

Hânao ya un espiha che'cho'-mu, Lâhi.

Puru hit manakontra. Estague hit pâ'go, maolek para i familia yan i taotao tâno' ya u bâsta i saki, ya u fanggailâ'la'. Pues hâyi guini pâ'go nai, hu 'emphasize' nai, para hu sângan mäs nai hâfa i bidâda-hu. Guaha guini 'fifty-dollar bag,' guaha guini 'hundred-dollar bag.' Hâyi malago' mamâhan?

Any buyers? Hey, I'm not stealing. Ayugue' nai ti mañañaki yu'—hâfa bidâda-hu bâba? Hu kontra i sestema, hu gâna i sestema, ya tumachu yu', sa' U.S. Citizen yu'. Kao mandadagi yu' lokkue'? Unu, ti mañañaki yu'; i otro ti mandadagi yu'. Kao ma dadagi yu'? Kao hâfa? Kao hu chocho'gue bâba gi taotao? Kao mañañaki yu'? Lao bula gui' enfotmasion nai para un na'hâlom gi

titanos-miyu para un na'mås malâte' hamyo, ya un tungo' hâfa magâhet i magâhet. Bâsta ni' este i, “Hey, hâfa mohon, Amerika, siñenten-ñiha? Hâfa mohon taiguihi? Hâfa mohon taiguihi? Puru ha' hit lai mandânge'. Hâfa na mungnga hit manmanachu? Para i kuentos magâhet, ya hasso, hamyo pumega i kannai-miyu gi i Bipblika, ya i Bipblika ilek-ña, “Thou shalt not lie. Thou shalt not steal.”

Hâfa? Hâfa bidâda-hu? Pues hunggan hu supotta hao put este i ‘legalization,’ lao yanggen taiguihi ilek-hu, i taotao tâno' ha' siña manânom. Yan para hâfa hit esta i ‘medical marijuana,’ ya an esta manâtanom i taotao nai, para hâfa hit ‘medical marijuana’? Fanânom. Maolek, ilek-hu, fanânom. Para i chipan este na klâsi—this is a drug. Man-made. It kills. Alcohol is a drug, it kills.

Lao hâfa marijuana? Kao guaha mâtai an marijuana? By the millions, manmâmatai para i atkuhot yan i chipa. By the millions. Marijuana... kuânto? Hâfa na sigi ha' para un amen i a'paka'? CHO'gue i direcho, cho'gue i magâhet, yan manmâgof hit siempre. Manlâ'la' hit, ya ya-ta manggupot lakkue'. Yan mânge' ayu bumoka annai ‘stoned’ hao. You understand what I said? It’s fun to eat when you’re stoned. You need money, right? At least you’re not stealing. See? That’s the beauty behind it. Thank you.

Chairman Ridgell: Thank you Maga'aniti Roberto. I’d like to allow for Irene, excuse me if I get your last name wrong, I can’t quite make it out. Is it Imanuel or Imanil?

15. Irene Imanil: Imanil.

Chairman Ridgell: Imanil. Please you may provide your testimony. Please introduce yourself into the microphone, for the record.

Ms. Imanil: Yes. My name is Irene Imanil. And I’m concerned citizen from the village of Dededo. I don’t know much about the introduce Guam Cannabis Industry Act of 2019 but, I’d like all of the law makers, the Senators to consider its impact. Especially our kids here on Guam, with rising unemployment. Rising cases of crimes and violence in our community and also the possible use of growing children, such as school children attending public schools. I have been a teacher at Southern High School, and I have seen cases where students are just sitting down, they’re unable to do their work because they are so stoned. And if that’s the case it greatly impact the performance especially the achievement level of our growing students in the island of Guam.

So, although it has therapeutic benefits from its use, it’s only temporary. And in the long term it probably requires higher dose to produce its treatment. In the debilitating cases of cancer, heart disease, and glaucoma. The revenue that can be obtained from the sales of it, may not be enough to address the social illnesses in our community such as adolescence stealing, thievings, partying after midnight, getting pregnant. So, those have to be considered. So, I want all of you to consider its social impact. That’s it. Thank you for giving me the chance to talk.

Chairman Ridgell: Thank you, Ms. Imanil. Mr. Troy Ignacio?

16. Troy Ignacio: [inaudible]

Chairman Ridgell: Please turn the microphone on. Please introduce yourself.

Mr. Ignacio: My name is Troy Ignacio. I'm from the village of Santa Rita. I was an active duty member since 2008, currently came to back to Guam and all that after residing in California for two-and-a-half years. For two-and-a-half years I was in California, I took part of the industry over there when it was actually Prop 215 64. So I saw the whole turn-around with the whole industry, taking part of the economy, everything the upscale to the downfalls of everything so I have a lot of experiences as far as, knowledgeable experiences in indoor cultivation, extraction, as far as strain information, basically what strain or type of cannabis is useful and all that for medical patients. Now, with the whole aspect of the cannabis stuff I'm all for it due to the fact that even though it's temporary relief for most people, that's all they actually look for because the fact that, yet, nothing is actually permanent. As we speak of glaucoma or things like PTSD, which I suffer from, daily and all that [inaudible] to the aspect of the individual, though, it's all by the require personal's use of what they feel is necessary and needed for their consumption. Now, with the whole recreational idea though, Senator, because I've been wanting to meet with you for so long about this, the fact that I was there in California and saw the whole process before it took place. To be honest with that, it tanked. The economy and stuff like that as far as with the whole monetary gain with Prop 215. Prop 215 and all that, people making money as you can speak from dispensaries to grow-houses to individual private sales and all that with labeling to testing and everything but when Prop 64 came in, everything started to decline. As well, shops started to close down because of the fact that, yet, it got out of hand and by meaning of "getting out of hand" and all that, there were unauthorized retail shops, grow-houses opening up in places that are actually they were supposed to be actually documented are actually undocumented. And with that and over the state-line sales were actually happening a lot frequently, that people travel beyond state-lines to gain access to the whole cheap cannabis. The whole aspect of this thing is not the whole recreational use of who can use it because even though if it's even introduced medically, the people over-21 will still have access to it medically, though. The restrictions of having to put recreational in there will prevent the unauthorized use such as school students, unauthorized grow-houses that yet people will set up and all that. [inaudible] based on anonymity just to make that few dollars because they know that yet the whole product retails for itself at a valuable amount but yet, recreational, though, Senator Louise Muna's introductory to her bill, if you gave the little chance of how we actually could play out the medical aspect of it, believe me you wouldn't need to push the recreational aspect of this because, yet, to introduce it to the whole economy locally, you can still introduce it to the whole industry, the whole tourism having to utilize it medically and still have to make money by having them go get referrals from Public Health. But with the whole recreational, we may not just, who knows? Instead of having to build up an economy, we might just tank the economy, I want to see whether there's any plan drafted in case of such economy does start to go to a down-fall, what's going to happen there? The thing is, you speak of medical, but we haven't gave Senator Louise Muna's bill that was actually signed into law a chance to prosper. Like I said, I took part in the whole industry in California for Prop 215 and 64, I've seen it all. But how many people, here, on island can actually say that could you actually people could entrust to grow their own medicine though without having to actually undergo a lot of health issues and stuff like that regarding on what I had...highly, highly induce of cannabis due to pesticides. All those chemicals induced into cannabis to control pesticides shouldn't be used in in-door cultivation setting but at the same time how do they know they're going to get their medical cannabis based on the fact that a grower that is just 21-years-old man, he's 21, what do they know how to provide adequate medicine aside from poisoning people that are actually looking for this

type of temporary relief? How does it go about, there, also people are facing judicial implications, parole, probation... What protects them, though, and stuff like that from actually being put, thrown back into prison so that because there's the residing 300-feet from a cultivation home. Who protects them? Nobody. So, you see, aside from the benefiting aspect of this because I can tell you there's a lot of interesting ways to benefit from this, locally. Totally as far as over their economy, which we depend on tourism, highly, you know I can tell you guys how to do it. But it's just that what's going to protect the people, though, from things like this when such things arise such as the crime rate, undocumented grow houses and all that stuff, people coming in and out of villages at unexplained hours. Who will protect them? So we get the fact that we all know what the island wants and needs and wants to try but how do we go about the safety, first, as far as everything because everything could be written down here, do's and don'ts but what's going to protect them, though? Because, I'm sorry about it, that takes quite a minute for police to get to your own villages, stuff like that, especially and I won't call one more of this. But like I said, Senator, you can still make money the way you want to medically in the medical industry as far as pushing medically but recreational? Hope you got a plan for something, stuff that happens when this industry decides to take a tank on ourselves all because the fact that tourists – not all tourists – smoke, smoke weed. Not all the tourists want to get high. Not everybody wants to live in Amsterdam. Not everybody wants to party in Amsterdam. Some families like it here and stuff like that but yes, the aspect, where the tourism is going to use the medical cannabis that if it does go recreational, where? Hotels? Pretty sure that's not going to happen. Public areas? They have no place. There is no act...there's no appointed area to actually utilize cannabis if this actually goes into effect. But over the medical part? Your own home. Your own home is your private residence, stuff like that. I'm pretty sure a lot of people who actually are pushing to have the medical aspect of this, everything's all done at home which that's all we...that's all they want to do is just utilize what they gotta do to take their temporary relief and you blaze at home and privately and discreetly. But yet, like I said, who's going to protect the people – what's going to protect the people -- when you decide to go recreational with the whole aspect. Because, to be honest, there's no such thing as recreational marijuana. And I'll be honest with you, there's nothing...no such thing. But like I said, Senator, if you guys are interested in stuff like that, in wanting to, furthermore, introduce the new bill and stuff like that and something that will benefit not just the island of Guam, not just the Government of Guam but the people of Guam. We'll sit down and we'll talk.

Chairman Ridgell: Thank you, Mr. Ignacio. So, just to explain a couple of...clarify a couple of things: Part of the idea of this bill is that it would help patients get access to it. That's the whole point of it. We have a medicinal...pro-medicinal law that went into effect that actually hasn't been implemented, yet. There's many different stumbling blocks to it and so that's one of the main drivers behind this bill: Actually, is to remove the stumbling blocks and allow patients to be able to have access to it. Yes, there will be some concerns. Nothing's perfect. So we have to weight the positive with the negative and I believe the positive effects far outweigh the negative if we regulate this industry properly, as you were saying, and if we ensure that there aren't illegal grow-houses, as you were saying, and, you know, currently there are illegal grow-houses, now, that get busted in the news. And I think we should, instead, bring those guys into the forefront and have them be taxed and regulated so we can start to capture some of the revenues from a market that's already flourishing here on Guam, as has been mentioned by some other people who

provided testimony. Well, with that, I'd like to open it up to my colleagues if they have any questions, comments or concerns. Anyone?

Mr. Ignacio: Senator?

Chairman Ridgell: Sure.

Mr. Ignacio: I have one more thing to bring up and all that stuff. Which this is very, very important for most of the stuff that they're actually looking to actually, I guess, you could say start their medicinal grow is how's the island actually going to obtain the seeds to actually bring in all that stuff for medical patients? Where are they gonna even get their cannabis seeds? Where, who's really got a source out as far as for seeds that are actually bred medicinally. Because I do have a lot of connections in the mainland regarding breeders that breed cannabis but now, these days, it's no longer bred for a medicinal use. It's bred for their own personal enjoyment but the whole medicinal stuff, where is your sources gonna be at? Where...who you gonna source medical cannabis from and with all that, what percentage of medicinal cannabinoids are you aiming at to bring in as far as to have supply the island because there's different aspects with medical because it's not just CBD that actually defines the stuff like that, the whole term of medicinal cannabis is actually, it's the amount of THC in the cannabis because for a person to be inducely high, in a state where they're tired and sleepy, where they can't drive and stuff like that it's anything greater than 10%, really, but medicinal CBDs and stuff like that along brings anything from anywhere higher than 5% CBD, anything less than 10% THC and stuff like that, your body needs to consume at least an ounce of it to get high. So with that and all that, where is the island gonna get a supplemental distributors, or where are they gonna get their seeds to bring in and how's it gonna be brought in knowing the fact that, yet, it's still kind of like very illegal to send these medicinal seeds through the USPS, postal mail, FedEx, DHL and all that – how's that gonna come about?

Chairman Ridgell: Yeah, that's a good question. So currently, we're not allowed to import seeds. So even with the medicinal law that's in effect, right now, when I've spoke to the people of Public Health, who are working on implementing the medicinal marijuana they've said that the seeds would just be from whatever seeds are currently here, on island, because they know that there are seeds here on island.

Mr. Ignacio: Then, with that one, in that case and stuff like that, those would not be actually defined as medicinal, then. There is no way of sustaining the seeds that the seeds here that are currently on island are actually medicinal. Because anything medicinal, and stuff like that, like I said, it is tested in a laboratory, not just for the amount of pesticide use but for what content it actually has and all that, to what cannabinoid percentages does it actually contain for it to be medicinal because anything that has greater amounts, I've seen greater amounts of 30% THC, 0% CBD, what's the medicinal factor there, and stuff like that, aside from being lucid. If it contains CBD which is the main proprietary component of cannabis that medicinal patients do need that suffer from all these ailments, trust me, because I know this because I studied this in California for two years, I took part in this industry, as I said in the beginning, the seeds, sir, it is gonna be the biggest problem that you guys gonna face but yet having to say, "We'll just use the seeds on the island." Does anyone know that those are actually medicinal qualified for patients? I highly doubt

it. I highly doubt that. So how do we go about trying to get this started without having the right tool to do it. I'm pretty sure you know you can't put water in a car that takes gasoline for it to go. How do you expect this to kick off and stuff like that if they don't have the right strain to bring in for the medicinal needs for the medicinal patients that need it?

Chairman Ridgell: Sure. Well, I disagree. Currently people are using it to medicate. So there is medicinal quality here, on the island, because people use it to medicate, already. I've heard testimony from people who, today, have said that they medicate with marijuana, currently. So that means that there are strains here on Guam that can be used for medical purposes. But, thank you. I understand your concerns and we will take all that into consideration. Thank you.

Mr. Ignacio: Thanks.

Chairman Ridgell: Sure. Andrea?

Ms. Pellacani: There was something that I forgot to mention and I didn't include it in my testimony and I didn't have the time on my over here to review the bill. You had Matt Geiger in the morning session talking about a lab and I didn't hear all of it and I wasn't sure if I heard discussion of owning a vertical operation and a lab and so that led to the question of – I may have overlooked that in the bill – but a lab should not be commingled with any sort of cannabis business. It's a huge problem. It's unethical. So if you own a cultivation facility and you own a lab, what are you gonna do? Fail everybody else? Fail your competition now? It's completely unethical and so there is language in the medical – 33-220 – Of course it's not fool-proof. I'm sure there's holes in it and there's ways around it. As a savvy businessman, we'll find ways but there's very extensive language in there that prohibits anybody who owns a lab or has an investment in lab to also have an investment in any other cannabis business because it's completely unethical and it could actually really damage the industry. So I just wanted to make sure because when I heard that this morning, I realized it was an oversight on my part that I need to go back and check and so I just wanted to get that on the record. It needs to be independent.

Chairman Ridgell: Thank you, Ms. Pellacani. Mr. Antonio Susuico?

17. **Antonio Susuico:** [Inaudible] Alright, my name is Antonio S. Susuico, currently residing in Cincinnati. I happen to be here, I'm leaving on Saturday. Maybe God sent me to be here this moment. Not when I scored 113-points in one game; not when I won back-to-back gold medals; not when I was voted one of the recipients of the millennium award for basketball. None of that matters to me when it comes to the issue that we're discussing now, I agree with it. When the servicemen started coming back from Vietnam. Not only did they bring seeds back then, the post offices were in the village, my high school buddy had two big duffel bags for big speakers sitting in a post office. After we ran out of stash from the other boys, we decided to go get whatever was in the box. I didn't know but I can ask. I'm not done. Anyway, to make a long story short, back then, the Federalism will just tell you, "Back up your truck. Off you go." We started growing marijuana on my uncle's when I was 13 inside the *karisu* fields in the wetlands down at *Behao*, Agat. If you guys don't know where *Behao*, Agat is, it's right after *Finile*, in between *Umang*. Anyway, marijuana has been my main medicine throughout my life and I'll tell you how it brought

me to this very moment. I spent my mom's last six years with her. I switched her medicine from Percocet, Percodan to marijuana. I threw in the water leaves and the roots. First cup that I gave her, she drank it. Soon after that, she asks for a second cup. Halfway through the second cup, she was already wiggling in her chair. I asked her, "Mom, how are you feeling?" In CHamoru, "Ai, Lâhi-hu, manmaipe yu' lai, sa' maolek siñente-ku."

Ilek-hu, "Ya hâfa ta'lo i siñente-mu?"

Ilek-ña, "Ñâlang yu'."

Ilek-hu, "Mom, ti âpmam hit ni' bumoboka."

Ilek-ña, "Hânao guatto gi i fegon, ya un na'tilek ya un na'maipe ta'lo i kaddo, ya ta boka."

Ilek-hu, "Tâya'—dies minutos bumoka hit."

Ilek-ña, "Ñâlang yu', ta'lo."

Ilek-hu, "Ai, sa' nina'yi i amko' yan i *munchies*."

Anyway, I documented all that. I grew up a [inaudible] kid in Agat. My grandmother was a healer. My mother was a healer. My other side, grandmother was, I don't know, but she's one of those, one person but they're three of them and one cannot tell on the other, otherwise, all of them go down. You know what that person is called? Me, myself and I. One person.

So, going back to my roots, I was a runner for medicine. I know, up to now, what combination of medicine to use and for what purpose. My last trip here, Mama Rose from up there by the old hospital, she's always asking me, how I (she) can find a particular local medicine and that medicine is called *chubokao*, *chubokao* is used for multiple purpose, but the main purpose is to treat people that get traumatized in combination with *hâle' nunu*, *titimu*...all those other stuff. So, I know that five of my mom's ingredients are registered at the University of Guam. I know exactly where those medicine used to grow. I don't know. We are behind our backyard. When she died, they stopped growing. My sister, who recently retired from the US Attorney's Office, recognized the importance of marijuana in my life. After 30 years, she retired. I waited for this moment because I realize how sensitive the subject is to her, personally, and the fact that she knows that I use marijuana for treatment and I know that because when she found the plants that I told my mom to grow in between her tapioca, they were ready to flower. My sister came over and she says, "Mom, what are those back there?" She says, "I don't know, Tony gave them to me. He said, 'They're beautiful flowers' but they smell real good but no flowers are coming out." My sister said, "Mom, marijuana ennao, lao un magacha' hao yan i fiderâles, ma chule' gumâ'-mu, ma kalabosu hao, ma bisisita hao guatto pâ'go gi i presunâru fiderâles na u ma konne' hao—put ennao ha' i tinanom na ginen as Yu'os," Estague na punto na ha sodda'.

Para bai hu hânao para u ma 'treat' gi i Philippines, 'medical.' Maleffa yu' ni' iyo-ku 'passport.' Hu yâ'ho gi alas dos gi i chatangmak, "Hânao gi i lancho-ku, ya un chule'i' yu' iyo-ku 'passport.' Ha baba i gima', trenta na marijuana, ni' ayu 'three months' ha' ni' esta manabohbo'—paopapao. Ha 'deliver' hulo' gi i 'airport.' Ilek-ña, "Antonio, put i ha' un na'sesetbe, CHE'lu-hu i marijuana, lao achok ha' chume'lu hit, ya ti un na'sesetbe ayu para âmot, bai hu na'mapresu hao," and she has that power.

She retired as Limtiaco, Fred Black. Her name, my dear sister, baby sister, who protected me is Salome Susuico Blas, U.S. Attorney's Office. She kept me out of jail. Not because she loved me, but because she knew that marijuana was my only chance at survival. I need to take a break now because my condition requires it but before I take a break, let me tell you this: That when I come back, my testimony is not either pro or against it. I already told you I've been growing marijuana since twelve, thirteen. We were the first group that brought in seeds from Amsterdam.

Flavors: AK-47, bubbleberry, blueberry, kush. I can name the houses where we grew those. Instantly, in five months, easily 300,000. Now, why did we have to take the risk when we can pass a bill that allows us that are qualified to grow it freely? Plant the seed, rainwater. I'm one of the OGs. Few-remaining OGs. We learn that marijuana is the only plant you can uproot, leave it out in the sun, get toasted and we have the knowledge as taught to us, not by books but by experience, to bring that marijuana back to smokable form. If you don't believe it, let's go to my ranch. Spend five days. I will welcome you but when I come back, my testimony is not about pro or against. It's on a defensive side because I have just gone through a very long and punishing and draining battle regarding marijuana. And if GovGuam does not know the law and are not prepared, I'm only one case. If you pass the law and I'm already stating I'm not against it but be prepared, right now I'm at the tail-end of a federal case where the findings of my doctor off-island where marijuana was detected was used against me. And I won the federal case under the EEO rights and the ADA rights. I will tell you what my disability is and how the federal government breaks it apart in a pie. It's 100 for a complete pie: fifteen for PTSD, as an example; fifteen for bipolar disorder; fifteen for manic depression; then all the way to 100. Various. I scored, according to the federalists, 92%. I'm only 1% away from the next level without medication and part of the main medication of that is marijuana. That next step for me in my brain stage is the state of schizophrenic. I am testifying, right now, here, not with the help of Western medicine, of which my daughter flew in last night from Cincinnati to make sure that I stay balanced. If you know about medication that controls serotonin, they go up and down. That's why they call it "bi". When I'm high – on high – I'll be up for days. But when I crash, I'll be crashed for three days. No sound, no light, no food, nothing. Then I realize I'm alive. I go through depressions where fifteen days, I'm afraid to look at myself in the mirror. It's hard. I am proud to say, "Yeah, baby. I survived mental illness." I'm the oldest living outpatient. Back then, mental health. When, up to now, I'm a consumer. When I come back on island, I check into Sagan Mami. Whenever I'm bothered with this [inaudible] which is totally different to me, that's my escape. They have a quiet room. They have counselors that know me. Even though my roomies are snoring, they welcomed me with love. We all welcome each other with love. They look at me and say, "Sir, you don't look like you're sick." And I said, "I might be sicker than you." So do not judge a person on how you see him physically. Judge him by how he touches you. If he touches your heart with kindness and those are the ones that you want to be friends with. Timeout. I gotta go kill the big roach in my car if I can only remember where I left it last.

Chairman Ridgell: Thank you, Mr. Susuico.

Mr. Susuico: I used to be old-school. I'll carry around a box. There's two uses for a box of matches. Take out the box, put a hole and that's your roach clip. You stash your roach in there. So you find it every time. Lesson old school.

Chairman Ridgell: Thank you, Mr. Susuico.

Mr. Susuico: See you later.

Chairman Ridgell: Thank you. Is there anyone else here that would like to testify? That signed up?

Mr. Susuico: [inaudible] Speaker Tina Muna Barnes happened to be on island and the talk was medical marijuana. Of course, I know, automatically, I qualify under every category. So I stopped by at Exxon gas station, got a newspaper, read the front page: Marijuana. Between that and down to Paseo, I parked by the beach, looked out at the ocean, faced the wind and I said, “Talk to me, wind. Tell me what you want me to say about this. And this is what I wrote. And this testimony is just partial. Tina Muna Barnes has its entirety. This was my testimony, the last town hall meeting she had. I titled this, I wrote it in five minutes. It’s called, “Smoking in the Dark”. It’s like undercover. Back then, it starts out like this “Hey, Chamorrita.”

Senator Louise Borja Muna: I just wanted to say that your testimony was probably one of the most enlightening testimonies here and I really appreciate you coming out and no disrespect to the usual advocates who come out and testify but that’s one of the reasons why I was really interested in sitting here because I wanted to hear from the different members of the community to come out and talk and speak about their own experiences. And I think one of the things I really wanted to ask you is, you know, I wasn’t quite sure whether you were for adult-use or against because like you said you already have...your garden grows, already.

Mr. Susuico: If you did not catch my message, I grew it, I use it for medicine for myself, for my mom, my aunties, my uncles...I use it in my travels, in competition to Tahiti, Fiji, everywhere I went. I had to have it, it made me a professional smuggler. Thank God I wasn’t caught. I had to take that chance, either go crazy without it or go to jail. Either way, I’m gonna die slowly. I’m totally for medical marijuana or whatever. All I’m saying is regarding my experience with my own case, the government have to be prepared for that bill. They should know and have SOPs in place, already, that you cannot: (1) use a doctor’s record, a patient or employee against him. It’s a federal crime. It’s a basic right. I’m not challenging what you guys know or your level of education. I only managed to go past junior college in Seattle, two years I went to school at Seattle City College. I played basketball, there. I got to travel. I was there, second week, the Black Panthers came and shut my school down. I didn’t know the hell’s going on, I’m from a little island. I thought they were Boy Scouts. That same group of Black Panthers hooked up with the West Coast from Oakland and went and captured Patty Hearst. I was right there. So I was traumatized even more. You know, they didn’t find out when they found out in the mid 70s about my condition in Hawaii. My buddy and I...he went through what the VA has to offer regarding treatment for PTSD, bipolar. He wasn’t satisfied so we tried by experimental program. We were desperate. They were giving us medication at random. It was scientific study. You never know what they’re gonna give you. Sometime it’s Gabapentin, Neurontin. All those psychotic drugs for schizophrenia. Sometimes then they’re testing you. And they’re evaluating your response, your reaction, both physically but more importantly, mentally. They put us to sleep to study our brains. After all that, they still didn’t have medicine. Medicine for PTSD and bipolar disorder, up to 20 years ago, are just surfacing. Even up to now, they haven’t specialized the field, yet and there’s a lot of people that are affected with some sort of mental illness. The strength that a person that’s affected with mental illness that leads his path to survival is his belief that he can wake up the next morning and face another day. It could be worse. It could be better than yesterday. But at least you’re alive. My friends that have the same condition, they’re all gone. They either committed suicide, self-inflicted wounds, some kind of way to disguise their death from their families because they didn’t receive

the right treatment. If you see Uncle Pepe in the corner that came back and he doesn't want to be bothered and he just wants to stay in the corner, Uncle Pepe needs help. He needs some love. It's not that he wants to be left alone. He's seeking out who's gonna be brave enough to give him some love. That's what it's all about. This bill can lead us beyond our imaginations. Three years ago, I went to Amsterdam. I talked to all kinds of people. Eight days there and you know what the final stage is that makes the difference of yes or no? It was the attitude of the people. If you're pro, you can stay. If you're not, they're gonna put pressure on you to the point where you're outta there. In Amsterdam, one [inaudible] but they're selling these bands with Amsterdam marijuana. They send that family, three generations of kids to Oxnard just from sales of [inaudible]. Three generations, the top school on that side of the world. We have the potential to do that. We do not have to go, if there's still resistance with the medical side, there's a different approach, I've been told. But different approaches...I'm letting this committee go into as far as you can get with the contributions from everybody. I can testify that whatever I have told you is true and then whatever I'm willing to tell you when this is all done, I've been told the formula of how to do this and would benefit all the people without a dispensary. It's called the old concept of green revolution, everybody grows, one central point, one distribution. Whoever wants to use, come in, come on right now. According to Senator, Speaker Tina Muna Barnes who, I understand, is on her way to check her mom's status in Arizona and I've been praying for her mom. I pray that she's fine. But once in a while I lose my train of thought when I get excited. I have to control my breathing. One of the effects, physically, of my disability is the transmission from my brain to my vocal chords are not coordinating. I can tell, already, that if I sit here another two minutes, I'll be stuttering. So before I do that, let me say one things: We all listen to Bob. Rasta-man. He says smoke it, you will feel irie. I say bouncing back. Hita Guam—ta fañupa, sa' esta gaige—it's here. It's alright. You guys find a way to battle the federalists. There's one candidate right now that, one of her campaign promises is to make it legal in all the states. Right now, it's only legal in 20 states. But if I'm following that candidate and I'm making sure that Mike San Nicolas is riding her a** that when that bill passes that the territories, mainly Guam is included. Otherwise I'm gonna be right in Cincinnati, looking at, I'm gonna get on that plane and I'm gonna tell him, "Boy, I didn't tell you all those stories about the March to Manenggon. I told him miracles that my mom experienced. He was captivated. I'm gonna tell him all those stories that I told you were all a lie. Thank you very much. Time for me to go and...

Chairman Ridgell: Thank you.

Mr. Susuico: ...get some air and some irie.

Chairman Ridgell: Thank you, Mr. Susuico. Thank you. Mr. Troy Torres?

18. Troy Torres: Good afternoon, senators. My name is Troy Torres and I'm here to testify in favor of Senator Ridgell's bill to legalize weed. And I just wanted to thank the senator for I don't know. How many legislatures have there been? Thirty-five? This is the 35th legislature. Right, so 35 legislatures later, someone with some cojones had the audacity to come up with this bull and that says a lot. I think one out of fifteen and for whomever supports this bill and votes for it, I would have to applaud you because, well, I'll start with a personal story. And unlike a couple members of the panel, I won't pretend to know that I know what I'm talking about, things I don't

know. What I'm talking about but I will talk about things that I know and I know about my own addiction issues and when I was fresh out of high school, I was a pothead. I didn't finish college because I was a pothead. Because I didn't have my stuff together. And I'm trying really hard, Andrea, not to...thanks. I didn't have my stuff together and I just was a pothead and no one was gonna stop me. Not the government, not my family, not my dad, not even Officer Maurice Sayama who pulled me over at Pagat along with my friend and we got busted for weed. It was a violation, back then. That didn't stoop me from smoking weed. When I got addicted to ecstasy and methamphetamine, no one was going to stop me from popping a pull or smoking a pipe or sticking a syringe in my vein. No one. Not the government. And actually I detest the government for even thinking that it could arrange the role of the police and tell the police whose role it is, whose fundamental role is to stop one person from hurting another but whose job is to stop a person from hurting him or herself? It certainly isn't the police's job, yet the government has made it the police's job to police people from hurting themselves. And when I talk about hurting, I'm talking about substance abuse. Substance abuse is the subject at hand, right, so I was a substance abuser. I was hurting myself. And so no one was gonna tell me to stop doing whatever drugs. I just had to come to that conclusion, myself. And the reason I stopped doing drugs was because I wanted to look better, I wanted...because I'm a very vain person. I wanted to look better. And I wanted to not be such a nice person, anymore. And I was a nice person on ice. And no I'm not, because I'm sober. So let that be a lesson for the government and, on the record, that the government has no business trying to regulate people and their personal lives and I hate the government for being involved in people's lives. The government has no business in our homes and in our private property and our thoughts. In our minds and really, this is the consequence of the government being involved where the government shouldn't be involved. There's something called the Mandaña Drug Task Force. The Mandaña Drug Task Force I know, for a fact, is filled with police officers who have corrupted the system and have used the power of the police and the color of the law to infringe on the civil rights and commit crimes against ordinary citizens on this island who were just going about their business doing their own thing in their private lives. They've stolen their money, their drugs, their cars, the brought them before the justice system in front of the public and they violated their constitution on civil rights again and again and again. And I would really prefer if the police department and the Mandana Drug Task Force was brought before the legislature to answer for these allegations in an oversight hearing but I digress. I know that's a different subject but it is related to the subject at hand. And I'm just going to be quick and efficient here and say that's all I know and you can ask me any questions or whatever. I'll tell you about my whole personal life if you want. And thank you, Senator Ridgell and so many supporters of the bill and to anyone who doesn't support the bill, I think you're just kind of full of it. Thanks.

Chairman Ridgell: Thank you, Mr. Torres. I'd like to call up Mrs. Dafne Shimizu from the Department of Revenue and Taxation. Are you also here to provide testimony?

19. Dafne Shimizu, Director, Department of Revenue and Taxation: Hafa adai, Senator Ridgell.

Chairman Ridgell: Hafa adai. Please go ahead and introduce yourself for the record before you begin your testimony.

Ms. Shimizu: Hafa adai, I'm Dafne Shimizu. I am the acting director of the Department of Revenue and Taxation. Ok. Hafa adai, senators of the 35th Guam Legislature. Thank you for the opportunity for me to come before you to provide some testimony. I'm here representing the Department of Revenue and Taxation. I do have testimony that is written and we've provided that to the team here so that that way you can get copies of it. My team has actually spent some time reviewing. We also did provide information for the fiscal note, I'm assuming that you've all had the opportunity to read that. So let me just go through my written testimony. Buenas yan saludas. After review of Bill 32-35, the Department of Revenue and Taxation is recommending that the following items be addressed: The first thing is at a minimum, you know, we at Rev and Tax already face some issues with regards to funding so if this bill is to pass, it's going to be important that the issue of funding for enforcement for training and for our licensing divisions be addressed. The second item which we found as we were discussing, we also believe that the Department of Public Health and Social Services should be part of the board. There was listing of the departments that would be involved and we didn't notice Public Health. And so we believe that's important. Public Health is critical as they not only have the responsibility of ensuring the health and welfare of our island community, they may have already compiled vital information from other states that have legalized marijuana programs useful for us. The other item that we wanted to address was also in providing with regards to public health that they also be involved in providing the initial clearances for licensing of the cultivators, manufacturers and testing facilities prior to DRT issuing licenses and that's not something, it's unusual. That actually is something that is the case, for example, for medical clinics and things like that, there has to be some clearance from Public Health before those types of entities are actually licensed by us. The creation of the excise tax that we are suggesting is that the creation of the excise tax should allow for Rev and Tax or the Cannabis Control Board to procure the Seed to Sale Software used in many states and the necessary training involved to ensure the proper reporting from all licenses; that the issue of depositing proceeds in an FDIC regulated bank be addressed as it is still a DEA Schedule-1 drug. And the last item that we had, which we believe was important to address them, or at least share with the legislature was with regards to the Guam territorial income tax law, there is a limit on the deductibility of a majority of expenses other than cost of goods sold and with stringent limitations for those engaged in the activity of them, the sale of marijuana and so these are the times that we wanted to make sure that we shared with you, Senator Ridgell, and your team as you work to address and discuss this.

Chairman Ridgell: Thank you. I appreciate it. I'd like to allow my colleagues to ask some questions if they have any but I have one question. There has been talk out in the community when I've presented this bill, different venues. When I'm speaking about this bill, one of the concerns brought up that I hear routinely is they say they don't trust the government to be able to regulate it and tax it. That's basically, they're basically saying that they don't trust your agency has the capability to regulate this new industry and tax this new industry. Do you believe you guys are capable of that?

Ms. Shimizu: You know, what I can say is that I believe in our team. Do I believe that we have challenges in enforcement? Absolutely. There's a lot of resource issues that we have had. I believe I've shared before in some presentations, where even in FY 18, because of the fiscal realignment that had to happen, there were significant cuts made to budgets across the board. Not

just to revenue and tax and so I mean in terms of enforcement, in terms of licensing, in terms of, I think, not just our agency but every other agency, we all face some challenges and of funding, so that's why the number one items that we put here is funding because, really, to do anything, we need to make sure we have the funding. We also need to make sure we have qualified people that can actually, that are competent in this area.

Chairman Ridgell: So with the support, do you think you guys are capable of taxing and regulating this industry? With the proper support, is that what you're saying?

Ms. Shimizu: I think with the proper support and then, as I was talking with our team because we do regulate our ABC regulates, of course, beverages, tobacco, things like that and we were talking and the main concern with our compliance team is this is really a territory that we've not gone into, before, but you know, what we believe with the proper training and actually our compliance people or compliance person supervisor, he actually had to receive training, he traveled to Hawaii to receive some training in certain areas of compliance. It's very important that we try to leverage the resources like that that we may have versus trying to reinvent the wheel. So if we get the proper training and if we have the proper funding, I believe that we will be able to absolutely enforce. Now I share with our team, there's no way even with regards to ticketing, for example, people who are speeding, enforcement is really, it's almost impossible to do 100% enforcement and so that's the challenge. But I believe our team is capable and I believe that as long as we have trained, good, competent people, we could absolutely work on enforcement and I believe in my team.

Chairman Ridgell: Okay. Thank you. Any other senators have any questions or comments? Senator Louise?

Senator Muna: Thank you very much. Thank you, Dafne, for coming out and speaking on behalf of the Department of Revenue and Taxation. I just have a question. Because I know you just said that we didn't want to reinvent the wheel because there had already processes have already been happening around the United States but have you coordinated any yourself or any of your staff with say, for example, the CNMI, which they've already had it legalized for the last couple of months and still haven't really had anything going, yet, so I don't know if maybe you've contacted them and found out what some of their loopholes were or some of their issues were as far as implementing the program.

Ms. Shimizu: No, we haven't. At least none in the last couple of months that I've been at Rev and Tax. We have no communicated with other jurisdictions.

Senator Muna: Okay, because I think they almost may be having some issues getting it started and they have also adult use program that they implemented a couple of months ago and they still didn't have anything going so I didn't know if maybe we can find out from them what some of their speed bumps are and which is slowing the program down that maybe we can learn from if this should pass.

Ms. Shimizu: Well, thank you, Senator Muna, for bringing that up because I believe that is absolutely a great idea, especially because those are just our neighbors who are just hundreds of miles away so perhaps our team will look toward doing, then. Thank you.

Chairman Ridgell: Senator Amanda Shelton?

Senator Amanda Shelton: Thank you, Mr. Chair and thank you, Ms. Shimizu, for your testimony, today. I think that this is what a lot of us have been waiting to hear, what especially because this is a proposed industry that we're looking to create revenue for our government. We want to ensure that it's taxed appropriately so that we are really collecting everything. Or we would be collecting everything and I'm just referring to a testimony prepared by Grassroots Guam and one of the recommendations to the policy that they suggested was to create a division within the Department of Revenue Tax to specifically address recreational adult-use cannabis and I was wondering if you think that that would be necessary or would it be something you would suggest be folded into alcohol and tobacco control.

Ms. Shimizu: What I do know is that that allows for the directors of the Department of Revenue and Taxation to actually create another division within the department if there is need. At this time, though, I mean I'm thinking, at least, that probably something that we're gonna have to work to evaluate. Do you know, like I mentioned, we do have our compliance team at this point, the idea that we were talking about this particular bill and within our agency, we were not contemplating, at this time, creating another vision. But, like I mentioned, it is definitely within the law for us to do so and if there is any, we'll down the line, that is something that can be done.

Senator Shelton: Thank you.

Chairman Ridgell: I'll go with Senator Moylan, first. Senator Jim Moylan?

Senator James Moylan: Thank you, Mr. Chair. Thank you for your presentation. It's very helpful and I just wanted to ask, on your item number four, can you kindly expand just a little bit more for me, reference to seed to sale software.

Ms. Shimizu: I believe within the bill there is a reference to Seed to Sale and to be perfectly honest, I'm not exactly sure how the seed to sale situation works but I believe it's quite complicated but that was actually one of the recommendations of our team. I'm not sure, Mr. Senator Ridgell, if you were able to, I'm so sorry, because I'm not very well-versed on this.

Chairman Ridgell: Sure, no problem. Yeah, the seed to sale, is there's different types of software that are being used for tracking in the jurisdictions that have legalized adult-use cannabis in places like Colorado, the states of Colorado, Washington, Oregon, California, for example, so there's different types of software out there but that's what they're using to track right now.

Ms. Shimizu: But our point was that because that's part of the bill, that that there would be some funding for it, perhaps through the 15% excise tax or some other means.

Chairman Ridgell: Understood, thanks. Senator Telo Taitague.

Senator Telo Taitague: Thank you, Mr. Chair. And buenas. Thank you for being here to testify, especially in this area and because we know that this bill, not only on a recreational side of it but on a profitable economic growth to our island and you mentioned earlier, and I was gonna bring it up, that you provided some input to BBMR as they prepared the fiscal note for this and I'm looking at the numbers in the back to try and figure out where did these numbers come from.

Ms. Shimizu: So our team actually was trying to look for some data and so I actually have the National Drug Intelligence Center, it's a report that was put together by the US Department of Justice. It's a little bit old, it's actually from 2003 but we wanted to use something that we believe was credible. In the most recent report that we found from the US Department of Justice, it wasn't as detailed as this in terms of the actual, this whole section is for Guam versus what we saw which was like 165 pages for 2018 which didn't have a lot of detail. It only had like one and a half pages on Guam. So this is the reference that we used when our team put together the fiscal note.

Senator Taitague: Okay. Okay. Thank you, so much. Thank you, Mr. Chair.

Chairman Ridgell: Any of my colleagues have any further questions? Comments? Alright. Thank you, Mrs. Shimizu. Thank you.

Ms. Shimizu: Si yu'os ma'ase, Senator Ridgell.

Chairman Ridgell: And I'd like to call up Mr. Justin Cruz.

20. Justin Cruz: Justin Jermaine Cruz. I don't even know how to start. Okay, I guess its just like taking, we can do a lot with this cannabis. We can do so much, a lot, we can teach and I don't, I'm on live TV so I plead the fifth on some things I don't want to say but we can do a lot. We can make money if that's what we really want to do. We can make so much money. We can teach. We can teach. And if we teach, there will be less burglary, less crimes. We teach them. Give the people what they really want. What they really need. We need this and you even if just money-wise, people spend a lot on it. They do. They spend so much on it and sky's the limit.

Chairman Ridgell: So just to be clear, you are in support of the measure?

Mr. Cruz: Yes, I am very much. It's like a big, big roadblock. If we do it right and really give patience and really teach and I would love to teach and I would love to teach and learn. You know there would be more crimes if we didn't and we spend a lot on it. We do. We spend so much on it. And you can grow so much of it. Like hundreds. Thousands. You can.

Chairman Ridgell: I think that's fine. If you have anything else to add, that's okay. If you don't, that's fine, as well. Whatever you want to say. And does anyone have any questions of Mr. Cruz?

Senator Muna: Thank you. I'm glad you're sitting there in the chair because I do know a lot of people who are afraid of the ramifications of them sitting in that chair and things that you know may be held against them. So I appreciate your testimony. Thank you for coming out.

Mr. Cruz: Thank you.

Chairman Ridgell: Yes, I agree. Thank you also for testifying. I know a lot of people are scared, I think, to testify. I think a lot of people are ashamed and I think a lot of that's because there's been such a negative stigma attached to this plant. It's been demonized over the many, many years and to propaganda people have been taught that it's evil and that it's bad and it's got so many negative effects when the data shows otherwise and I think that's why it takes a lot of courage for someone such as yourself to come forth and testify and I can see that, of course, you are nervous and I commend you for coming forth and testifying so thank you very much.

Mr. Cruz: Thank you.

Chairman Ridgell: And if there is anyone else, here, who'd like to testify? Mr. Fest?

Mr. Fest: Yes, once again, August Fest. Since the crowd is thinning out, I just had a couple points of, maybe, rebuttal or reiterating from listening to the one gentleman, I didn't catch his name and I think you kind of rebutted him about medical versus adult-use strains and everything else. Now there's a study done by the National Center for Biotechnical Information. It's part of the National Institute of Health. I sent it to Dr. Akoma trying to get him up to speed a little bit and I sent it to the board of medical examiners. This isn't from high.com It's from the National Institute of Health, says the entourage effect, that means using all the cannabinoids – not just CBD, not just THC – it says that all the cannabinoids used together are much better at killing cancer cells than used individually. Last few weeks, probably, maybe the last month or two I've been visiting Chamorro Village with a sign and it would seem that the tourists are very, very favorable. They're very friendly to the sign, they want their pictures taken with the sign. I'm sure that someone has done so much more for legalization in that last month than anybody has done ten years so any fears about this is going to be negatively on the tourist industry, I don't see it. I'm seeing friendly. I'm seeing thumbs up. I'm seeing peace on something. People come up to me and the sign, getting their picture taken. So just from a personal perspective, one thing I want to reiterate is try to make the law and the rules when this commission is ever assembled, try to somehow make it malleable and adjustable as we go. Okay, this is what we wrote down. This is how it's going to be. Not all of a sudden, that's a problem. We can't do this now. We've got to go back for amendments and this and the other thing. Somehow make this thing more malleable and adjustable because you're gonna make mistakes and they got to be fixed. But the important thing, we want to move forward. We want to move forward, fast, you know. I don't want to hurt anybody. But we don't want to hurt the effort of bringing this forward. We want it for the people. We want it for the patients. And the government needs it for also tax revenue. That being said, don't make it so expensive on the fees and taxes and everything else that businesses can't survive because then you're just promoting more illicit behavior, which in itself isn't bad, it's just what comes with it when somebody gets ripped off, somebody gets cheated, then that's where the violence of your crime comes in. This

bill will help greatly for patients to have access to the medicine by sustaining businesses through the adult-use market. Homework, homework, homework is required for higher learning.

Chairman Ridgell: Thank you.

Mr. Fest: I did try to get ahold of Dr. Akoma many, many, many times. He's probably busy, busy, busy, busy busy. He said he was going to try to be down here by...leave his office at 4:40 so I don't believe he'll have the chance.

Chairman Ridgell: Thank you.

Mr. Fest: And please, please vote yes for this bill.

Chairman Ridgell: Thank you, Mr. Fest. And with that, is there anyone else here to testify today. I believe we have at least one more individual signing up right now. In the interim, while we're waiting for this gentleman to take a seat, I have just received testimony from the Department of Agriculture and this testimony is from the director, Chelsa Muna Brecht from the Department of Agriculture. She submitted written testimony and I'll go ahead and read that into the oral testimony. Actually, since this individual, here, please go ahead and begin your testimony. We'll start with you, first, since you're here, and if you could please turn on the mic, introduce yourself and then proceed.

21. Wayne Merrill: Hafa adai. Don't mind if I'm a little nervous but I'm gonna try...just for me to talk about my opinion.

Chairman Ridgell: Please introduce yourself, first.

Mr. Merrill: So my name is Wayne Merrill and I think from two-years-old through eighteen, I grew up down in Inarajan and from there, went to college. Proceeded with my career, family life and stuff like that. But deeply know and feel that Guam is my home. So as you know there's been a lot of issues that have been coming up about Guam and us and our community really related to controlling our own destination and things like that. But today is about marijuana and it just was a good way to come and talk about that point that ultimately relates to a lot of other things. So I guess I introduced myself and then went right into it.

Chairman Ridgell: It's okay.

Mr. Merrill: I also have a family and kids and ranging the whole spectrum. That's another story but feel that it's not only from an opinion of me, as an adult, but responsible for my children, elder and future growing up. So on this topic, are we deciding as a community to legalize marijuana for recreational use? Am I correct?

Chairman Ridgell: Yes, this bill would be for adult-use, 21 and over.

Mr. Merrill: So, at first, I just want to say because I talk, people might be wondering, “Am I for or against them” Definitely I’m for. So you can see, interpret maybe how I’m talking. I really feel that as Guam community, there’s already a certain, I’ll just use the word “underground” usage, but it’s not necessarily underground but just maybe you call it underground because legally and the laws and they’re doing the right way is not involved in it, per se, other than from the criminal aspect. So I feel that trying to get it out into the sunlight and maybe once that happens, that kind of gives the responsibility to responsible people to get all the guardrails in place and so forth. And because it was an action that was put in motion, I always feel, feeling that if we just, again, table this, it’s just reason or not excuse, again, I’m not trying to say anything bad but it’s a reason not to set it to its proper priority but by us approving it, it is making us to be more proactive and because hey, it’s ongoing and things and I never really was into pot, I was a cross-country runners, National Honor Society, all those things. But believe me, all my friends never let me hold that over than and I never did. I never even thought of it that way because they’re smarter than me in many ways and I was the only who knew I was a haole. They all just thought I’m Chamorro. But so anyway, that’s a little bit on introduction, again, so I just feel that if we pass this, you can see that the community voted for it in a different fashion years ago and there’s a lot of stumbling blocks and all of those are well understood. But they’re big ones so by doing this, it can kind of set things in motion and I think the things that will be set in motion is good things because marijuana has been around a long time. It’s already a known fact and comparison against alcohol and things like that. I don’t need to state any of the statistics, like the plusses and minuses, I’m sure you have all of this. I was just coming here because I want to get on with things and I think, get one with things means for the benefits from it. There are fringes of this that are very bad and some that all the way to the very optimistic but if you take the center 80% I think, though, that’s the are that we can kind of benefit and putting these guardrails, we’ll have to deal with these other...so I’m just saying it’s just...need one vote but saying that and though I’m here and putting my opinion on marijuana, there is one other reason that really made me feel this way to come and say it because maybe it was more of...this is one area because I know in the news they said, “Oh, even if you pass it, the law and all that, and all of these...” and then that’s what really kind of boiled me over to, again, something from outside is controlling our community when we should decide what’s best. If we don’t, if we decide not to, well, that’s us. We decided. But if we decide to and then all of a sudden, someone says, “Oh, you cannot.” So I feel like go ahead and pass it and let’s push this and let’s find out who’s telling us not to and let’s take the flag and run with it. This is like a lot...there was other recent event that was, that you know the cockfighting. All of a sudden, someone from Ohio senator putting in deciding our fate on that and it just doesn’t seem like that’s right. I mean, I’m not going over there or making laws, here, for them over there. So, and again, it’s not maybe, of course, I’m not really trying to justify the cockfighting, though, even me, I thought, “Oh, soon that one’s gonna die out.” Because all the old-timers are gone but when I saw all the young ones and they’re taking responsibility and they’re really was really set back. And I said, “Wow.” And then it really related to marijuana. This is a young person’s industry and these people will start their businesses and maybe they’ll learn better ways and do it grassroots way or formally, whatever. But no matter what they’re gonna be paying taxes on it and you know, where we are with that, and then related to the image of Guam and marijuana. Saipan already passed it. Their image is already there. So gambling is a totally different story and we know the ill effect like that. But marijuana still, how we gonna turn it into the industry and even with tourism or whatever, there’s plus and

minus. And some people are a certain way but others are more open to it and we'll just, again, we're gonna find out. We're just in a lot of ways, guessing, until we put it into action.

Chairman Ridgell: Okay, thank you. Thank you very much. And I appreciate your testimony. As we mentioned to the individual who came before you, I know a lot of people are apprehensive about testifying. It can be a bit scary for some people to go out in public record and talk about this issue so, thank you for coming forward and appreciate it. If any of my colleagues have some question. Senator Louise Muna?

Senator Muna: Mr. Merrill. Thank you very much for coming, I just have a quick questions because you know, I run a lot of 5Ks and I don't know if, maybe, you would know this but there was a 5K that I ran and this one runner came up to me and he said that he smokes a lot of pot and he actually runs a lot better when he smokes. Is that true? I mean, could that be true? I'm just curiously...

Mr. Merrill: Well, at the time that I was in cross country and in high school and stuff like that, man I was even, my first girlfriend until I'm 21 so I wasn't even experimenting into those things because I was like, "Oh no, that would impact my running and things like that." So yeah, I did notice one time, for some reason, I had taken an aspirin and man, when I did run that race it seemed I ran it so much smoothly and I didn't take it because of that reason, it was for another reason. And later, I connected the two and reading and people in books and things, just for your reference of aspirin, maybe some people use marijuana as that same helps them run better. It could be. But my feeling if they did that, they would always be looking, "How come I'm never getting to the finish line?" So that's kind of one of the sensations.

Senator Muna: Okay, I mean I was just curious of that statement that was given to me and I wasn't sure, I didn't know how to relate the two but as a cross-country runner, I didn't know if maybe you would see what the effects could be.

Mr. Merrill: And I'm not a regular smoker. Not at all. Very, very, very rarely. But sometimes you get in that group and you know it's like that situation...

Senator Muna: It's like sharing a bottle of Johnnie Walker.

Mr. Merrill: I'm still certain things that, as a professional, that you know really need to be away from those things.

Chairman Ridgell: Thank you. Thanks for your testimony. Anyone else have any questions? I can maybe add to, before I go to you, Senator Terlaje...go ahead.

Senator Jose "Pedo" Terlaje: I just wanted to say that I used to be athletic in school but let me just say that, you know, marijuana is a downer so if you're in the relay, for example, actually when you're high with marijuana, actually you want to do is relax. You don't want to run the mile. Yeah, that's all I have to say about marijuana. You know, I'm from the Drug Enforcement Academy in Washington DC and I am certified instructor for drug use and abuse and now I know a lot. When I was back there and know a lot about what marijuana can do and, at the time, even

up to now, the feds are not enthused to really say marijuana is good but for the lonest time that have been, you know, with my long, long life and knowing about the good things in bad, you know I think that this particular bill, 32-35, not only that it would really infuse the economy but most importantly, you know, the crime can, you know there's a whole lot of people that have been arrested for because, you know, I remember when I was in charge for Narcotics Division and the Guam Police Department, anything over an ounce is a misdemeanor, petty misdemeanor and so forth. And we did a lot of arrests on that one and I know that you know there's no crime, I don't think there's any crime to having possession of less than an ounce but against the law. Really does say that if you possess an ounce of marijuana, you know that is a crime. It might be a petty misdemeanor but it is a crime. So thank you for coming.

Mr. Merrill: Can I respond again? So back in my answer again about the country. I'm surprised that that's an interesting topic but in all my running of cross country because just my Mr. San Nicolas from way back from junior high school in Inarajan said, "Run that hill twenty times and you'll be a champion." But from there, we just all loved it.

Senator Terlaje: And I used to compete with Benny.

Mr. Merrill: Yeah, so all what I wanted to say was in all my time running, all the people there was just one person that it was like, I think, my senior year related that I ever saw that they were in the back smoking before they're running but everyone else, I never ran into that before. But that guy was the one who's really mean, even when you're running and you try to pass him, he'll try to push you back or something. But I never asked him to the effect. But eventually I could beat him so...

Senator Terlaje: But you know that was like 20, 30 years ago when I compete with Benny and at the time, we don't really know what's marijuana so yeah.

Mr. Merrill: I graduated from George Washington in 1978, like you said, a long time ago. 1978 is when I graduated [inaudible].

Chairman Ridgell: Thank you, Senator Terlaje. Just to add to that, I know that I have read a lot of articles about some athletes do actually like to use cannabis and they believe it helps enhance their performance. Once famous athlete, of course, is Michael Phelps. And we all know he got in a lot of trouble for it but he was a multiple gold-medal winner and there's a lot of articles online about other athletes who saw it enhances their focus and there's even articles to say it should be banned from athletics because it could be performance-enhancing because it can help enhance their focus in certain areas. So...

Mr. Merrill: Not that I always want to have the last word.

Chairman Ridgell: Sure.

Mr. Merrill: I'm gonna let someone else take it but it just brought up another topic, I mean just to another reassurance of something. It's just another data point. I have a friend in San Diego and he's into medial marijuana. I'm not associated with him in anyway way but when I do meet

him, I get to see what he's doing and it's amazing. Their center. And it's really just like back in the hippie days. So they're all just all love and everything and you feel, sometimes, I'm like, "Is this really true or is it a front?" But over time, I see that and then also there's sincerity about helping the people that have the pain and, of course, again, you have the people that they qualify because they just do to stay and to get the prescription and all that and they're just using it for their own social way but in the reality, if you're helping those people, really in need that so that...that's a big thing and we're going more to that kind of medicinal medicine. It's a good idea oppose to the fabricated one.

Chairman Ridgell: Thank you again for your testimony. Andrea?

Ms. Pellacani: I just wanted to address Senator Muna's question of THC actually in the lungs is actually shown to improve blood flow in arteries. And so, you know, I can't speak for the runner but if you're looking for the link between the two, maybe possibly pulling up a study on that because it's actually, they make inhalers so that's one of the methods of delivery for medicinal cannabis for those with asthma and COPD. So they put THC in the inhaler so that they could get it in their lungs. It's a delivery method. Hope that helps.

Chairman Ridgell: Thank you, Ms. Pellacani. And if there is no one else here to testify? John, did you have any more testimony?

Mr. Savares: I was just gonna reiterate what Ms. Pellacani said because I do have COPD and yeah, that's one of my conditions. I have particles still stuck in my lungs from places in the desert but that's besides the fact. We'll blame the VA for that or other things so and I can attest that I feel a difference, at least, in my respiratory issues with the use of cannabis which is kind of awkward because, you know, smoking, I know that with the creation of the manufacturing and stuff like that, we can look into inhalers and moving into those avenue of medicating or those options for medicating so yeah, other than that. Thank you.

Chairman Ridgell: Thank you, Mr. Savares. Thanks. Any of my colleagues have any other comments you'd like to make. Senator Kelly Marsh Taitano?

Senator Kelly Marsh (Taitano), PhD: Hafa adai. So I've tried to go in and out because of meetings so if I repeat something, please forgive me if it's been gone over before. So in just looking up some of what's available online and then trying to read through the bill, again, to think about ways to strengthen it so that if it does go through, we've tried to cover as many bases as possible so some of the discussion that I was reading through had elements that spoke to undetectability especially around schools so if there's not language, there, I think that could be an important consideration. There is, I believe, where it says if it's outdoors, it's in a locked outdoor area or facility and so that, perhaps, takes care of that issue but I think that language could be important, especially if somebody finds themselves in close vicinity to someone who's a regular user, that could be if it's detectable, that could be impinging on some of their personal space and then, I know that in the bill it does mention about not driving under the influence but I did see that some places do also additionally speak about and I think this is similar to the way that we treat alcohol that you're not to drive under the influence. But additionally, you should not be having

open containers in the cars. Some people also might be looking at vehicles as a place to not be in public, being private. And so they have some of these areas, I think it was California was one of them, about not having consumption in vehicles. I mean, first of all, that could influence the driver even though if somebody else who's maybe consuming in one source or another, but again areas to perhaps consider if the bill, itself, is very comprehensive but if there are just a few ways to, perhaps, continue to strengthen it so that we've addressed as much as possible by the time it hits the floor. If it gets to that stage.

Chairman Ridgell: Thank you, senator. Dr. Chris Dombrowski? Would you like to provide some testimony?

22. Dr. Christopher Dombrowski: How are you?

Chairman Ridgell: Good, thank you.

Dr. Dombrowski: Are you ready?

Chairman Ridgell: Yes sir. Go ahead and begin by introducing yourself [inaudible].

Dr. Dombrowski: Well, my name is Dr. Chris Dombrowski and now, before I give my presentation, I'd like to tell you a story and this story goes back fifty-one years when I was 10 years old. 1968 I was in elementary school and I saw a National Geographic special on prohibition and Al Capone and at that day and age, watching a National Geographic special was a homework assignment and which we had to submit a paragraph of what we witnessed. Two weeks after I saw that National Geographic special, President Richard Nixon came on live TV for a live news conference to start the war on drugs and initiated the Drug Enforcement Agency and I remember thinking to myself, didn't these guys watch what I just saw last week? The question that came out of watching that news conference was if prohibition didn't work for alcohol, why would you think it would work for any other substance. And I've been asking that question for 51 years and I've never gotten an answer. So from then on, I've been studying this issue of drug-use, substance-abuse, addictionology. So the question become, "Why do people use drugs?" Why do people do drugs in the first place. From a clinical psychology perspective, endless catalogs of reasons why people pick up to use or ingest the substance: genetics, personality types, self-medication for emotional pain, instant gratification, basic human need, curiosity, rebelliousness, peer pressure, family attachment issues, history of trauma, socio-economic issues or stressors, availability and social and cultural influences. Movies, music, The Beatles, how did Paul McCartney and John Lennon get from I want to hold your hand to a day in the life? What is drug's... what is the purpose of drugs? What are the effects of drugs? Well, basically, from a neuroscience perspective, it's to alter one's consciousness. The alteration of one's consciousness and what does that mean? Pleasure, pain, relief, mystical revelations, stimulation, relaxation, joy, ecstasy, self-understanding, escape, another plethora of endless catalog of reasons. What is altered state of consciousness? Getting high, getting baked, getting stoned, getting shit-faced, whatever term you want to use for that altered state of consciousness. Another word for altered states of consciousness through the use of drugs is intoxication. Intoxication is correlated with altered states of consciousness but I am here to tell you one thing. There is a natural force that motivates the pursuit

of intoxications and it's been expressed throughout history throughout humanity, before humanity, to use substance and drugs is satisfying a natural biological urge. To alter one's consciousness is the fourth drive. A tribe associated with survival satisfies primary biological needs. The first three drives are sleep, hunger, thirst, procreation. The fourth drive is to alter your consciousness. It is built within our human nature. You can't get around that. That is the reason why the war on drugs is an epically failed social policy akin to slavery. Profoundly failed social policy. It's great if you're in the criminal justice system because then you have job security. The pursuit of intoxication is no more abnormal than the pursuit of love, social attachments, riding roller coasters, jumping out of an airplane at 10,000 feet, going scuba diving, whatever it is that you like that that's your cup of tea. It's altering one's consciousness. It's the fourth drive. It's human nature. The fourth drive to pursue intoxication can never be repressed. It is biologically inevitable. Intoxication has occurred in almost every species throughout history. It is biologically inevitable. We are not alone. This drug-seeking behavior is consistent across time and species. This universal drive to alter our consciousness brings up the coexistence of the molecular chemistry of drugs and the chemistry of the brain and what I'm getting at or the receptors in the brains, we're here to talk about cannabis. Everyone of us in this room, on this island, on this planet has cannabinoid receptors in their brains. We co-evolved with the cannabis plant. There are some scientists who believe that civilization was slingshot through the use of cannabis, not through humans, through primates. Cannabis is safer than caffeine, safer than alcohol, caffeine, nicotine and sugar. Personally, I don't believe there's any such thing as recreational drug-use. It's all medicine. Oh, show me a person on planet Earth that doesn't have an ounce of anxiety or stress from existential day-to-day life. Show me that person. Please, it's all medicine. All the recreational ways used by politicians for their moral benefit to make other people seem inferior, specifically the blacks and browns. The last thing I'd like to say, and thank you for allowing me to talk, today. I apologize for not bringing that up but no legal system, no legal or political system in the history of civilization has succeeded in changing human nature. Please. Don't think that you can keep putting people in a cage for doing something that's so basic, the human nature, is profoundly stupid. You take a sad song and you're making it worse. Don't try to be the first political entity that tries to change human nature. Thank you and God bless you.

Chairman Ridgell: Thank you, Dr. Dombrowski. If you don't mind, if you could stay up here, do you have somewhere to go?

Dr. Dombrowski: I could stay around and answer questions one on one. I am in a quandary as I do work for DPHSS.

Chairman Ridgell: Okay.

Dr. Dombrowski: I'll have...I'll be glad to speak with everybody individually or in a group after the hearing if that's okay.

Chairman Ridgell: Sure. Okay. Okay, no problem.

Dr. Dombrowski: Thank you very much.

Chairman Ridgell: Okay. Mr. Susuico, I see you. But before I...go ahead and have a seat up front but before I'd like to allow Chelsa Muna Brecht, the director of the Department of Agriculture to provide her testimony.

23. Chelsa Muna Brecht, Acting Director – Department of Agriculture: Thank you, Senator Ridgell. I'll just read my testimony for the record. I do have to go after but I'm glad and happy to have been able to make it here in time to give my testimony on behalf of the Guam Department of Agriculture in support of Bill 32-35, The Guam Cannabis Industry Act of 2019. As director of this agency, an agency that is vital to the growth and evolution of our island, I applaud your effort to usher in a new economic industry for Guam. Your vision aligns with that of our Maga Haga. She, too, recognizes that when implemented with precision, this will provide a substantial boost to Guam's fragile economy. I respectfully offer the following recommendations for consideration by your committee. Subsection 8104 A number 2, consider varying the quantify and degree of growth. For example, six flowering and six vegetative, given that inclement weather and humidity impact health and quality of plants, one may easily lose all six plants in a very large heavy rain. This frequently occurs with vegetable plants. Subsection 9103 a, one member shall be the director of the Department of Revenue and Taxation or his/her designee and subsection 9103 b, one member shall be the director of the department of agriculture or his or her designee. Other than that the recommendations above, I offer no further changes. The bill appears refreshingly uncomplicated and I look forward to working with the cannabis control board on promulgating meaningful and effective rules and regulations. Saina ma'ase, Chelsa Muna Brecht.

Chairman Ridgell: Thank you, Ms. Muna Brecht, for your testimony, today. I'd also like to call up Mr. Tom Fisher. [inaudible]

Chairman Ridgell: Thank you, yes. You can go ahead and go first, Mr. Fisher. Mr. Susuico testified earlier so I want to allow you to go first and then Mr. Susuico can speak again.

24. Thomas Fisher: Okay. Thank you very much. Good afternoon, Senators, ladies and gentlemen. I am here in support of this bill. It think that it's time to decriminalize marijuana. In fact, legalized it for recreational use. My reasons for saying so, well, it's...they're personal. Actually, 16 months ago, I was diagnosed with cancer and underwent treatment for that cancer off island and then returned about ten or eleven months ago. As a result of the treatment, the disease itself, you know and everybody's familiar with the impact of it and I went through radiation and chemo and so forth but when I returned, I was not so much mechanically incapable of eating, I just had no desire to eat. So I began my treatment at 230 lbs and about 10 months ago, I was down to 170 and falling and it wasn't that it was painful to eat, it was just that I had no desire whatsoever to eat and the weight kept dropping off and the energy kept decreasing and I was in a downward spiral. I began using marijuana. Somehow magically flipped a switch in my head and made it palatable. It made it possible for me to eat again and, because of that, I began to gain weight and when you begin to gain weight, you also begin to regain energy and the recovery of the energy has led me so far to be in remission for a solid year and I attribute that, it sounds, perhaps, a little overdramatic, but I attributed that in large part to the use of marijuana and I don't think it's because I was in such a downward spiral. The fact that I am alive and here today, I attribute, at least, in part, you know, obviously the great medical treatment but also the use of marijuana which to eat again, all of which sounds like an argue in favor of medicinal use of marijuana which it is but I

think that the economic realities are such that you know one of the big problems with the getting the medical marijuana underway was the fact that getting a lab to test the quality of the marijuana and so forth, I'm not sure that that would be economically viable, here, because we're a small community and I can't imagine what the investment is in setting up such as lab. So if you allow recreational marijuana, it will also allow people who are in my condition to use marijuana and that extends to the people who are poor and uninsured who have no access to medical care for a doctor's recommendation and so forth and so I applaud you, senator and all the senators who are in support of this bill as well as the Department of Agriculture and I appreciate the fact that the Maga Haga is also in support of this. It's time for this. It's both compassionate and it's also we, we people can make a choice for ourselves. What we think is appropriate so all I can say is, again, you know, had it not been for marijuana, I may not be here today. Thank you very much. I appreciate your time and attention.

Chairman Ridgell: Thank you, Mr. Fisher. And I appreciate you sharing your message with us, today. I appreciate it. Thank you. Mr. Susuico?

Mr. Susuico: Thank you for your patience. Earlier I called time-out. Now, I'm back. A different perspective, different person. Same mission as all of you, as all of these guys. If we are going to pass this bill, the key thing is we have to all agree collectively. No push-pull, no push-pull. The formula is right there. We just need the right heads to put it together. My testimony earlier included marijuana in my life. It would always be in my life. I told you I risk being arrested. Two countries that I...in the Western Pacific, in the Orient because I needed it. The reason 2016 Micronesian Fair. I don't know if you know but I talk to some of my leader friends throughout my travels. Some of those islands, their fruits no longer are producing. The coconut trees are dry. I mean fruits are dry. You know, what they wanted from Guam to help them recover? Marijuana seeds. From 2016 to now, my chief friend told me, "Get your island ready." Because they completely recovered their natural resources were destroyed by climate change or other acts of nature or by humans, themselves. They are struggling just like we are. Every island in the Pacific are struggling to survive. But no matter what island you are from, as long as you are being handcuffed, you can never move forward. Now the only we can totally move forward without fear is to change the status from contraband to "Yes, we can." Agree?

Chairman Ridgell: I do agree.

Mr. Susuico: So, if we have a vision like that, then the only stumbling block is us. If an island out there that their residents are already taken off because they've given up and then the chief introduce this plant. The plant that grew, not only paid, put in no soil, a new coconut, other vegetation that need it, other fruits, all from the natural plant. And whether you believe it or not, we are helping our brothers and sisters in a way that can unify us all because of one plant. A plant that God gave to us. A plant that does not need instructions. Just put it in the ground, most it a little bit, put it in the right spot and give it his blessings. And it's ready to cure. So, I've been after this battle to legalize at any form. There is a very, very bright economic reward for Guam, for our kids, for generations to come. It is time that we do it right. In my testimony, before I moved to Cincinnati, I remember one line and the line or two lines, it says, "If you do not decide, soon, somebody else is gonna be feeding me with a spoon." And I'm almost 70 years old. I have no time

to wait. If they want to arrest me for using marijuana as my medicine, I'm gonna take them down before they touch me. That's how I'm gonna defend my medicine. If we take that attitude, then we will succeed. We just have to take our time. We just have to put checks and balances along the way. Halfway through, let's gather the troops. Let's see which direction we're going. In the end, there's another 10%, 15% to crystallize to make all the loops disappear. Therefore, the avenue's open. Let the world and the Pacific Islands and our brothers and sisters that have left Guam for the healing of medicine. They're all in Washington state, Arizona. They are now 28 states. California, most recently. I was there for Thanksgiving. Northern California in grapevine which produced millions of dollars are no longer the number one product. It is the marijuana trees that are growing in between wineries. So eventually that direction is towards take marijuana, taking over a billion-dollar industry so the grapes now, they don't care about the grapes. Because one marijuana plant can take care of twenty grape trees. You do the math. We know the solution. We know the way. And the way is to pray. Thank you. I won't be back on island until maybe three or fourth months. But I will keep in touch. Thank you for your kind attention. God bless all of us in this mission to completion. Si yu'os ma'ase.

Chairman Ridgell: Hagu mas. Thank you very much, Mr. Susuico. And if that if there are no...is there any further testimony for anyone? If not, we will go ahead and recess until more people arrive, again. The public hearing will continue until 6:00 pm. But we will take a recess, now, until such time that there are more people here to testify, so thank you very much.

Chairman Ridgell: Welcome back. We are reconvening the public hearing on the "*Guam Cannabis Industry Act*" we took a short recess in order to wait for more people to show up to provide a public testimony we have been going all day since 9:00 a.m. This morning took a lunch break and then we've been going since 2:00 p.m. now we're winding down towards the end of our public hearing. We wanted to keep it open as long as possible to allow as much public testimony as possible on this measure. We have with us this afternoon now Dr. Acoma. Please go ahead and introduce yourself first before you begin your public testimony and please press the microphone button. Thank you.

25. Dr. Ugochukwu Akoma, M.D., Hepzibah Family Medicine Clinic: My name's Ugochukwu Akoma I am a family physician. Originally from Nigeria. I am in Guåhan right now. I am CHamoru by association and I own a practice on the island called Hepzibah Family Medicine Clinic. We've been open for about five months now and we do provide medicinal cannabis consultations for our patients. Thank you.

Chairman Ridgell: You are one of the doctors that is actually providing the certification for patients to obtain medicinal cannabis cards from public health, is that correct?

Dr. Akoma: Yes, sir.

Chairman Ridgell: Maybe can you tell us a little bit about how that process works on your end?

Dr. Akoma: Okay. My coming to this hearing today it not necessarily to promote recreational use of cannabis. I have no personal objections to it but as a family physician I am an advocate for my patients. I believe that my job as a provider is to provide health care information. Being a doctor means being a teacher and to have a shared decision-making with my patients. What any patient decides to use is the prerogative of the patient. I can only guide and provide information. Today, I seen an 81-year-old who's had chronic back pain and chronic knee pain for more than 30 years. He was scheduled for knee replacements which he doesn't want. He's otherwise been healthy. He only has high blood pressure which is controlled, and he's been on all kind of pills. all kind of opioids, non-steroidal anti-inflammatory medicines, and he just tired of it. He wants something different, and he believed that medicinal cannabis will make a difference for him. Now, for such a patient, sometimes people misconstrue medicinal cannabis for drug of abuse. There are a lot of people who get addicted to opioids which we legally prescribed. People get addicted the benzodiazepines which we do prescribe. With every drug there's risk of addiction, but there are patients who benefit from medicinal cannabis. there are proven benefits of cannabis in the healthcare sector. I was talking to one of my patients last week, and I told him that even for more than 20 years, we have been using a synthetic form of cannabis called marinol. It's actually a Schedule Three. Even though cannabis as a whole is a Schedule One, marinol which is a synthetic cannabinoid is a Schedule Three. We've been using them for cancer pain, for nausea, vomiting for appetite stimulation for more than 20 years. Cannabinoids are not strange and people be using them locally and medicinally for a long time. When I see my patients, my job with them is to discuss what need they have that made them think they want to try medicinal cannabis. What had they done? Go over whatever imaging they've done what have they taken and what medicines they've been, what worked what didn't work? 80% of my patients so far are veterans who either have PTSD, severe anxiety been physically broken in different ways. I seen a young man today, too, who is in his thirties. He was an avid swimmer for a long time and his bound up his body for a very long time. He's had multiple surgeries in his knee. He's been addicted to opioids before and he doesn't want to do it anymore. I've been concerned with all these certifications I give that my patient do not have any self-assess. They have no way of legally acquiring cannabis on Guam right now, and that's my concern. My concern is also the only means of consumption on Guam now is by smoking. There are safer ways of consuming cannabis for medicinal purposes that don't involve smoking it. As long as cannabis is illegal and people are not going into other means of production, we're gonna stock by encouraging black-market so to speak. I am not aware of anybody who has actually grown, I know there are about three or five permits to grow but nobody has much of plans right now. All the cannabis patients on the island have had to get me a cannabis illegally, so to speak. My support for this bill is to be able to give safe access to the patients. Not until you decriminalize cannabis is still gonna be sourced illegal. That takes away from the whole benefit. That's why I lend my support to your bill. It's called adult use but I rather it's adult medicinal use but make cannabis easier for patients who require cannabis to acquire them legally. For a long time, physicians have tried to tell our patients how to live their lives. Try to tell them the do's and the don'ts. Based on we start listening to them, start walking with them and really implement shared decision-making knowing fully well that the option is the depression. If a patient has chronic headache, chronic insomnia, chronic musculoskeletal pains and they tell you they have been getting benefits from cannabis, it's not my place to tell them they can't. I know there are research in other countries that have shown that cannabis is effective for most other symptoms that

they have. They deserve the option to use cannabis if that's what they want, so to that extent I support your bill, sir.

Chairman Ridgell: Thank you, Dr. Akome. I have another question. There was some testimony earlier today about how there are certain ailments that are not in the law. The law only allows for doctors to certify that patients can benefit from cannabis but there's only a certain limited amount of ailments that are on that list. I've been told and there was testimony today that there are certain ailments there aren't on the list, and that that's one reason why patients also are not able to get any doctor to certify certain ailments that simply aren't in the law. Is that something you've encountered?

Dr. Akome: No, because again whoever gave that testimony should go back and read the law again. Even the paper in which you signed a certification does tell you that a debilitating condition could be any of the listed or any other condition that your opinion as a provider, working with your patient, you determine is debilitating for that patient. There is a caveat that allows you when, let's say a patient has chronic headache it may not be one of the listed but if they are not able to be productive and they are not able to be functional that is debilitating for that patient. It's for you the provider working with this particular patient to define how disabling their symptoms are and are they getting benefits from cannabis or not? On the other hand, what we do is not really a recommendation we do not recommend people to use cannabis. We do not prescribe cannabis. This is a certification that says given all information we have from the history from the exam from any test that we have, this patient may benefit from medicinal use of cannabis. It's not proven that they will. We have no way to say categorically this patient will. We're not giving any prescription. There is no dose; it's patient dosed. It's not a prescription. It's not a recommendation. A person can have the cannabis card and still decide not to use it. It's not like when we prescribe blood-pressure medicine for you, we ask you to be near bottom when you come for follow-up, so make sure you're taking your medicines. Now this is just saying if you have itching on your skin and you have aloe vera leaf in your yard, you can get juice out and apply on your skin and it helps you maybe you should try it. That is more like what it is. It's not our recommendation. It's not a prescription. It is I came with the patient who tells you I am getting benefits from medicinal cannabis for my condition.

Chairman Ridgell: Thanks. One more question. You mentioned some patients that are using opioids. They've been prescribed opioids, and I know that there is an opioid epidemic in the United States. There's actually been a large increasing number of deaths due to overdose from opioid use. There's some data I've read that shows that cannabis can be used to get people off of opioids and maybe to reduce the instance of opioid addiction and opioid overdose deaths. Do you know anything about that?

Dr. Akome: What I will say to that is when we got into medicinal cannabis on our Facebook page, this is our non-opioid pain management. Now, why do people get hooked on opioid? Usually, most of them have a pain, but they are not the addicts. They are people who had genuine pain and develop tolerance to opioids over time and they continue to take more than prescribed. That's where the addiction comes in. If you provide them an alternative to control their pain, then you can safely move them off of opioid if your pain is controlled without the opioid.

Now, in my short stay with my private practice, I've had a few patients who come in strictly for opioids and they have very convincing complaints. They have very convincing signs. They come to you, but the more you get to know them, you realize they're putting up an act to get the opioids. Now, I was discussing with one of my patients alias ed. I finished Medical School in '98. I did medical missions in Nigeria for about seven years before coming to the U.S. While in the U.S., I have done my residency in Arkansas, New Jersey, worked in Iowa, worked in California, work in Texas, worked in Hawaii, and now I am here. I have worked in different settings. I've worked in the ER inpatient and outpatient clinics and so far, I haven't had any patient that came to the ER from cannabis overdose. Maybe there is some way, I haven't had somebody who came into the ER from cannabis withdrawal. It doesn't mean people are not using cannabis, but we've seen a lot of people who come in overdosed on benzodiazepine, overdose on opioids and every other medication you can prescribe. I believe that when properly used, cannabis is a safer option to opioid medication for control of chronic pain.

Senator Ridgell: Thank You, Senator, did you have anything to add?

Senator Louise Borja Muña: Actually, my questions might be a very similar to Senator Ridgell's questions, but I wanted to expand because one of the other people who came up to testify did say that under our law as you stated, any other medical condition or medical treatment or disease for which the qualified patient's practitioner has determined that the use of medical cannabis may provide relief. That's the conditions you're talking about. She also stated some of the other conditions on part of her testimony such as diabetes, and here on Guam diabetes is such a big problem. Have you ever certified in your short time here someone who has diabetes cannabis?

Dr. Akome: Okay, so if somebody has diabetes, that is a chronic medical condition. Now there are other complications like neuropathies, chronic pain, foot disease, which cannabis might help to believe but we do not have where we use cannabis as a medication for the treatment of diabetes as a condition. Now, for individual property, could somebody get benefit from their diabetes by using cannabis? I don't have any research or paper to prove that. For the other conditions, glaucoma is common in patients who have diabetes. Peripheral neuropathy-like conditions, a lot of chronic ulcers, chronic pain syndromes that come with diabetes may be controlled effectively with medicinal cannabis. Now, I haven't had a diabetic patient who came. Most of the patients I've had so far has been people who have chronic pain. People who have chronic insomnia or people who have PTSD, anxiety especially most of my veterans.

Senator Muña: Okay, because I was just thinking that it may be unfair to say okay, I have diabetes so I'm gonna go and get certified as a patient, but what you're saying is that maybe certain conditions that is caused from diabetes is what will qualify them as a patient.

Dr. Akome: I don't have any information that says cannabis improves blood sugar or helps metabolism of glucose in your system. If a patient has diabetes, comes to me as their reason for want to be on cannabis, I certainly will tell the patient you don't have a qualified as a certain disabling condition that in my opinion cannabis will help you with. If they are coming with glaucoma, with chronic pain, diabetic ulcers are painful, or they have amputation they have

phantom pain, those are qualifying disabling conditions for which in my opinion cannabis may be able to help them.

Senator Muña: I also thought about some people who just come in who just assume they have a certain condition. Now, I know with your patient your doctor-patient confidentiality maybe you can't answer this but in the short time that you've been practicing here on Guam, do you notice just a lot of people coming up with conditions so that they can be certified?

Dr. Akome: We had a few people who we couldn't satisfy because again it's an interaction. When you do not have any objective evidence to reflect what they are complaining - there's some complaints you don't have objective evidence. Somebody has chronic insomnia, anxiety disorder there's really no test you can do to show. You can do certain sleep studies, so to speak, but if they want to stay up because they are right... I have not really had people who make up symptoms just to get certified. I've had people who inquired about if they can apply for medicinal cannabis and in the course of the discussion, it was obvious between us that they would not have a qualifying condition. Cannabis may not be the right approach for them. We discovered a pattern of visits, because again we are not a cannabis clinic. We are a primary care clinic that do discuss medicinal cannabis with our patients who believe they can benefit for it. Incidentally, we also had some other providers on the island who for either where they practice or their personal beliefs do not want to get involved in certifying cannabis patients and their patients have come to us. Like the young man I saw today who's 81 year old, he has the primary care doctor but he came to us because the primary care doctor doesn't want to go into the medicinal cannabis patient program.

Senator Muña: I guess that was part of my question. Are the patients rolling in because you know they're looking for a physician or a practitioner that will give them a certification for cannabis?

Dr. Akome: I only had three patients who had primary care doctors who actually sent them because primary doctor didn't want to get involved. One of them has terminal cancer, has gone through chemotherapy, has radiation burns and you know and has post radiation pain that only cannabis controls for him. I had a discussion with another physician yesterday who says he had a 91-year-old who fell and broke his tailbone and only wants to use cannabis. He personally certified this patient even though he doesn't do much certifications because he saw the need for this patient. Those are who we see right now. This is my opinion: anybody who is addicted to cannabis, anybody who is abusing cannabis don't need the certification. They know how to get it. The people who will misuse cannabis do not come to us because the people who come to us are people who are professionals, who have a job who are seeking protection to be able to safely use cannabis for their condition. The junkies won't come to us because, again, they can get cannabis whatever they want. They don't need us for that.

Senator Muña: I truly appreciate your testimony because really part of this whole process is education. It's helping people to understand what the benefits are and what the the pros and cons of cannabis is, whether it be for medicinal use or for even adult use. I think the more we educate people, the more they'll understand, because there are a lot of people who will stand up here and testify that it has helped them. Then there are a lot of people who just completely don't even want

to hear what the story is just because and those are the people that are we're trying to reach you know just to help them understand.

Dr. Akome: This is what I tell everybody who wants to listen: every medicine is a poison and every poison is a medicine. The most potent poisons in the right quantity for the right purpose are very good medicines and the best medicines in the wrong quantity for the wrong purpose are very potent poisons. Anything you consume in any form has side effects, including water. People have died from water intoxication. We seen people in the ER with liver damage from Tylenol. We seen people who come with gastritis from ibuprofen. These are simply drug that are over-the-counter. People get all the time. There are side effects with every medicine. When anybody consumes any medicine, I cannot predict how they are going respond to it. Somebody can take cannabis and it calms them down. It helps them sleep. Another person can take cannabis and it wires them up. It raises their heart rate, raises their blood pressure. There's no organized response to any medicine. Somebody would take Zyrtec or Claritin and they snooze for the whole day. Some other person takes it, it doesn't do anything to them. A common cold medicine chlorpheniramine will get me all wired up the whole day if I take it. Some other person would take it and go to sleep. How we respond to medicines vary. It wouldn't work the same way for everybody. Some people would take cannabis and it wouldn't help them with their pain. If every medicine that's meant for pain does control pain, you wouldn't have so many different types of opioids so many different types of anti-inflammatory medicines. Somebody can take ibuprofen and that's all they need for the headache and some person to take tylenol and that's what they need for their headache. There's no one-size-fits-all when it comes to health care. It's individualized.

Senator Muña: Yeah, we have such a very strong pharmaceutical industry. The cost of medicine is so high, and opioids is addictive. I'm a very strong advocate for the fact that marijuana is a lesser of all the evils. You're right, it does affect people in so many different ways. There are just some people that just will not be persuaded.

Dr. Akome: The common thing in people who a schizophrenic are most likely to abuse drugs. so if a schizophrenic takes marijuana, maybe they can start having audio and visual hallucinations. Is it from the cannabis? Is it from their medical condition? Being schizophrenic predisposes you to using drugs. Now, when you start have any side effects, is it the drug that is causing a side effect or is the original illness? Again, it is individualized. What bothers me the most with the cannabis debate is there is still no self-assess. There is no way for qualifying patients, including cancer patients, to legally safely obtain cannabis on the island right now. I hope in some fashion that this bill addresses the supply side of the equation.

Senator Muña: Thank you. Thank you so much for your free professional consultation. Thank you, thank you Dr. Akome. If you have nothing else further, I'd like to call up the next two people who are here to testify: Mr. Mike Santos, thank you and Miss Pamela Duvall. Please turn on the microphone first and then introduce yourself before you begin your testimony. Thank you.

26. Mr. Mike Santos: Hi, my name is Mike Santos and I'm just here to state some pros and cons and a little history. Ok, the pros of this is: funding schools more investment in solar energy so schools stay operating even through natural disasters, more police officers and customs to focus on heavier crimes such as hard drugs such as the 36 pounds of cocaine and more ice you hear every

day on the news and family violence, homeless working programs such as overgrown schools that need grass cutting more jobs being created such as agriculture, chemistry regulation officers, more economic growth, real estate insurance providers, lawyers, CPAs, and other consultants needed and the list can go on and on and on. Now your cons, I know you're worried about personal addiction but regardless of the government regulating it or not, substance abuse exists based on the person's personal choice. There is productive people that still use cannabis as a therapeutic and medicinal needs. They still pay taxes they're still productive so that debunks the drug gateway theory. If anything, it always starts with education so proposing an early prevention program and exhibiting the straight-out facts, pros, and cons of substance abuse at an early age would help a personal addiction. Personal experience is that not everyone actually smokes. It's always based on personal choice, how comfortable the body reacts to it, the ones that dislike how uncomfortable it makes them feel. Personal choice is what we're offering to the people. The choice to drink alcohol, smoke cigarettes, so why not marijuana. I'm personally a businessman. I pay taxes and I abide by the law and I used marijuana as an alternative to a glass of wine or beer. I'm allergic to alcohol. I get a rash from it. It gives you a bloated uncomfortable feeling and I know everybody can relate to it, and it can really impair your judgment and your ability to drive. As an experience, me smoking, I've never experienced any hardships driving it actually makes you focus more. Just like how I focus on providing this paperwork and presenting it to you. Okay, history. For 28 years, I've been exposed to the truth of the real world. From my point of view, the real facts is that we are a part of America but not so much as you think. We had an agreement with the federal that in exchange for their footprint on the Asian region that we may govern as our government do so's. Instead of focusing on how the federal feels about it, focus on what's best for the people of Guam. Another way of revenue, we rely on tourism and federal money which just isn't enough. There's a deficit and balance is needed. Recently, federal legislature has made protections against the DOJ from interfering with medical marijuana patients. Also recently, there was a bill submitted begging the federal to allow banks to accept money made from marijuana businesses. The leaders of the world are also having meetings regarding how marijuana is viewed and what to do about it. So far, the U.S. is in study and allowing a handful of institutions to conduct study. It's being accepted in so much states and if the federal wanted to interfere, they would have since the first states that legalized it. I went to a recent High Times in Las Vegas, Nevada, and there was a statement made by the DOJ that they're going to shut down and they're gonna come there but they didn't. If they wanted to, then they would have done it. If you have seen throughout history, the illicit market will always be around. Violence and illicit shady activity and a lot of revenue that can't be regulated; it will always be around. It's your job as the government of Guam to abide as the will of the people to provide a safe access to marijuana regardless of the bad stigma that it holds. Would you rather have people hurt because they were robbed or have a safe, taxed, regulated market and adjust to the study to make it a better program.

Chairman Ridgell: Thank you, Mr. Santos. I'll go ahead and ask Ms. Duvall please turn on the microphone and then introduce yourself before you begin. Thank you.

27. Pamela Duvall: Hello. Good afternoon. My name is Pam Duvall. I'm 60 years of age I'm here to date in support of the bill to legalize recreational marijuana. I am menopausal. I suffer from insomnia, high anxiety arthritis and PTSD. Marijuana helps me a great degree with these issues. I prefer marijuana to prescription drugs because when I have taken prescribed drugs,

they just make me feel sick to my stomach. I can't function. I can't do the normal, everyday, get up, breakfast, drive the kids. Mixed together they don't work. It just makes me useless, basically. I prefer smoking marijuana. It helps me to perform my daily tasks and function at my best. I'm not a pothead. I'm not a thug. I'm not a drug dealer I'm a wife, a mother, grandmother, great-grandmother. I'm punctual. I'm responsible, dependable, I'm focused. Marijuana gives me calming Zen that I need especially at my age. I deal with a lot of stressful situations. I have teenagers, young grand teenagers and without it I would have probably already killed one of my kids. Menopause is not a nice thing. I have many friends who are menopausal as well we don't sit around. and figure out who are gonna go steal from. We have our little plant. We make root tea and we drink it at the end of the day so we can sleep. Honestly, it's not for us something that you're down for days. I wake up refreshed. I do my things that I need to do for my family. My home is kept you know there's no, "oh mom's you know she got stoned last night so she's down" Mom's up at 3:45 every morning. I do everything I need to do for my family and I just want to have my own little personal plants that I can tend to you. I don't bother anyone. I feel like a criminal when I go to the mom-and-pop store and I buy a roll of papers. People look at me like, "oh man this old lady, you know? she's... Look at her. She buys weed." If I went and bought a 12-pack? "Hey, she parties!" you know it's a "stigmatism" that is with the marijuana. We're not in a gang or anything like that. We smoke. We stay home. We take care of our homes. It's just something that is natural besides the prescription drugs where you get hooked on it. It's just outrageous and craz, so I'm just here to say my piece and give my support. I have faith in the legislature, and I hope, and I pray you guys come to passing this bill. I know there's a lot of legislation I'm not aware of. I'm not knowledged in it. I just hope that it does pass for Guam and the people. It's gonna bring revenue. I would love to see nice parks that aren't rusty and falling apart for our kids. Dog parks, museums for our kids to go see. We need to follow some of what the other states are doing for our schools. Our buildings, our parks and just driving down the roads. Higher, we can we can generate so much and create jobs. There's a lot of ideas and imagination that can come from this bill. I just respectfully ask that you consider. Thank you.

Chairman Ridgell: Thank you, Miss Duvall for your testimony and I commend you again for coming out as well as the others who have testified today. Mr. Santos, as well earlier. I know it takes a lot for people to come out and testify because of the negative.

Pamela Duvall: Yes, I have been exposed.

Senator Ridgell: Because the negative- yes. I commend you and I thank you and I think Senator Luis Muña also wants to add something as well.

Senator Muña: I feel like you're speaking directly to me, Mrs. Duvall because I'm in the same situation as you as a woman. Getting up there in our ages and experiencing a lot of things that I'm not quite sure whether they're normal or not. There's a lot of things like you said, stresses that that bring on that at the end of the day I do feel like de-stressing. Thanks to some of the media to that. I'm looking for alternatives because yeah, I don't want to sit there and drink a whole bottle of wine just to let the stress go. what I'm doing is toxifying my insides with all this alcohol. To hear your story and maybe give that alternative to some people who are sitting there feeling guilty that they have to drink a six-pack or a whole bottle of wine at the end of the night just to to de-stress that there is an alternative. It should be there. We should remove that stigma. We should be

able to choose that option if we would like that option. If it's a better option for you so I thank you very much for coming.

Pamela Duvall: You're welcome.

Chairman Ridgell: Thank You, Senator. I'd like to call up Jacob Perez. Mr. Jacob Perez, please go ahead and introduce yourself first before you begin your testimony. Thank you.

28. Jacob Perez: Thank You Senators Clint Ridgell and Senator Louise Muña. Thank you for having us here to share with you our views. My name is Jacob Martinez Perez. I'm from Tumon. I am Chamorro. I am going to share with you something that resonated with me because there is so much information about cannabis now. It's just impossible to say everything I want to say in this one session so I'm going to try to do as best I can. I found someone on the internet from a organization called All America City. They go by "Estelle-1776." What they say here, and they gave permission to share their views. Which I also = agree with. "Those who believe in limited government, personal responsibility, free markets, and individual liberty should embrace the ending of this irrational unamerican cannabis prohibition. It should be the cornerstone of current GOP policy. A federal studies show about half of the U.S. population has tried cannabis. At least 15% use it regularly. Over 80 percent of high school seniors have reported cannabis 'easy to get' for decades. This prohibition, like alcohol prohibition, has had little of its intended effect. In many cases, cannabis prohibition makes cannabis usage problematic where it would not have been otherwise via light moderate or heavy usage. For the most part, cannabis prohibition only successfully prohibits effective regulation. I'm all for a regulation of any drug or food for that matter. It's why we have organic now. A few issues created by a prohibition: there are no quality controls to reduce contaminants, harmful pesticides, molds, fungus, and other drugs; there is no practical way to prevent regular underage sales. I don't agree with underage usage of cannabis unless it's prescribed by the doctor. It's authorized by a physician, a licensed physician. There is no practical way to prevent irregular underage sales. Billions in tax revenue are lost which can be used for all substance abuse treatment. Underground markets for all drugs are empowered as far as more popular substances placed within them expanding their reach and increasing their profits. Criminal records make pursuing many decent careers difficult. Police and court resources are unnecessarily tied up by pursuing and prosecuting victimless crimes such as cannabis usage. Public mistrust and disrespect for our legal system, police and government is increased which is devastating our island and our whole country in the U.S. Prohibition is also very expensive. Though a cash cow for a number of powerful groups such as those related to law enforcement and the prison industry, these organizations have powerful lobbies and influence that perpetuated failed drug policy through ignorance, fear, disinformation, and misinformation. This ensures an endless supply of lucrative contracts, grants, and subsidies from the government and its taxpayers to support their salaries, tools of the trade, correctional services and other expenses that are not effective for us, especially the people. Cash, property, and other assets from civil forfeiture laws also significantly fatten their coffers while often violating civil rights. America was built on the principle of freedom and liberty. It is in some cases there are extreme circumstances that warrant intervention with criminal law. In the case of mind-altering drugs, we have already said the precedent with alcohol. Cannabis is less harmful than alcohol; everybody knows this except for those that don't want to know it. To the consumer and especially to others, if we have to have

justice then the penalties for using, possessing, and selling cannabis should be no worse than those of alcohol. I also want to state that cannabis also includes not just THC or marijuana but includes CBD also known as cannabidiol or cannabinoids. There is many, many studies in America that have proven that cannabinoids or cannabinoids are very “healingful” for the body especially our endocannabinoid system, which we all have, even plants and that or animals have them. I just want to say marijuana is related to cannabinoids even though their therapeutic qualities are not as numerous as cannabinoids. It just goes to show that they're similar. If one is very “healingful” and one is not so “healingful,” I don't see the problem in us also decriminalizing marijuana. Right now, because of the 2018 farm bill acts that our president Bush-President Trump signed, you know makes it completely legal for hemp, industrial hemp to be grown in all 50 US states and territories. I think it's hypocritical that we are targeting the sister or brother of cannabis which is marijuana because we already know that their cannabinoids. CBD. and hemp or hemp oil products are very medicinal. A lot of people are taking it now in the US. There a lot of doctors like Dr. Sanjay Gupta, who even apologized in CNN to say that he was wrong. This is an American doctor stating that he was wrong about his stance against marijuana or cannabis. If he can be humble and change his ways, he's a human like everybody else. Why can't we? Thank you.

Chairman Ridgell: Thank you, Mr. Perez. Thank you again for your willingness to come out and testify just as I thank everyone else. I know this is something that's difficult to do to show up to the public and talk about this issue, so we really appreciate your testimony. Thank You.

Jacob Perez: *Si Yu'os Ma'ase'.*

Chairman Ridgell: Thank you. Is there anyone else here that would like to testify at this moment? If not, I'd like to thank everyone once again for all the testimony you provided us today. We're getting close to the end of the time allotted for the hearing. We're supposed to end at 6:00 p.m. It is now 5:38, but no one else is lined up to testify. I will go ahead and recess and wait until 6 p.m. though. If anyone shows up between now and 6:00 p.m., we will allow them to provide public testimony. With that we'll take a short break and thank you everyone for your testimony today. [RECESS]

Chairman Ridgell: Welcome Back. We took a recess because there were no people to testify, but we did promise we would keep the hearing open until 6 p.m. More people have shown up to testify. Again, this is the public hearing on the Guam Cannabis Industry Act. I'm joined here by Senator Louise Muña, thank you for staying the whole way through. I would like to call now the next person who has shown up to testify Mr. John BUCCAT. Please just have a seat, turn on the microphone and begin by introducing yourself and then you can begin.

29. John Buccat: Håfa Adai, my name is John Buccat. I am actually here today to tell a story about how this thing that we're trying to get passed helped me be where I am right now. Back in 2008, I was involved in a really bad car accident. I was diagnosed with generalized anxiety disorder, panic disorder, and PTSD. Sorry I'm nervous.

Chairman Ridgell: It's okay. I appreciate your testimony today. I know it's difficult for people to talk about, that's why I appreciate everyone who shown up today to provide testimony. Thank you, please continue.

John Buccat: After I was diagnosed with that, I couldn't understand what was going on with me I couldn't get out of bed, I couldn't eat. I actually resigned from work, so I couldn't work anymore. When I eventually got up the courage to go see a doctor, that's when I was diagnosed with these disorders. Being new to this, I didn't know how to handle it, I just wanted to be better to take care of my family. I have a two-year-old daughter and a daughter on the way. I was prescribed medication. I was put on Klonopins, Xanax and a few other painkillers. I really didn't like how it was making me feel. It wasn't making me feel better, I actually lost a considerable amount of weight. I was 250 pounds and I went down to 85 pounds. A lot of my family members were actually preparing for death, but one day, somebody told me, "hey, there's this thing out there, you should try it." It was marijuana. I thought about it and after eight months of just not liking myself, I finally decided to experiment. It was a blessing. I am actually here today to say that if it wasn't for this wonderful drug, sorry not drug, but medicine... My kids are happier, I'm happier, I'm healthier. I am no longer actually, since 2012, I am not taking any medication to this day and I am a very happy man. I'm really hoping that some good comes out of this and I want it to go through. Just seeing me, being where I am strength wise, it's a blessing.

Chairman Ridgell: Thank you Mr. Buccat. I appreciate your testimony again and the courage for coming out to speak. Senator Muña would like to ask you a question as well.

Senator Muña: Thank you, Mr. Buccat. Personal questions, you don't have to answer if you don't want to. It was your disorders, your anxiety disorders, was that a result of the accident or is that something that maybe happened prior?

John Buccat: Because it was quite some time after the accident, my doctor just went and coincided, tied the two together. You have PTSD from the accident. I was at work one day and I felt some pain in my chest and I collapsed. Turns out I was fine, but for some reason, I couldn't get out of bed, I was having panic attacks every day. I was constantly throwing up, I just was so sickly. Just watching my child at that time ask me for a hug and I didn't have the energy to do it. My doctor asked me, "what do you want to do?" and I said, "Doc, I just want to be able to stand and carry my child."

Senator Muña: The reason why I ask is that maybe some people are feeling that way, too. After something they didn't feel could have been so serious to affect them in that manner, right? That's one of the reason why I brought it up. I just wanted to say that maybe somebody who, like you, got into an accident and then somehow all of their emotions changed. It could have been a result of that. I just kind of wanted to bring that condition to light that it could be a result of that, whether or not it is. I do also have a question. You do know that there is a major medicinal benefit for you. You have children. When your children become of legal age, 21, would you, whether they have a medicinal purpose or not, accept it?

John Buccat: I would accept it completely. It's a miracle to me that something this natural and regularly available made me who I am right now. Who knows what I would have been back then, I probably would have been buried. I probably would have died. I contribute a lot of where I am right now to marijuana.

Senator Muña: Thank you.

Chairman Ridgell: Thank you. Is there anyone else who would like to testify? I see a few more people in the audience. I am not sure whether you have signed up to testify or not. Otherwise, the hearing will end in three minutes unless anyone else has anymore testimony. Hello.

30. Pauline Lacson: Pauline.

Chairman Ridgell: Pauline Lacson?

Ms. Lacson: That's me. Senators, thank you for your time. I'm actually visiting from Chicago and I learned about this bill. I am definitely in support. I think it would be great to be able to regulate this as well as be able to tax it. That's about all the comments I have but thank you for your time.

Chairman Ridgell: Is it legal in Chicago?

Ms. Lacson: It is medically. We have recriminalized it. I think we are also going towards a path with our current mayor in order to decriminalize it again in order to be fully legal.

Senator Muña: It's a good insight to have you here. Thank you so much for spending some of your vacation time here at the public hearing but I did want to ask, so what is your feeling- you said you're from Chicago? What is your general feeling about cannabis with the population that you coincide with in Chicago.

Ms. Lacson: Yes, from my social circle I find that the people who use it recreationally as well as medically are fully productive in society, accountants, lawyers, teachers as well. I personally don't have a problem with it.

Senator Muña: That's one of the things I want to bring to light. To break the stigma that it's just people hanging out in alleys, maybe there is more alleys in Chicago than there is in Guam. They're just hanging out in dark spaces and passing it around like it's a crime. What you are saying is that there are professionals, contributing to society as professionals and they are using cannabis as a way to de-stress. That's one of the things I wanted you to ask about. Within your community out there in Chicago, what is your basic feeling about Cannabis?

Ms. Lacson: Definitely in support.

Senator Muña: Thank you.

Chairman Ridgell: Thank you Senator and thank you Miss Lacson. With that if there's anyone else who would like to testify? Sir? Are you Mr. Mark Lamb, please join us. Please turn on the mic and then introduce yourself before you do.

31. Mark Lamb: Hi! My name is Mark Lamb. I am from Chicago. Home hometown is Cincinnati Ohio. Thank you for, even though I am not native to Guam, for listening to me. I am definitely in support of the bill because in the last five years, I used to maybe from my small hometown of Cincinnati, I used to think that all the drugs are all the same. They're all bad, but there's been some articles from the Atlantic and the Guardian showing that cannabis is really not that dangerous. In my own personal life, I have seen other- well alcohol for instance, for an example, I've just seen that have really monstrous effects on some people. Not saying we should do anything with that, but I think that's quite more dangerous than anything I have ever seen with cannabis. I think it should be legal.

Chairman Ridgell: Thank You, Mr. Lamb. With that I would like to thank everyone for coming out to testify. We will go ahead and wrap up this public hearing. I would like to just make a brief statement in closing. Thanks, everyone who came out to testify, both those who came out against it and those who came out for it. We want to hear from everyone and we want to be able to hear all sides before we make our final decision. This is something I believe in and I am a proponent of, but I did want to hear some feedback from those who are opponents to it so we can see how we can work with them and perhaps better educate them about some of the falsehoods that they hold to be true that is simply false. I believe the data is out there is clear that prohibition of alcohol failed in the United States, it created a black market. It created gangsters like Al Capone who is from Chicago. He in turn used that money from the illegal sales of alcohol to help further his regime, his gang organization, his organized crime outfit. We have seen how prohibition failed in the past. I have said this before that the 18th amendment made alcohol illegal in the U.S. It is the only constitutional amendment that was so bad it got repealed. No other constitutional amendment has been repealed. That's how much of a failure prohibition was. The same thing is holding true for the prohibition of cannabis. We do not see it getting rid of cannabis. The use is widespread. There is data showing that Guam is the third in the world per capita for consumption of cannabis. It's something that's there. It's something we are turning a blind eye to and I think it's something that we need to bring out to the light. Address openly and honestly. Look at ways we can regulate the industry. Tax the industry and generate revenues. From that tax, we can use that tax for educational purposes, particularly education that helps prevent drug abuse and substance abuse. We need to differentiate between substance use and substance abuse. Anything can be used. Anything can be abused. Too much of anything, even a good thing is a bad thing. We have Dr. Akome who spoke earlier who even mentioned. I told this to people all the time, but they don't always believe me so I'm glad that Dr. Akome said it on the record. You can actually die from an overdose of water. Believe it or not. Water, something that is required for our life, you can die from if you drink too much in one day, in one sitting. It will actually cause problems with your kidneys and other organs as there's too much water in your bloodstream for your body to function properly. Too much of anything is bad so we have to differentiate again between substance use and substance abuse. What drives people to substance abuse? There's various things that drive people to substance abuse. There's probably socioeconomical factors. There's probably psychological factors. There's probably factors from their home life, probably some instances of

abuse and other issues that drive people towards substance abuse. We need to treat substance abuse as a disease. We need to also prevent substance abuse. How do we do that? We need to do that through money. Taxing it. Regulating it and then using those taxes to fund programs to prevent substance abuse and treat those who are stuck in addiction. That's the major reason why I pushed for this measure. I hope in the coming days and weeks I can convince the rest of my colleagues to support me in this measure. With that I would like to thank everyone for their participation today. I will close today's public hearing on the Guam Cannabis Industry Act. Thank you all for coming out.

The public hearing was adjourned at **6:05 PM**.



Clynton E. Ridgell

Senator - 35th Guam Legislature

*Committee on Economic Development, Agriculture, Maritime Transportation,
Power and Energy Utilities, and Emergency Response*

III. FINDINGS & RECOMMENDATIONS

The **Committee on Economic Development, Agriculture, Maritime Transportation, Power and Energy Utilities, and Emergency Response** hereby reports out **Bill No. 32-35 (COR)** As amended by the Committee, with the recommendation to do pass.

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2019 (FIRST) REGULAR SESSION

Bill No. 32-35 (COR)

Introduced by:

C.E. Ridgell
+ingrose Muns T.M. Barnes
barnes J.S. San Agustin
R.B. Lee PBL
T. Taitague
J.P. Terlaje

AN ACT TO ADD A NEW CHAPTER 8 TO TITLE 11 GUAM CODE ANNOTATED KNOWN AS THE "GUAM CANNABIS INDUSTRY ACT OF 2019," RELATIVE TO REGULATING THE USE, PRODUCTION, SALE, AND TAXATION OF MARIJUANA; ADDING A NEW CHAPTER 9 TO DIVISION 1, TITLE 11 GCA, RELATIVE TO CREATING THE CANNABIS CONTROL BOARD; DECLASSIFYING MARIJUANA AS A SCHEDULE I CONTROLLED SUBSTANCE AND REDEFINING REFERENCES TO IT IN THE GUAM UNIFORM CONTROLLED SUBSTANCES ACT.

2019 JAN 31 PM 2:40 JES

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that in the interest of enhancing revenue for public purposes with the creation of a
4 new industry, enhancing individual freedom, and promoting the efficient use of law
5 enforcement resources the use of cannabis should be legal for persons twenty-one
6 (21) years of age or older and the production and sale of cannabis should be regulated
7 for public health, welfare, safety, and taxation purposes.

8 It is the intent of *i Liheslaturan Guåhan* that the use, sale, and production of
9 cannabis should be regulated so that:

- 1 (a) Individuals will have to show proof of age before purchasing cannabis;
- 2 (b) Selling, distributing, or transferring marijuana to individuals under
- 3 twenty-one (21) years of age remains illegal *except* that nothing in this Act is
- 4 intended to or *shall* be construed as prohibiting or restricting the possession or
- 5 medical use of cannabis by qualified patients as permitted by Public Law 32-237;
- 6 (c) Driving under the influence of cannabis remains illegal;
- 7 (d) Legitimate, taxpaying business people will conduct sales of cannabis;
- 8 (e) Cannabis produced and sold by regulated businesses will be tested,
- 9 packaged, labeled, and tracked, subject to additional regulations to prevent access
- 10 by individuals under the age of twenty-one (21) to ensure that consumers are
- 11 informed and protected and so that cannabis is not diverted outside of Guam to states
- 12 or jurisdictions where it is illegal.

13 **Section 2. A new Chapter 8 is hereby added to Title 11 GCA to read:**

14 **“CHAPTER 8**

15 **GUAM CANNABIS INDUSTRY ACT**

16 **§ 8101. Title.**

17 **§ 8102. Definitions.**

18 **§ 8103. Personal use of cannabis.**

19 **§ 8104. Restrictions on personal cultivation, penalty.**

20 **§ 8105. Public consumption banned, penalty.**

21 **§ 8106. False Identification, penalty.**

22 **§ 8107. Cannabis accessories authorized.**

23 **§ 8108. Lawful operation of cannabis-related facilities.**

24 **§ 8109. Cannabis Control Board.**

25 **§ 8110. Rulemaking.**

26 **§ 8111. Cannabis establishment registrations.**

27 **§ 8112. Employers, driving, minors, and control of property.**

1 **§ 8113. Excise Tax on Cannabis.**

2 **§ 8114. Monthly Statements and Payments.**

3 **§ 8115. Federal Law, applicability.**

4 **§ 8116. Prior Duties, Penalties and Proceedings.**

5 **§ 8117. Contracts.**

6 **§ 8101. Title.** This Chapter *shall* be known and may be cited as
7 “The Guam Cannabis Industry Act of 2019.”

8 **§ 8102. Definitions.** As used in this Chapter:

9 (a) Board means the Cannabis Control Board referenced by § 8109
10 of this Act.

11 (b) Cannabis means all parts of the plant of the genus *cannabis*,
12 whether growing or not, the seeds thereof, the resin extracted from any part
13 of the plant, and every compound, manufacture, salt, derivative, mixture, or
14 preparation of the plant, its seeds, or its resin, including cannabis or marijuana
15 concentrate. “Cannabis” does not include the mature stalks of the plant, fiber
16 produced from the stalks, oil, or cake made from the seeds of the plant,
17 sterilized seed of the plant which is incapable of germination, or the weight of
18 any other ingredient combined with marijuana to prepare topical or oral
19 administrations, food, drink, or other products.

20 (c) Cannabis accessories means any equipment, products, or
21 materials of any kind that are used, intended for use, or designed for use in
22 planting, propagating, cultivating, growing, harvesting, composting,
23 manufacturing, compounding, converting, producing, processing, preparing,
24 testing, analyzing, packaging, repackaging, storing, vaporizing, or containing
25 marijuana, or for ingesting, inhaling, or otherwise introducing marijuana into
26 the human body.

1 (d) Cannabis concentrate means any cannabis product or subset of
2 cannabis produced by extracting cannabinoids from cannabis.

3 (e) Cannabis cultivation facility means an entity licensed to
4 cultivate, prepare, and package cannabis and sell cannabis to retail cannabis
5 stores, to cannabis product manufacturing facilities, and to other licensed
6 cannabis cultivation facilities but not to consumers.

7 (f) Cannabis establishment means a cannabis cultivation facility,
8 cannabis testing facility, a cannabis product manufacturing facility, or a retail
9 cannabis store.

10 (g) Cannabis flower or flower means the inflorescence(s) of the
11 mature pistillate (female) cannabis plant.

12 (h) Cannabis-infused product means any product that is comprised
13 of cannabis concentrate or cannabis plant material and other ingredients and
14 is intended for use or consumption other than by smoking or vaporizing,
15 including ingestible cannabis-infused products, topical cannabis-infused
16 products, transdermal cannabis-infused products, and transmucosal cannabis-
17 infused products.

18 (i) Cannabis product means a finished product intended for human
19 consumption or use that is comprised partially or completely of cannabis. This
20 term is used generally to refer to one or more of the following: cannabis
21 flower, cannabis concentrates, and cannabis-infused products.

22 (j) Cannabis product category means a defined group of cannabis
23 products that are in the same form. Cannabis flower, cannabis concentrates,
24 and cannabis-infused products are all cannabis product categories, though the
25 latter category may be further broken down into sub-categories such as
26 ingestible cannabis-infused products and non-ingestible cannabis-infused
27 products.

1 (k) Cannabis product manufacturing facility means an entity
2 licensed to purchase cannabis from licensed cannabis cultivation facilities; to
3 manufacture, prepare, and package cannabis products; and to sell cannabis
4 and cannabis products to other cannabis product manufacturing facilities and
5 to retail cannabis stores but not to consumers. Nothing herein shall be
6 construed to prohibit a cannabis product manufacturing facility from
7 purchasing cannabis or cannabis products from other cannabis product
8 manufacturing facilities.

9 (l) Cannabis testing facility means an entity licensed to analyze and
10 certify the safety and potency of cannabis. Only a licensed cannabis testing
11 facility may collect and transport cannabis or cannabis samples to and from a
12 cannabis testing facility.

13 (m) Consumer means a person twenty-one (21) years of age or older
14 who purchases cannabis or marijuana products for personal use only but not
15 for resale to others.

16 (n) Consumption means the act of ingesting, inhaling, or otherwise
17 introducing cannabis or marijuana into the human body including through the
18 use of topicals, ointments, or tinctures.

19 (o) Department means the Guam Department of Revenue and
20 Taxation.

21 (p) Ingestible cannabis-infused product or ingestible means a
22 product that contains cannabis and at least one other ingredient, is intended
23 for use or consumption other than by inhalation, is intended to be taken into
24 the body, and is one of the following:

25 (1) edible cannabis-infused product or edible which is an
26 ingestible cannabis-infused product that is intended to be taken by
27 mouth, swallowed, and is primarily absorbed through the

1 gastrointestinal tract. Edible cannabis-infused products may be
2 psychoactive when used as intended. Without limitation, edible
3 cannabis-infused products may be in the form of a food, beverage,
4 capsule, or tablet; or

5 (2) *transmucosal cannabis-infused product* or *transmucosal*
6 which is an ingestible cannabis-infused product that is intended to be
7 placed in a body cavity and absorbed through the mucosal lining of that
8 cavity and may be psychoactive when used as intended. Transmucosal
9 cannabis-infused products include but are not limited to cannabis-
10 infused tinctures, anal suppositories, lozenges, and nasal sprays.

11 (q) *Non-ingestible cannabis-infused product* or *non-ingestible*
12 means a product that contains cannabis and at least one (1) other ingredient,
13 is intended for use or consumption other than by inhalation, is intended for
14 external use only, and is one of the following:

15 (1) *topical cannabis-infused product* or *topical* which is a
16 non-ingestible cannabis-infused product that produces a non-
17 psychoactive effect when used as intended. Topical cannabis-infused
18 products include but are not limited to cannabis-infused creams, salves,
19 bath soaks, and lotions; or

20 (2) *transdermal cannabis-infused product* or *transdermal*
21 which is a non-ingestible cannabis-infused product that contains at least
22 one (1) skin-permeation-enhancing ingredient to facilitate absorption
23 through the skin into the bloodstream and may be psychoactive when
24 used as intended. Transdermal cannabis-infused products include but
25 are not limited to cannabis-infused adhesive patches that are applied to
26 the skin surface.

1 (r) Retail cannabis store means an entity licensed to purchase
2 cannabis and to sell cannabis and cannabis products to consumers. Nothing
3 herein shall be construed to prohibit a licensed retail cannabis store to
4 purchase, sell, or transfer cannabis and cannabis products to another licensed
5 retail cannabis store.

6 (s) Unreasonably impracticable means that the measures necessary
7 to comply with this part require such a high investment of risk, money, time,
8 or any other resource or asset that the operation of a cannabis establishment
9 is not worthy of being carried out in practice by a reasonably prudent
10 businessperson.

11 (t) Marijuana means cannabis as defined in subsection (b) above.
12 For purposes of this Act, the terms marijuana and cannabis shall carry the
13 same meaning and shall be used interchangeably.

14 § 8103. Personal use of cannabis. Notwithstanding any other
15 provision of law except as provided in this chapter, the following acts by
16 persons twenty-one (21) years of age or older are lawful and shall not be a
17 criminal or civil offense under Guam law or be a basis for seizure or forfeiture
18 of assets under Guam law.

19 (a) Possessing, using, displaying, purchasing, or transporting
20 cannabis accessories; one (1) ounce or less of cannabis; eight (8) grams or less
21 of cannabis concentrate; or any cannabis-infused products containing eight
22 hundred (800) mg or less of tetrahydrocannabinol;

23 (b) Possessing, growing, processing, or transporting no more than
24 six (6) cannabis plants, with three (3) or fewer being mature, flowering plants
25 and possession of the cannabis produced by the plants on the premises where
26 the plants were grown, provided that the growing takes place in an enclosed,

1 locked place, is not conducted openly or publicly, and is not made available
2 for sale.

3 (c) Transferring one (1) ounce or less of cannabis and immature
4 cannabis plants; eight (8) grams or less of cannabis concentrate; or any
5 cannabis-infused products containing eight hundred (800) mg or less of
6 tetrahydrocannabinol to a person who is twenty-one (21) years of age or older
7 without remuneration;

8 (d) Consumption of cannabis except that absent regulations
9 otherwise promulgated by the Cannabis Control Board, nothing in this
10 Chapter shall permit the consumption of marijuana in public; and

11 (e) Assisting another person who is twenty-one (21) years of age or
12 older in any of the acts described in paragraphs (a) through (d) of this section
13 if such assistance is provided for a non-commercial purpose.

14 (f) The provisions of § 8103 of this Chapter do not apply to cannabis
15 establishments as defined in this Chapter.

16 **§ 8104. Restrictions on personal cultivation, penalty.** The
17 personal cultivation of cannabis described in § 8103(b) of this Chapter is
18 subject to the following terms:

19 (a) Cannabis cultivation for personal use may only occur inside a
20 private residence, inside an accessory structure to a private residence located
21 upon the grounds of a private residence, or within a fully enclosed, locked
22 outdoor space on the grounds of a private residence, provided that:

23 (1) cultivation takes place within a closet, room, greenhouse,
24 or other fully enclosed area that is equipped with a lock or other security
25 device that allows access only to persons authorized to access the area;
26 and

1 (2) no more than six (6) plants are possessed, cultivated, or
2 processed at a single residence or upon the grounds of that residence, at
3 one time;

4 (b) Cannabis cultivation for personal use may only occur on property
5 lawfully possessed by the cultivator or with the consent of the person in lawful
6 possession of the property;

7 (c) Cannabis plants shall be cultivated in a location where the plants
8 are not visible from any public location;

9 (d) A person who cultivates cannabis shall take reasonable
10 precautions to ensure the plants are secure from unauthorized access; and

11 (e) A person who violates this section while otherwise acting in
12 compliance with § 8103(b) of this Chapter is guilty of a violation punishable
13 by a fine of up to Five Hundred Dollars (\$500).

14 **§ 8105. Public consumption banned, penalty.** It is unlawful to
15 consume cannabis openly and in public, unless otherwise permitted by
16 regulations duly promulgated and enacted by the Cannabis Control Board. A
17 person who violates this section is guilty of a violation punishable by a fine
18 of up to One Hundred Dollars (\$100).

19 **§ 8106. False Identification, penalty.**

20 (a) A person who is under twenty-one years (21) of age may not
21 present or offer to a licensed cannabis establishment or the cannabis
22 establishment's agent or employee any written or oral evidence of age that is
23 false, fraudulent, or not actually the person's own, for the purpose of:

24 (1) Purchasing, attempting to purchase, or otherwise
25 procuring or attempting to procure cannabis or cannabis products; or

26 (2) Gaining access or attempting to gain access to a cannabis
27 establishment.

1 (3) A person who violates this Section is guilty of a violation
2 punishable by a fine of up to Five Hundred Dollars (\$500).

3 (b) A licensee, his agent or employee shall not sell, give, nor permit
4 to be sold, given, or served any cannabis or cannabis products to any person
5 under twenty-one (21) years of age. For the purpose of preventing any
6 violation of this Section, any licensee or her/his agent or employee may refuse
7 to sell or serve cannabis or cannabis products to any person who is unable to
8 produce adequate written evidence that she or he has reached the age of
9 twenty-one (21) years. In any criminal prosecution or proceeding for the
10 suspension or revocation of any license and based upon a violation of this
11 Section, proof that the defendant licensee or her/his agent or employee
12 demanding and was shown, before furnishing any cannabis or cannabis product
13 to a minor, an identification card or other bona fide documentary evidence of
14 majority of such person shall be a defense to such prosecution or proceeding
15 for the suspension or revocation of any license, unless it is demonstrated that
16 a reasonable person would have determined that the identification exhibited
17 was altered or did not accurately describe the person to whom the cannabis or
18 cannabis product was sold or served. Every person who violates this Section
19 shall be guilty of a petty misdemeanor.

20 **§ 8107. Cannabis accessories authorized.** Notwithstanding any
21 other provision of law, it is lawful and shall not be an offense under Guam
22 law or be a basis for seizure or forfeiture of assets for persons twenty-one (21)
23 years of age or older to manufacture, possess, or purchase cannabis
24 accessories or to distribute or sell cannabis accessories to a person who is
25 twenty-one (21) years of age or older.

26 **§ 8108. Lawful operation of cannabis-related facilities.**

1 (a) Notwithstanding any other provision of law the following acts
2 when performed by a retail cannabis store with a current, valid registration or
3 a person twenty-one (21) years of age or older who is acting in her or his
4 capacity as an owner, employee, or agent of a retail cannabis store, are lawful
5 and shall not be an offense under Guam law or be a basis for seizure or
6 forfeiture of assets under Guam law:

7 (1) Possessing, displaying, storing, or transporting cannabis,
8 cannabis products, or cannabis accessories, except that such items may
9 not be displayed in a manner that is visible to the general public from a
10 public right-of-way;

11 (2) Delivering or transferring cannabis or cannabis products
12 to a cannabis testing facility;

13 (3) Receiving cannabis or cannabis products from a cannabis
14 cultivation facility or cannabis product manufacturing facility;

15 (4) Purchasing cannabis from a cannabis cultivation facility;

16 (5) Purchasing cannabis or cannabis products from a cannabis
17 product manufacturing facility; and

18 (6) Delivering, distributing, or selling cannabis, cannabis
19 products, or cannabis accessories to consumers.

20 (b) Notwithstanding any other provision of law, the following acts,
21 when performed by a cannabis cultivation facility with a current, valid
22 registration or a person twenty-one (21) years of age or older who is acting in
23 her or his capacity as an owner, employee, or agent of a cannabis cultivation
24 facility, are lawful and shall not be an offense under Guam law or be a basis
25 for seizure or forfeiture of assets under Guam law:

26 (1) Cultivating, harvesting, processing, packaging,
27 transporting, displaying, storing, or possessing cannabis;

1 (2) Delivering or transferring cannabis to a cannabis testing
2 facility;

3 (3) Delivering, distributing, or selling cannabis to a cannabis
4 cultivation facility, a cannabis product manufacturing facility, or a
5 retail cannabis store;

6 (4) Receiving or purchasing cannabis from a cannabis
7 cultivation facility;

8 (5) Receiving cannabis seeds or immature cannabis plants
9 from a person twenty-one (21) years of age or older.

10 (c) Notwithstanding any other provision of law, the following acts,
11 when performed by cannabis product manufacturing facility with a current,
12 valid registration or a person twenty-one (21) years of age or older who is
13 acting in her or his capacity as an owner, employee, or agent of a cannabis
14 product manufacturing facility, are lawful and shall not be an offense under
15 Guam law or be a basis for seizure or forfeiture of assets under Guam law:

16 (1) Packaging, processing, transporting, manufacturing,
17 displaying, or possessing cannabis or cannabis products;

18 (2) Delivering or transferring cannabis or cannabis products
19 to a cannabis testing facility;

20 (3) Delivering or selling cannabis or cannabis products to a
21 person or establishment authorized to possess, use, display, purchase,
22 or transport cannabis or cannabis products.

23 (d) Notwithstanding any other provision of law, possessing,
24 cultivating, processing, repackaging, storing, transporting, displaying,
25 transferring, or delivering cannabis when performed by a cannabis testing
26 facility with a current, valid registration or a person twenty-one (21) years of
27 age or older who is acting in her or his capacity as an owner, employee or

1 agent of a cannabis testing facility, are lawful and shall not be an offense
2 under Guam law or be a basis for seizure or forfeiture of assets under Guam
3 law.

4 (e) Notwithstanding any other provision of law, it is lawful and shall
5 not be an offense under Guam law or be a basis for seizure or forfeiture of
6 assets under Guam law to lease or otherwise allow the use of property owned,
7 occupied, or controlled by any person, corporation or other entity for any of
8 the activities conducted lawfully in accordance with paragraphs (a) through
9 (d) of this section.

10 (f) Nothing in this Section prevents the imposition of penalties upon
11 cannabis establishments for violating this Chapter or rules adopted by the
12 Board referenced by § 8109 of this Chapter.

13 **§ 8109. Cannabis Control Board.** I Liheslaturan Guåhan shall
14 create a Cannabis Control Board which shall assume the power, duties, and
15 authority to promulgate rules and regulations necessary to enforce this Act.

16 **§ 8110. Rulemaking.**

17 (a) Not later than one (1) year after the effective date of this Act, the
18 Board shall prescribe forms and adopt such rules and regulations necessary
19 for implementation of this chapter. Such regulations shall not prohibit the
20 operation of cannabis establishments either expressly or through regulations
21 that make their operation unreasonably impracticable. Such regulations shall
22 include:

23 (1) Procedures and grounds for the issuance, renewal,
24 suspension, denial, and/or revocation of a registration to operate a
25 cannabis establishment;

26 (2) A schedule of application, registration, and renewal fees
27 provided that application fees shall not exceed Five Thousand Dollars

1 (\$5,000) with this upper limit adjusted annually for inflation, unless the
2 Board determines a greater fee is necessary to carry out its
3 responsibilities under this Chapter;

4 (3) Qualifications for registration that are directly and
5 demonstrably related to the operation of a cannabis establishment or
6 security requirements for cannabis establishments including for the
7 transportation and storage of cannabis by cannabis establishments;

8 (4) Requirements to prevent the sale or diversion of cannabis
9 and cannabis products to persons under the age of twenty-one (21);

10 (5) Labeling and packaging requirements for cannabis and
11 cannabis products sold or distributed by a cannabis establishment;

12 (6) Health and safety regulations and standards for the
13 manufacture of cannabis products and the cultivation of cannabis;

14 (7) Reasonable restrictions on the advertising and display of
15 cannabis and cannabis products;

16 (8) Reasonable restrictions on the quantity of cannabis and
17 cannabis products purchased at any one time by a consumer so as to
18 effectually prevent the resale of cannabis items;

19 (9) Implementation of a “seed to sale” tracking system;

20 (10) Civil penalties for the failure to comply with regulations
21 made pursuant to this Chapter; and

22 (11) Any other rules the Board considers necessary for the
23 administration of the Guam Cannabis Industry Act and implementation
24 and enforcement of this Chapter.

25 (b) In order to ensure that individual privacy is protected, the Board
26 shall not require a consumer to provide a retail cannabis store with personal
27 information other than government-issued identification to determine the

1 consumer's age, and a retail cannabis store shall not be required to acquire or
2 record personal information about consumers.

3 **§ 8111. Cannabis establishment registrations.**

4 (a) Each application or renewal application for a registration to
5 operate a cannabis establishment shall be submitted to the Board. A renewal
6 application may be submitted up to ninety (90) days prior to the expiration of
7 the cannabis establishment's registration.

8 (b) The Board shall begin accepting and processing applications to
9 operate cannabis establishments no later than ninety (90) days after the
10 regulations prescribed in § 8110 of this Act become effective. Upon receipt of
11 an application for licensure, the Board shall not unreasonably delay the
12 processing, approval, or rejection of the application, or if the application is
13 approved, the issuance of the license.

14 (c) The Board shall issue an annual registration to the applicant
15 within sixty (60) days after receiving an application or thirty (30) days after
16 receiving a renewal application, unless the Board finds the applicant is not in
17 compliance with regulations enacted pursuant to § 8110 of this Act.

18 (d) Upon denial of an application, the Board shall notify the
19 applicant in writing of the specific reason for its denial and of the applicant's
20 right to seek administrative and judicial review as provided for under the
21 Guam Administrative Adjudication Law.

22 (e) Every cannabis establishment registration shall specify the
23 location where the cannabis establishment will operate and shall have defined
24 boundaries. A separate registration is required for each location at which a
25 cannabis establishment operates. The Board may require reasonable
26 restrictions for the operation of a licensed cannabis establishment.

1 (f) Cannabis establishments and books and records maintained and
2 created by cannabis establishments are subject to inspection by the Board with
3 reasonable notice to the owner or agent of the business.

4 **§ 8112. Employers, driving, minors, and control of property.**

5 (a) Nothing in this Chapter shall be construed or interpreted to
6 amend, repeal, affect, restrict, or preempt the rights and obligations of public
7 and private employers to maintain a drug and alcohol free workplace; require
8 an employer to permit or accommodate the use, consumption, possession,
9 transfer, display, transportation, sale, or growth of cannabis in the workplace;
10 or affect the ability of employers to have policies prohibiting the use of
11 marijuana by employees and prospective employees in the workplace.

12 (b) Nothing in this Chapter is intended to affect the ability of
13 employers to enact and enforce workplace policies restricting the use or
14 consumption of cannabis by employees in the workplace.

15 (c) Nothing in this Chapter is intended to impair, restrict, or diminish
16 the ability of a government agency to prohibit or restrict any of the actions or
17 conduct otherwise permitted under this Chapter within a building owned,
18 leased, or occupied by the government agency.

19 (d) Nothing in this Chapter is intended to allow driving under the
20 influence of cannabis or to supersede laws related to driving under the
21 influence of cannabis.

22 (e) Nothing in this Chapter is intended to permit the transfer of
23 cannabis, with or without remuneration, to a person under the age of twenty-
24 one (21) years.

25 (f) Nothing in this Chapter shall prohibit a person, employer, school,
26 hospital, recreation, or youth center, correction facility, corporation, or any
27 other entity who occupies, owns, or controls private property from prohibiting

1 or otherwise regulating the possession, consumption, use, display, transfer,
2 distribution, sale, transportation, or growing of cannabis on or in that property.

3 **§ 8113. Excise Tax on Cannabis.**

4 (a) A Guam excise tax is imposed on the sale or transfer of cannabis
5 from a cannabis cultivation facility to a retail cannabis store or cannabis
6 product manufacturing facility. Every cannabis cultivation facility shall pay a
7 Guam excise tax at the rate of fifteen percent (15%) on the dollar value of
8 cannabis that is sold or transferred from a cannabis cultivation facility to a
9 retail cannabis store or cannabis product manufacturing facility. Provided
10 further, no such excise tax shall be levied upon cannabis intended for sale as
11 medicinal cannabis.

12 (b) The Department of Revenue and Taxation shall establish
13 procedures for the collection of all excise taxes levied.

14 (c) The Board may exempt certain parts of the cannabis plant from
15 the excise tax described in subsection (a) or may establish an alternate rate or
16 tax structure in accordance with the rules and regulations promulgated in
17 accordance with this Act.

18 **§ 8114. Monthly Statements and Payments.**

19 (a) Each cannabis cultivation facility shall send a statement by mail
20 or electronically to the Department on or before the last day of each calendar
21 month. The statement must contain an account of the amount of cannabis sold
22 or transferred to retail cannabis stores and cannabis product manufacturing
23 facilities in Guam during the preceding month, setting out:

24 (1) The total number of ounces, including fractional ounces
25 sold or transferred;

26 (2) The names and addresses of each buyer and transferee; and

1 **§ 9101. Short Title.** This Act shall be known as the “Cannabis Control
2 Board Act of 2019”.

3 **§ 9102. Cannabis Control Board, established.** There is hereby
4 established a “Cannabis Control Board” (hereinafter the ‘Board’) within the
5 Department of Revenue and Taxation.

6 **§ 9103. Members; term.** The Board shall have a membership of five (5)
7 members who are appointed by and serve at the pleasure of *i Maga'hågan Guåhan*.

8 (a) One (1) member shall be the Director of the Department of Revenue
9 and Taxation, or his designee;

10 (b) one (1) member shall be the Director of the Department of Agriculture,
11 or his designee;

12 (c) one (1) member shall represent the Guam Business Community;

13 (d) and two (2) members shall represent the General Public. At least one
14 (1) member from the General Public shall possess a medical cannabis card.

15 Each member shall serve a term of four (4) years.

16 **§ 9104. Qualifications of Members.** Each member shall be a citizen of
17 the United States of America or a permanent resident of Guam for at least one (1)
18 year immediately preceding the appointment; be at least twenty-one (21) years of
19 age; not have been convicted of a crime, other than traffic offenses, that involves
20 moral turpitude; and, must not be an applicant for, or hold a license to conduct any
21 activities under the Board’s supervision and regulation.

22 **§ 9105. Meetings of Board; quorum; chairperson, vice chairperson.**
23 The Board shall meet at least monthly, and may meet more frequently as its duties
24 require. A quorum shall consist of at least three (3) members being present for the
25 conduct of all official business. At its initial meeting, a quorum being present, the
26 members shall select their chairperson and vice chairperson.

1 § 9106. Staff Support. The Department of Revenue and Taxation *shall*
2 provide staff support for the Board.

3 § 9107. Duties of Board. The Board *shall* have all of the powers and
4 duties specified in this Act, and also the powers necessary or proper to enable it to
5 carry out the purposes of this Act and the purposes of the “Guam Cannabis Industry
6 Act of 2019.” The jurisdiction, supervision, powers and duties of the Board shall
7 extend to any person who buys, sells, produces, possesses, transports, or delivers any
8 cannabis items within Guam. The Board shall be responsible for:

9 (a) Conducting hearings pertaining to the violation of this Chapter or
10 regulations promulgated hereby; including hearings for the purpose of approving
11 cannabis licenses and other business allowed under this Chapter;

12 (b) Promulgating such rules and regulations as may be necessary to fulfill
13 the intent, policies and purposes of this Chapter;

14 (c) Levying fines and penalties for the violation of provisions of this
15 Chapter and the regulations promulgated by the Board;

16 (d) Requiring and demanding access to, for the purposes of inspecting,
17 examining, photocopying, and/or auditing, all papers, books, and records of a
18 licensed cannabis business on its premises or elsewhere as practical, including
19 inspecting the gross income produced by a cannabis establishment and verification
20 of their income, and all other matters affecting the enforcement of the Board’s policy
21 or as required pursuant to this Chapter;

22 (e) The types of licenses or permits to be covered by the cannabis license
23 and its structure, including onsite ingestion, application of topicals, and smoking or
24 vaping in a manner consistent with Chapter 90 of Title 10 GCA;

25 (f) Regulating the testing, purchase, sale, production, processing,
26 transportation, and delivery of cannabis and cannabis products to be sold to

1 consumers by a retail cannabis store in accordance with the provisions of this Act
2 and the provisions of Chapter 8, Title 11 GCA.

3 (g) Granting, refusing, suspending or canceling licenses for the sale,
4 processing, or production of cannabis items, or other licenses in regard to cannabis
5 items, and to permit, in its discretion, the transfer of a license of any person;

6 (h) Investigating and aiding in the prosecution of every violation of Guam
7 statutes relating to cannabis items, and cooperating in the prosecution of offenders
8 before the Superior Court for Guam;

9 (i) Adopting such regulations as are necessary and feasible for carrying out
10 the intent and provisions of this Act and to amend or repeal such regulations;

11 (j) Exercising all powers incidental, convenient or necessary to enable it
12 to administer or carry out the provisions of this Act and the provisions of Chapter 8,
13 Title 11 GCA;

14 (k) Regulating and prohibiting any advertising by manufacturers,
15 processors, wholesalers or retailers of cannabis items by newspapers, letters,
16 billboards, radio, television or otherwise;

17 (l) Regulating the use of cannabis items for scientific, pharmaceutical,
18 manufacturing, mechanical, industrial and other purposes;

19 (m) Adopting separate regulations as are necessary and feasible for the
20 public display and use of cannabis items at exhibitions promoting cannabis as an
21 alternative to pharmaceuticals;

22 (n) Adopting separate regulations as are necessary and feasible for the
23 development of a hemp program for strains of cannabis that exceed three tenths
24 percent (0.3%) on a dry weight basis of any part of the cannabis plant, or per volume
25 or weight of cannabis product, or the combined percent of delta-9-
26 tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the cannabis
27 plant regardless of moisture content;

1 (o) Conducting an annual summit with the Department of Revenue and
2 Taxation, the Department of Agriculture, the Department of Public Health and
3 Social Services, the Guam Police Department, the Department of Land Management
4 and other stakeholders in the government and private sectors to discuss the
5 regulation of cannabis in Guam;

6 (p) Prescribing forms and adopting such rules and regulations as the Board
7 deems necessary for the implementation and administration of this Act no later than
8 one (1) calendar year following the Board’s initial meeting;

9 **§ 9108. Limitations on Board Jurisdiction.** The Board shall not
10 regulate personal cultivation of cannabis as may be allowed by Guam statute. The
11 Board has no power to purchase, own, sell, or possess any cannabis items.

12 **§ 9109. Cannabis Control Fund, created.** There is hereby created,
13 separate and apart from all other funds, the ‘Cannabis Control Fund.’ All fees, fines,
14 penalties and other charges resulting from the licensing and enforcement of adult
15 cannabis use on Guam shall be deposited into this Fund. Expenditures of the Fund
16 shall be by appropriation from *i Liheslaturan Guåhan*. The Director of the
17 Department of Revenue and Taxation shall report on a quarterly basis to the *Speaker*
18 of *i Liheslaturan Guåhan* the revenues collected and expended from this Fund and
19 post the same on the Department’s website.”

20 **Section 4.** Item (23) of §§ (c) of Appendix “A” of Chapter 67, Title 9 GCA
21 is repealed and thereby declassifies marijuana as a Schedule 1 Controlled Substance.
22 Any reference by the Guam Controlled Substances Act to marijuana, such as
23 “marihuana,” “tetrahydrocannabinol,” “cannabis,” and derivatives thereof shall be
24 deemed repealed, null, and void upon passage of this Act.

25 “~~[(23)marijuana]~~”

26 **Section 5.** § 67.401.2, Chapter 67, Title 9 GCA is *amended to read:*

1 **“§ 67.401.2. Illegal Possession; Defined and Punishment.** (a) It is unlawful
2 for any person knowingly or intentionally to possess a controlled substance, unless
3 such substance was obtained directly from, or pursuant to, a valid prescription or
4 order of a practitioner while acting in the course of his professional practice, or
5 except as otherwise authorized by the Act.

6 (b) Any person who violates Subsection (a) with respect to: (1) any
7 controlled substance except marijuana *shall* be guilty of a felony of the third degree.
8 (2) any person under the age of twenty-one years possessing more than one (1) ounce
9 of marijuana *shall* be guilty of a petty misdemeanor. (3) any person under the age of
10 twenty-one years possessing one (1) ounce or less of marijuana *shall* be guilty of a
11 violation and punished by a fine of One Hundred Dollars (\$100.00).

12 (c) A person who commits a crime under Title 9 GCA §§ 67.401.2(b)(2)
13 or (3) within the Drug-Free School Zone *shall* be guilty of a misdemeanor.

14 (d) A person who commits a crime under §§ 67.401.1 or 67.401.2(b)(1)
15 within the Drug-Free School Zone *shall* be guilty of the same class of felony had the
16 offense been committed outside the Drug-Free School Zone.

17 (e) A person who knowingly fails to report any violation of this Chapter
18 within the Drug Free-School Zone is guilty of a misdemeanor.”

19 **Section 6. § 67.401.4(f), Article 4, Title 9 GCA is *amended* to read.**

20 “(f) If he is guilty of an offense involving a controlled substance listed in
21 Schedule I or II of this Act which is not a narcotic drug or a controlled substance in
22 Schedule III of this Act and if he has been convicted of one (1) or more prior offenses
23 punishable under the provisions of Subsection (e) of this Section, a felony under any
24 provision of this Act, any law of the United States, a state or foreign jurisdiction
25 relating to narcotic drugs, [~~marijuana, or~~] depressant or stimulant substances and one
26 (1) or more of the convictions are final, he *shall* be sentenced to a term of
27 imprisonment of not more than ten (10) years and, in addition, may be fined not

1 more than Thirty Thousand Dollars (\$30,000.00). The sentence *shall* include a
2 special parole term of at least two (2) years in addition to such term of
3 imprisonment.”

4 **Section 6. § 67.401.4(h), Article 4, Title 9 GCA is amended to read.**

5 “(h) If he is guilty of an offense involving a controlled substance listed in
6 Schedule IV of this Act and if he has been convicted of a felony under a provision
7 of this Act; or a law of the United States, a state or foreign jurisdiction relating to
8 narcotic drugs, [~~marijuana, or~~] depressant or stimulant substances, and such
9 convictions are final, then he *shall* he sentenced to a term of imprisonment of not
10 more than six (6) years and, in addition, may be fined not more than Twenty
11 Thousand Dollars (\$20,000.00). The sentence *shall* include a special parole term of
12 at least two (2) years in addition to such term of imprisonment. Imposition or
13 execution of such sentence *shall not* be suspended and probation *shall not* be
14 granted.”

15 **Section 7. § 67.401.4(j), Article 4, Title 9 GCA is amended to read.**

16 “(j) If he is guilty of an offense involving a controlled substance listed in
17 Schedule V of this Act and if he has been convicted of a felony under a provision of
18 this Act, or a law of the United States, a state or foreign jurisdiction relating to
19 narcotic drugs, [~~marijuana, or~~] depressant or stimulant substances, and such
20 convictions are final, then he *shall* be sentenced to a term of imprisonment of not
21 more than two (2) years or a fine of not more than Ten Thousand Dollars
22 (\$10,000.00), or both. Imposition or execution of such sentence *shall not* be
23 suspended and probation *shall not* be granted.

24 **Section 8. § 67.401.4(k), Article 4, Title 9 GCA is repealed in its entirety.**

25 ~~“(k) Notwithstanding the provisions of this Section, any person who is~~
26 ~~guilty of an offense pursuant to § 67.401.1(a) of this Act by distributing less than~~

1 ~~one (1) pound of marijuana for no remuneration shall be sentenced as provided in §~~
2 ~~67.412 of this Act.”~~

3 **Section 9. § 67.401.5, Article 4, Title 9 GCA is amended to read.**

4 “§ 67.401.5. Any person who is guilty of an offense pursuant to § 67.402(a)
5 of this Act may, in addition to imprisonment for felony of the third degree, be fined
6 not more than Twenty-five Thousand Dollars (\$25,000.00) except that if any person
7 commits such offense after previously being convicted of one (1) or more prior
8 offenses involving § 67.402(a) of this Act, or for a felony under any other provision
9 of this Act or other law of the United States, state or foreign jurisdiction relating to
10 narcotic drugs, [~~marijuana, or~~] depressant or stimulant substances, and one (1) or
11 more of the convictions have become final, such person may, in addition to
12 imprisonment for felony of the third degree, be fined not more than Fifty Thousand
13 Dollars (\$50,000.00).”

14 **Section 10. § 67.401.6, Article 4, Title 9 GCA is amended to read.**

15 “§ 67.401.6. Any person who is guilty of an offense pursuant to § 67.403(a)
16 of this Act may, in addition to imprisonment for felony of the third degree, be fined
17 not more than Thirty Thousand Dollars (\$30,000.00); is except that if any person
18 commits such offense after previously being convicted of one (1) or more offenses
19 pursuant to § 67.403(a) of this Act or for any felony under any other provision of
20 this Act or other law of the United States, state or foreign jurisdiction relating to
21 narcotic drugs, [~~marijuana, or~~] depressant or stimulant substances, and one (1) or
22 more of the convictions have become final, such person *shall* be sentenced to a term
23 of imprisonment of not more than eight (8) years and, in addition, may be fined not
24 more than Sixty Thousand Dollars (\$60,000.00).”

25 **Section 11. § 67.411(b), Article 4, Title 9 GCA is amended to read.**

26 “(b) For purposes of this Section, a person *shall* be considered convicted of
27 a second or subsequent offense if, prior to the commission of such offense, he was

1 convicted of one (1) or more felonies under any provision of this Act or law of the
2 United States, a state or foreign jurisdiction relating to narcotic drugs, [~~marijuana~~
3 ~~or~~] depressant or stimulant drugs.”

4 **Section 12. § 67.412(a), Article 4, Title 9 GCA is *amended* to read.**

5 “(a) Whenever any person who has not previously been convicted of an
6 offense under this Act or under any statute of the United States or of any State
7 relating to narcotic drugs, [~~marijuana or~~] stimulant, depressant or hallucinogenic
8 drugs, pleads guilty to or is found guilty of possession of a controlled substance
9 under § 67.401.2 (a), the Court, without entering a judgment of guilt and with the
10 consent of the accused, may defer further proceedings and place him on probation
11 upon terms and conditions. Upon violation of a term or condition, the Court may
12 enter an adjudication of guilty and proceed as otherwise provided. Upon fulfillment
13 of the terms and conditions, the Court *shall* discharge such person and dismiss the
14 proceedings against him. Discharge and dismissal under this Section *shall* be without
15 Court adjudication of guilt and *shall not* be deemed a conviction for purposes of
16 disqualifications or disabilities imposed by law upon conviction of a crime.
17 Discharge and dismissal under this Section may occur only once with respect to any
18 person.”

19 **Section 13.** Nothing in this Act *shall* be construed or interpreted to amend,
20 repeal, affect, restrict, or preempt laws pertaining to Guam Public Laws 32-237, 34-
21 125, and 34-165.

22 **Section 14. Severability.** If any provision of this Act or its application to any
23 person or circumstance is found to be invalid or contrary to law, 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.

1 **Section 15. Effective Date.** This Act *shall* become effective immediately
2 upon enactment.

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2019 (FIRST) Regular Session

Bill No. 32-35 (COR)

As Amended by the Committee on Economic
Development, Agriculture, Maritime
Transportation, Power and Energy Utilities, and
Emergency Response

Introduced by:

Clynton E. Ridgell
Tina Rose Muña Barnes
Joe S. San Agustin
Régine Biscoe Lee
Telo T. Taitague
Jose "Pedo" Terlaje

AN ACT TO *ADD* A NEW CHAPTER 8 TO TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO REGULATING THE USE, PRODUCTION, SALE, AND TAXATION OF MARIJUANA, TO BE KNOWN AS THE "*GUAM CANNABIS INDUSTRY ACT OF 2019*"; TO *ADD* A NEW CHAPTER 9 TO TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO CREATING THE CANNABIS CONTROL BOARD; TO *REPEAL* §§ (c)(23) AND (c)(31) OF APPENDIX A, CHAPTER 67, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO DECLASSIFYING MARIJUANA AS A SCHEDULE I CONTROLLED SUBSTANCE; AND TO *AMEND* §§ 67.401.2(b), 67.401.4(f), (h), AND (j), 67.401.5, 67.401.6, 67.411(b) AND 67.412(a), AND *REPEAL* § 67.401.4(k), ALL OF ARTICLE 4, CHAPTER 67, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO REDEFINING REFERENCES TO IT IN THE GUAM UNIFORM CONTROLLED SUBSTANCES ACT; AND *ADDING* A NEW § 70.44.4 TO TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO POSSESSION OF CANNABIS BY PERSONS UNDER TWENTY-ONE (21) YEARS OF AGE.

1 **GUAM CANNABIS INDUSTRY ACT**

- 2 § 8101. Title.
3 § 8102. Definitions.
4 § 8103. Personal Use of Cannabis.
5 § 8104. Restrictions on Personal Cultivation, Penalty.
6 § 8105. Public Consumption Banned, Penalty.
7 § 8106. False Identification, Penalty.
8 § 8107. Cannabis Accessories Authorized.
9 § 8108. Lawful Operation of Cannabis-Related Facilities.
10 § 8109. Cannabis Control Board.
11 § 8110. Rulemaking.
12 § 8111. Cannabis Establishment Registrations.
13 § 8112. Employers, Driving, Minors, and Control of Property.
14 § 8113. Excise Tax on Cannabis.
15 § 8114. Monthly Statements and Payments.
16 § 8115. Federal Law, Applicability.
17 § 8116. Prior Duties, Penalties, and Proceedings.
18 § 8117. Contracts.
19 **§ 8101. Title.**

20 This Chapter shall be known and may be cited as the “Guam Cannabis
21 Industry Act of 2019.”

22 **§ 8102. Definitions.**

23 As used in this Chapter:

24 (a) Board means the Cannabis Control Board referenced in § 8109
25 of this Chapter.

26 (b) Cannabis means all parts of the plant of the genus cannabis,
27 whether growing or not, the seeds thereof, the resin extracted from any part

1 of the plant, and every compound, manufacture, salt, derivative, mixture, or
2 preparation of the plant, its seeds, or its resin, including cannabis or marijuana
3 concentrate. Cannabis does not include the mature stalks of the plant, fiber
4 produced from the stalks, oil, or cake made from the seeds of the plant,
5 sterilized seed of the plant which is incapable of germination, or the weight of
6 any other ingredient combined with marijuana to prepare topical or oral
7 administrations, food, drink, or other products.

8 (c) Cannabis accessories means any equipment, products, or
9 materials of any kind that are used, intended for use, or designed for use in
10 planting, propagating, cultivating, growing, harvesting, composting,
11 manufacturing, compounding, converting, producing, processing, preparing,
12 testing, analyzing, packaging, repackaging, storing, vaporizing, or containing
13 marijuana, or for ingesting, inhaling, or otherwise introducing marijuana into
14 the human body.

15 (d) Cannabis concentrate means any cannabis product or subset of
16 cannabis produced by extracting cannabinoids from cannabis.

17 (e) Cannabis cultivation facility means an entity licensed to
18 cultivate, prepare, and package cannabis; and sell cannabis to retail cannabis
19 stores, to cannabis product manufacturing facilities, and to other licensed
20 cannabis cultivation facilities, but not to consumers.

21 (f) Cannabis establishment means a cannabis cultivation facility,
22 cannabis testing facility, a cannabis product manufacturing facility, or a retail
23 cannabis store.

24 (g) Cannabis flower or flower means the inflorescence(s) of the
25 mature pistillate (female) cannabis plant.

26 (h) Cannabis-infused product means any product that is comprised
27 of cannabis concentrate or cannabis plant material and other ingredients, and

1 is intended for use or consumption other than by smoking or vaporizing,
2 including ingestible cannabis-infused products, topical cannabis-infused
3 products, transdermal cannabis-infused products, and transmucosal cannabis-
4 infused products.

5 (i) Cannabis product means a finished product intended for human
6 consumption or use that is comprised partially or completely of cannabis. This
7 term is used generally to refer to one (1) or more of the following: cannabis
8 flower, cannabis concentrates, and cannabis-infused products.

9 (j) Cannabis product category means a defined group of cannabis
10 products that are in the same form. Cannabis flower, cannabis concentrates,
11 and cannabis-infused products are all cannabis product categories, though the
12 latter category may be further broken down into sub-categories such as
13 ingestible cannabis-infused products and non-ingestible cannabis-infused
14 products.

15 (k) Cannabis product manufacturing facility means an entity
16 licensed to purchase cannabis from licensed cannabis cultivation facilities to
17 manufacture, prepare, and package cannabis products; and to sell cannabis
18 and cannabis products to other cannabis product manufacturing facilities and
19 to retail cannabis stores, but not to consumers. Nothing herein shall be
20 construed to prohibit a cannabis product manufacturing facility from
21 purchasing cannabis or cannabis products from other cannabis product
22 manufacturing facilities.

23 (l) Cannabis testing facility means an entity licensed to analyze and
24 certify the safety and potency of cannabis. Only a licensed cannabis testing
25 facility may collect and transport cannabis or cannabis samples to and from a
26 cannabis testing facility.

1 (m) Consumer means a person twenty-one (21) years of age or older
2 who purchases cannabis or marijuana products for personal use only, but not
3 for resale to others.

4 (n) Consumption means the act of ingesting, inhaling, or otherwise
5 introducing cannabis or marijuana into the human body, including through the
6 use of topicals, ointments, or tinctures.

7 (o) Department means the Guam Department of Revenue and
8 Taxation.

9 (p) Ingestible cannabis-infused product or ingestible means a
10 product that contains cannabis and at least one (1) other ingredient, is intended
11 for use or consumption other than by inhalation, is intended to be taken into
12 the body, and is one (1) of the following:

13 (1) edible cannabis-infused product or edible, which is an
14 ingestible cannabis-infused product that is intended to be taken by
15 mouth, swallowed, and is primarily absorbed through the
16 gastrointestinal tract. Edible cannabis-infused products may be
17 psychoactive when used as intended. Without limitation, edible
18 cannabis-infused products may be in the form of a food, beverage,
19 capsule, or tablet; or

20 (2) transmucosal cannabis-infused product or transmucosal,
21 which is an ingestible cannabis-infused product that is intended to be
22 placed in a body cavity and absorbed through the mucosal lining of that
23 cavity, and may be psychoactive when used as intended. Transmucosal
24 cannabis-infused products include, but are not limited to, cannabis-
25 infused tinctures, anal suppositories, lozenges, and nasal sprays.

26 (q) Non-ingestible cannabis-infused product or non-ingestible
27 means a product that contains cannabis and at least one (1) other ingredient,

1 is intended for use or consumption other than by inhalation, is intended for
2 external use only, and is one (1) of the following:

3 (1) *topical cannabis-infused product or topical*, which is a
4 non-ingestible cannabis-infused product that produces a non-
5 psychoactive effect when used as intended. Topical cannabis-infused
6 products include, but are not limited to, cannabis-infused creams,
7 salves, bath soaks, and lotions; or

8 (2) *transdermal cannabis-infused product or transdermal*,
9 which is a non-ingestible cannabis-infused product that contains at least
10 one (1) skin-permeation-enhancing ingredient to facilitate absorption
11 through the skin into the bloodstream, and may be psychoactive when
12 used as intended. Transdermal cannabis-infused products include, but
13 are not limited to, cannabis-infused adhesive patches that are applied to
14 the skin surface.

15 (r) *Retail cannabis store* means an entity licensed to purchase
16 cannabis, and to sell cannabis and cannabis products to consumers. Nothing
17 herein shall be construed to prohibit a licensed retail cannabis store to
18 purchase, sell, or transfer cannabis and cannabis products to another licensed
19 retail cannabis store.

20 (s) *Unreasonably impracticable* means that the measures necessary
21 to comply with this part require such a high investment of risk, money, time,
22 or any other resource or asset that the operation of a cannabis establishment
23 is not worthy of being carried out in practice by a reasonably prudent
24 businessperson.

25 (t) *Marijuana* means *cannabis* as defined in Subsection (b) of this
26 Section. For purposes of this Chapter, the terms marijuana and cannabis shall
27 carry the same meaning and shall be used interchangeably.

1 **§ 8103. Personal Use of Cannabis.**

2 Notwithstanding any other provision of law, *except* as provided in this
3 Chapter, the following acts by persons twenty-one (21) years of age or older
4 are lawful and *shall not* be a criminal or civil offense under Guam law or be
5 a basis for seizure or forfeiture of assets under Guam law:

6 (a) possessing, using, displaying, purchasing, or transporting
7 cannabis accessories; one (1) ounce or less of cannabis; eight (8) grams or less
8 of cannabis concentrate; or any cannabis-infused products containing eight
9 hundred (800) mg or less of tetrahydrocannabinol;

10 (b) possessing, growing, processing, or transporting *no more than*
11 six (6) cannabis plants, with three (3) or fewer being mature flowering plants,
12 and possession of the cannabis produced by the plants on the premises where
13 the plants were grown; provided, that the growing takes place in an enclosed,
14 locked place, is not conducted openly or publicly, and is not made available
15 for sale;

16 (c) transferring one (1) ounce or less of cannabis and immature
17 cannabis plants; eight (8) grams or less of cannabis concentrate; or any
18 cannabis-infused products containing eight hundred (800) mg or less of
19 tetrahydrocannabinol to a person who is twenty-one (21) years of age or older
20 without remuneration;

21 (d) consumption of cannabis, *except* that absent regulations
22 otherwise promulgated by the Cannabis Control Board, nothing in this
23 Chapter shall permit the consumption of marijuana in public; and

24 (e) assisting another person who is twenty-one (21) years of age or
25 older in any of the acts described in Subsections (a) through (d) of this Section
26 if such assistance is provided for a non-commercial purpose.

1 (f) The provisions of this § 8103 do not apply to cannabis
2 establishments as defined in this Chapter.

3 **§ 8104. Restrictions on Personal Cultivation, Penalty.**

4 The personal cultivation of cannabis described in § 8103(b) of this
5 Chapter is subject to the following terms:

6 (a) Cannabis cultivation for personal use may only occur inside a
7 private residence, inside an accessory structure to a private residence located
8 upon the grounds of a private residence, or within a fully enclosed, locked
9 outdoor space on the grounds of a private residence; provided, that:

10 (1) cultivation takes place within a closet, room, greenhouse,
11 or other fully enclosed area that is equipped with a lock or other security
12 device that allows access only to persons authorized to access the area;
13 and

14 (2) no more than six (6) plants are possessed, cultivated, or
15 processed at a single residence or upon the grounds of that residence, at
16 one (1) time;

17 (b) cannabis cultivation for personal use may only occur on property
18 lawfully possessed by the cultivator or with the consent of the person in lawful
19 possession of the property;

20 (c) cannabis plants shall be cultivated in a location where the plants
21 are not visible from any public location;

22 (d) a person who cultivates cannabis shall take reasonable
23 precautions to ensure the plants are secure from unauthorized access; and

24 (e) a person who violates this Section while otherwise acting in
25 compliance with § 8103(b) of this Chapter is guilty of a violation punishable
26 by a fine of up to Five Hundred Dollars (\$500).

27 **§ 8105. Public Consumption Banned, Penalty.**

1 It is unlawful to consume cannabis openly and in public, unless
2 otherwise permitted by regulations duly promulgated and enacted by the
3 Cannabis Control Board. A person who violates this Section is guilty of a
4 violation punishable by a fine of up to One Hundred Dollars (\$100).

5 **§ 8106. False Identification, Penalty.**

6 (a) A person who is under twenty-one (21) years of age may not
7 present or offer to a licensed cannabis establishment or the cannabis
8 establishment's agent or employee any written or oral evidence of age that is
9 false, fraudulent, or not actually the person's own, for the purpose of:

10 (1) purchasing, attempting to purchase, or otherwise
11 procuring or attempting to procure cannabis or cannabis products; or

12 (2) gaining access or attempting to gain access to a cannabis
13 establishment.

14 (3) A person who violates this Section is guilty of a violation
15 punishable by a fine of up to Five Hundred Dollars (\$500).

16 (b) A licensee, or his agent or employee, shall not sell, give, nor
17 permit to be sold, given, or served any cannabis or cannabis products to any
18 person under twenty-one (21) years of age. For the purpose of preventing any
19 violation of this Section, any licensee or her/his agent or employee may refuse
20 to sell or serve cannabis or cannabis products to any person who is unable to
21 produce adequate written evidence that she or he has reached the age of
22 twenty-one (21) years. In any criminal prosecution or proceeding for the
23 suspension or revocation of any license and based upon a violation of this
24 Section, proof that the defendant licensee or her/his agent or employee
25 demanding and was shown, before furnishing any cannabis or cannabis product
26 to a minor, an identification card or other bona fide documentary evidence of
27 majority of such person shall be a defense to such prosecution or proceeding

1 for the suspension or revocation of any license, unless it is demonstrated that
2 a reasonable person would have determined that the identification exhibited
3 was altered or did not accurately describe the person to whom the cannabis or
4 cannabis product was sold or served. Every person who violates this Section
5 shall be guilty of a petty misdemeanor.

6 **§ 8107. Cannabis Accessories Authorized.**

7 Notwithstanding any other provision of law, it is lawful and shall not
8 be an offense under Guam law or be a basis for seizure or forfeiture of assets
9 for persons twenty-one (21) years of age or older to manufacture, possess, or
10 purchase cannabis accessories, or to distribute or sell cannabis accessories to
11 a person who is twenty-one (21) years of age or older.

12 **§ 8108. Lawful Operation of Cannabis-Related Facilities.**

13 (a) Notwithstanding any other provision of law, the following acts,
14 when performed by a retail cannabis store with a current, valid registration or
15 a person twenty-one (21) years of age or older who is acting in his or her
16 capacity as an owner, employee, or agent of a retail cannabis store, are lawful
17 and shall not be an offense under Guam law or be a basis for seizure or
18 forfeiture of assets under Guam law:

19 (1) possessing, displaying, storing, or transporting cannabis,
20 cannabis products, or cannabis accessories, except that such items may
21 not be displayed in a manner that is visible to the general public from a
22 public right-of-way;

23 (2) delivering or transferring cannabis or cannabis products to
24 a cannabis testing facility;

25 (3) receiving cannabis or cannabis products from a cannabis
26 cultivation facility or cannabis product manufacturing facility;

27 (4) purchasing cannabis from a cannabis cultivation facility;

1 (5) purchasing cannabis or cannabis products from a cannabis
2 product manufacturing facility; and

3 (6) delivering, distributing, or selling cannabis, cannabis
4 products, or cannabis accessories to consumers.

5 (b) Notwithstanding any other provision of law, the following acts,
6 when performed by a cannabis cultivation facility with a current, valid
7 registration or a person twenty-one (21) years of age or older who is acting in
8 his or her capacity as an owner, employee, or agent of a cannabis cultivation
9 facility, are lawful and shall not be an offense under Guam law or be a basis
10 for seizure or forfeiture of assets under Guam law:

11 (1) cultivating, harvesting, processing, packaging,
12 transporting, displaying, storing, or possessing cannabis;

13 (2) delivering or transferring cannabis to a cannabis testing
14 facility;

15 (3) delivering, distributing, or selling cannabis to a cannabis
16 cultivation facility, a cannabis product manufacturing facility, or a
17 retail cannabis store;

18 (4) receiving or purchasing cannabis from a cannabis
19 cultivation facility; and

20 (5) receiving cannabis seeds or immature cannabis plants
21 from a person twenty-one (21) years of age or older.

22 (c) Notwithstanding any other provision of law, the following acts,
23 when performed by cannabis product manufacturing facility with a current,
24 valid registration or a person twenty-one (21) years of age or older who is
25 acting in his or her capacity as an owner, employee, or agent of a cannabis
26 product manufacturing facility, are lawful and shall not be an offense under
27 Guam law or be a basis for seizure or forfeiture of assets under Guam law:

1 (1) packaging, processing, transporting, manufacturing,
2 displaying, or possessing cannabis or cannabis products;

3 (2) delivering or transferring cannabis or cannabis products to
4 a cannabis testing facility; and

5 (3) delivering or selling cannabis or cannabis products to a
6 person or establishment authorized to possess, use, display, purchase,
7 or transport cannabis or cannabis products.

8 (d) Notwithstanding any other provision of law, possessing,
9 cultivating, processing, repackaging, storing, transporting, displaying,
10 transferring, or delivering cannabis, when performed by a cannabis testing
11 facility with a current, valid registration or a person twenty-one (21) years of
12 age or older who is acting in his or her capacity as an owner, employee or
13 agent of a cannabis testing facility, are lawful and shall not be an offense
14 under Guam law or be a basis for seizure or forfeiture of assets under Guam
15 law.

16 (e) Notwithstanding any other provision of law, it is lawful and shall
17 not be an offense under Guam law or be a basis for seizure or forfeiture of
18 assets under Guam law to lease or otherwise allow the use of property owned,
19 occupied, or controlled by any person, corporation or other entity for any of
20 the activities conducted lawfully in accordance with Subsections (a) through
21 (d) of this Section.

22 (f) Nothing in this Section prevents the imposition of penalties upon
23 cannabis establishments for violating this Chapter or rules adopted by the
24 Cannabis Control Board referenced in § 8109 of this Chapter.

25 **§ 8109. Cannabis Control Board.**

1 I Liheslaturan Guåhan shall create a Cannabis Control Board which
2 shall assume the power, duties, and authority to promulgate rules and
3 regulations necessary to enforce this Chapter.

4 **§ 8110. Rulemaking.**

5 (a) No later than one (1) year after the effective date of this Act, the
6 Cannabis Control Board shall prescribe forms and adopt such rules and
7 regulations necessary for the implementation of this Chapter. Such regulations
8 shall not prohibit the operation of cannabis establishments either expressly or
9 through regulations that make their operation unreasonably impracticable.
10 Such regulations shall include:

11 (1) procedures and grounds for the issuance, renewal,
12 suspension, denial, and/or revocation of a registration to operate a
13 cannabis establishment;

14 (2) a schedule of application, registration, and renewal fees;
15 provided, that application fees shall not exceed Five Thousand Dollars
16 (\$5,000) with this upper limit adjusted annually for inflation, unless the
17 Cannabis Control Board determines a greater fee is necessary to carry
18 out its responsibilities under this Chapter;

19 (3) qualifications for registration that are directly and
20 demonstrably related to the operation of a cannabis establishment or
21 security requirements for cannabis establishments, including for the
22 transportation and storage of cannabis by cannabis establishments;

23 (4) requirements to prevent the sale or diversion of cannabis
24 and cannabis products to persons under the age of twenty-one (21);

25 (5) labeling and packaging requirements for cannabis and
26 cannabis products sold or distributed by a cannabis establishment;

1 (6) health and safety regulations and standards for the
2 manufacture of cannabis products and the cultivation of cannabis;

3 (7) reasonable restrictions on the advertising and display of
4 cannabis and cannabis products;

5 (8) reasonable restrictions on the quantity of cannabis and
6 cannabis products purchased at any one (1) time by a consumer so as to
7 effectually prevent the resale of cannabis items;

8 (9) implementation of a “seed to sale” tracking system;

9 (10) civil penalties for the failure to comply with regulations
10 made pursuant to this Chapter; and

11 (11) any other rules the Cannabis Control Board considers
12 necessary for the administration of the Guam Cannabis Industry Act,
13 and the implementation and enforcement of this Chapter.

14 (b) In order to ensure that individual privacy is protected, the
15 Cannabis Control Board shall not require a consumer to provide a retail
16 cannabis store with personal information other than government-issued
17 identification to determine the consumer’s age, and a retail cannabis store
18 shall not be required to acquire or record personal information about
19 consumers.

20 **§ 8111. Cannabis Establishment Registrations.**

21 (a) Each application or renewal application for a registration to
22 operate a cannabis establishment shall be submitted to the Cannabis Control
23 Board. A renewal application may be submitted up to ninety (90) days prior
24 to the expiration of the cannabis establishment’s registration.

25 (b) The Cannabis Control Board shall begin accepting and
26 processing applications to operate cannabis establishments no later than
27 ninety (90) days after the regulations prescribed in § 8110 of this Chapter

1 become effective. Upon receipt of an application for licensure, the Cannabis
2 Control Board shall not unreasonably delay the processing, approval, or
3 rejection of the application, or if the application is approved, the issuance of
4 the license.

5 (c) The Cannabis Control Board shall issue an annual registration to
6 the applicant within sixty (60) days after receiving an application, or thirty
7 (30) days after receiving a renewal application, unless the Cannabis Control
8 Board finds that the applicant is not in compliance with the regulations
9 established pursuant to § 8110 of this Chapter.

10 (d) Upon denial of an application, the Board shall notify the
11 applicant in writing of the specific reason for its denial and of the applicant's
12 right to seek administrative and judicial review as provided for under the
13 Guam Administrative Adjudication Law.

14 (e) Every cannabis establishment registration shall specify the
15 location where the cannabis establishment will operate, and shall have defined
16 boundaries. A separate registration is required for each location at which a
17 cannabis establishment operates. The Cannabis Control Board may require
18 reasonable restrictions for the operation of a licensed cannabis establishment.

19 (f) Cannabis establishments, and books and records maintained and
20 created by cannabis establishments, are subject to inspection by the Cannabis
21 Control Board with reasonable notice to the owner or agent of the business.

22 **§ 8112. Employers, Driving, Minors, and Control of Property.**

23 (a) Nothing in this Chapter shall be construed or interpreted to
24 amend, repeal, affect, restrict, or preempt the rights and obligations of public
25 and private employers to maintain a drug and alcohol free workplace; require
26 an employer to permit or accommodate the use, consumption, possession,
27 transfer, display, transportation, sale, or growth of cannabis in the workplace;

1 or affect the ability of employers to have policies prohibiting the use of
2 marijuana by employees and prospective employees in the workplace.

3 (b) Nothing in this Chapter is intended to affect the ability of
4 employers to enact and enforce workplace policies restricting the use or
5 consumption of cannabis by employees in the workplace.

6 (c) Nothing in this Chapter is intended to impair, restrict, or diminish
7 the ability of a government agency to prohibit or restrict any of the actions or
8 conduct otherwise permitted under this Chapter within a building owned,
9 leased, or occupied by the government agency.

10 (d) Nothing in this Chapter is intended to allow driving under the
11 influence of cannabis or to supersede laws related to driving under the
12 influence of cannabis.

13 (e) Nothing in this Chapter is intended to permit the transfer of
14 cannabis, with or without remuneration, to a person under the age of twenty-
15 one (21) years.

16 (f) Nothing in this Chapter shall prohibit a person, employer, school,
17 hospital, recreation, or youth center, correction facility, corporation, or any
18 other entity who occupies, owns, or controls private property from prohibiting
19 or otherwise regulating the possession, consumption, use, display, transfer,
20 distribution, sale, transportation, or growing of cannabis on or in that property.

21 **§ 8113. Excise Tax on Cannabis.**

22 (a) A Guam excise tax is imposed on the sale or transfer of cannabis
23 from a cannabis cultivation facility to a retail cannabis store or cannabis
24 product manufacturing facility. Every cannabis cultivation facility shall pay a
25 Guam excise tax at the rate of fifteen percent (15%) on the dollar value of
26 cannabis that is sold or transferred from a cannabis cultivation facility to a
27 retail cannabis store or cannabis product manufacturing facility. Provided

1 further, that no such excise tax shall be levied upon cannabis intended for sale
2 as medical cannabis.

3 (b) The Department of Revenue and Taxation shall establish
4 procedures for the collection of all excise taxes levied.

5 (c) The Cannabis Control Board may exempt certain parts of the
6 cannabis plant from the excise tax described in Subsection (a), or may
7 establish an alternate rate or tax structure in accordance with the rules and
8 regulations promulgated in accordance with this Chapter.

9 **§ 8114. Monthly Statements and Payments.**

10 (a) Each cannabis cultivation facility shall send a statement by mail
11 or electronically to the Department on or before the last day of each calendar
12 month. The statement must contain an account of the amount of cannabis sold
13 or transferred to retail cannabis stores and cannabis product manufacturing
14 facilities in Guam during the preceding month, setting out:

15 (1) the total number of ounces, including fractional ounces
16 sold or transferred;

17 (2) the names and addresses of each buyer and transferee; and

18 (3) the weight of cannabis sold or transferred to the respective
19 buyers or transferees.

20 **§ 8115. Federal Law, Applicability.**

21 Nothing in this Chapter proposes or intends to require any individual or
22 entity to engage in any conduct that violates federal law, exempt any
23 individual or entity from any requirement of federal law, or pose any obstacle
24 to federal enforcement of federal law.

25 **§ 8116. Prior Duties, Penalties, and Proceedings.**

26 This Act does not affect rights and duties that matured, penalties that
27 were incurred, and proceedings that were begun before its effective date.

1 (a) One (1) member shall be the Director of the Department of
2 Revenue and Taxation, or his/her designee;

3 (b) one (1) member shall be the Director of the Department of
4 Agriculture, or his/her designee;

5 (c) one (1) member shall represent the Guam business community;
6 and

7 (d) two (2) members shall represent the general public, and at least
8 one (1) member from the general public shall possess a medical cannabis card.

9 Each member shall serve a term of four (4) years.

10 **§ 9104. Qualifications of Members.**

11 Each member shall be a citizen of the United States of America or a
12 permanent resident of Guam for at least one (1) year immediately preceding
13 the appointment; be at least twenty-one (21) years of age; not have been
14 convicted of a crime, other than traffic offenses, that involves moral turpitude;
15 and, must not be an applicant for, or hold a license to conduct any activities
16 under the Board's supervision and regulation.

17 **§ 9105. Meetings of Board; Quorum; Chairperson, Vice**
18 **Chairperson.**

19 The Board shall meet at least monthly, and may meet more frequently
20 as its duties require. A quorum shall consist of at least three (3) members
21 being present for the conduct of all official business. At its initial meeting, a
22 quorum being present, the members shall select their chairperson and vice
23 chairperson.

24 **§ 9106. Staff Support.**

25 The Department of Revenue and Taxation shall provide staff support
26 for the Board.

27 **§ 9107. Duties of Board.**

1 The Board shall have all of the powers and duties specified in this
2 Chapter, and also the powers necessary or proper to enable it to carry out the
3 purposes of this Chapter, and the purposes of the “Guam Cannabis Industry
4 Act of 2019.” The jurisdiction, supervision, powers and duties of the Board
5 shall extend to any person who buys, sells, produces, possesses, transports, or
6 delivers any cannabis items within Guam. The Board shall be responsible for:

7 (a) conducting hearings pertaining to any violation of this Chapter
8 or regulations promulgated hereby, including hearings for the purpose of
9 approving cannabis licenses and any other business allowed under this
10 Chapter;

11 (b) promulgating such rules and regulations as may be necessary to
12 fulfill the intent, policies and purposes of this Chapter;

13 (c) levying fines and penalties for any violation of provisions of this
14 Chapter and the regulations promulgated by the Board;

15 (d) requiring and demanding access to, for the purposes of
16 inspecting, examining, photocopying, and/or auditing, all papers, books, and
17 records of a licensed cannabis business on its premises or elsewhere as
18 practical, including inspecting the gross income produced by a cannabis
19 establishment and verification of their income, and all other matters affecting
20 the enforcement of the Board’s policy or as required pursuant to this Chapter;

21 (e) the types of licenses or permits to be covered by the cannabis
22 license and its structure, including onsite ingestion, application of topicals,
23 and smoking or vaping in a manner consistent with Chapter 90 of Title 10
24 GCA;

25 (f) regulating the testing, purchase, sale, production, processing,
26 transportation, and delivery of cannabis and cannabis products to be sold to

1 consumers by a retail cannabis store in accordance with the provisions of this
2 Chapter and the provisions of Chapter 8, Title 11 GCA;

3 (g) granting, refusing, suspending, or canceling licenses for the sale,
4 processing, or production of cannabis items, or other licenses in regard to
5 cannabis items, and to permit, in its discretion, the transfer of a license of any
6 person;

7 (h) investigating and aiding in the prosecution of every violation of
8 Guam statutes relating to cannabis items, and cooperating in the prosecution
9 of offenders before the Superior Court of Guam;

10 (i) adopting such regulations as are necessary and feasible for
11 carrying out the intent and provisions of this Chapter, and to amend or repeal
12 such regulations;

13 (j) exercising all powers incidental, convenient or necessary to
14 enable it to administer or carry out the provisions of this Chapter, and the
15 provisions of Chapter 8, Title 11 GCA;

16 (k) regulating and prohibiting any advertising by manufacturers,
17 processors, wholesalers or retailers of cannabis items by newspapers, letters,
18 billboards, radio, television, or otherwise;

19 (l) regulating the use of cannabis items for scientific,
20 pharmaceutical, manufacturing, mechanical, industrial, and other purposes;

21 (m) adopting separate regulations as are necessary and feasible for
22 the public display and use of cannabis items at exhibitions promoting cannabis
23 as an alternative to pharmaceuticals;

24 (n) adopting separate regulations as are necessary and feasible for
25 the development of a hemp program for strains of cannabis that exceed three
26 tenths percent (0.3%) on a dry weight basis of any part of the cannabis plant,
27 or per volume or weight of cannabis product, or the combined percent of delta-

1 9-tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the
2 cannabis plant regardless of moisture content;

3 (o) conducting an annual summit with the Department of Revenue
4 and Taxation, the Department of Agriculture, the Department of Public Health
5 and Social Services, the Guam Police Department, the Department of Land
6 Management, and other stakeholders in the government and private sectors to
7 discuss the regulation of cannabis on Guam; and

8 (p) prescribing forms and adopting such rules and regulations as the
9 Board deems necessary for the implementation and administration of this
10 Chapter no later than one (1) calendar year following the Board's initial
11 meeting.

12 **§ 9108. Limitations on Board Jurisdiction.**

13 The Board shall not regulate the personal cultivation of cannabis as may
14 be allowed by Guam statute. The Board has no power to purchase, own, sell,
15 or possess any cannabis items.

16 **§ 9109. Cannabis Control Fund, Created.**

17 There is hereby created, separate and apart from all other funds of the
18 government of Guam, the Cannabis Control Fund (Fund). All fees, fines,
19 penalties and other charges resulting from the licensing and enforcement of
20 adult cannabis use on Guam shall be deposited in this Fund. Expenditures of
21 the Fund shall be by appropriation from I Liheslaturan Guåhan. The Director
22 of the Department of Revenue and Taxation shall report on a quarterly basis
23 to the Speaker of I Liheslaturan Guåhan of the revenues collected and
24 expended from this Fund, and post the same on the Department's website."

25 **Section 4.** Items (23) and (31) of §§ (c) of Appendix A, Chapter 67, Title 9,
26 Guam Code Annotated, are *repealed*, and thereby declassifies marijuana as a
27 Schedule 1 Controlled Substance. Any reference by the Guam Uniform Controlled

1 Substances Act to marijuana, such as “marihuana,” “tetrahydrocannabinol,”
2 “cannabis,” and derivatives thereof, *shall* be deemed repealed, null, and void upon
3 the passage of this Act.

4 “~~[(23) marihuana]~~”

5 “~~[(31) tetrahydrocannabinols (Meaning tetrahydrocannabinols~~
6 ~~naturally contained in a plant of the genus Cannabis (cannabis plant), as well~~
7 ~~as synthetic equivalents of the substances contained in the cannabis plant, or~~
8 ~~in the resinous extractives of such plant, and/or synthetic substances,~~
9 ~~derivatives, and their isomers with similar chemical structure and~~
10 ~~pharmacological activity to those substances contained in the plant, such as~~
11 ~~the following:~~

12 ~~–1 cis or trans tetrahydrocannabinol, and their optical isomers; –6 cis or~~
13 ~~trans tetrahydrocannabinol, and their optical isomers; and –3, 4 cis or trans~~
14 ~~tetrahydrocannabinol, and its optical isomers. (Since nomenclature of these~~
15 ~~substances is not internationally standardized, compounds of these structures,~~
16 ~~regardless of numeric designation of atomic positions covered.);]”~~

17 **Section 5.** § 67.401.2(b) of Article 4, Chapter 67, Title 9, Guam Code
18 Annotated, is *amended* to read:

19 “(b) Any person who violates Subsection (a) with respect to:

20 (1) any controlled substance ~~except marijuana~~ *shall* be guilty
21 of a felony of the third degree.

22 ~~(2) any person under the age of twenty one (21) years~~
23 ~~possessing more than one (1) ounce of marijuana *shall* be guilty of a~~
24 ~~petty misdemeanor.~~

25 ~~(3) any person under the age of twenty one (21) years~~
26 ~~possessing one (1) ounce or less of marijuana *shall* be guilty of a~~
27 ~~violation and punished by a fine of One Hundred Dollars (\$100.00).”~~

1 **Section 6.** § 67.401.4(f) of Article 4, Chapter 67, Title 9, Guam Code
2 Annotated, is *amended* to read:

3 “(f) If he is guilty of an offense involving a controlled substance
4 listed in Schedule I or II of this Act which is not a narcotic drug or a controlled
5 substance in Schedule III of this Act and if he has been convicted of one (1)
6 or more prior offenses punishable under the provisions of Subsection (e) of
7 this Section, a felony under any provision of this Act, any law of the United
8 States, a state or foreign jurisdiction relating to narcotic drugs, [~~marijuana, or~~]
9 depressant or stimulant substances and one (1) or more of the convictions are
10 final, he *shall* be sentenced to a term of imprisonment of not more than ten
11 (10) years and, in addition, may be fined not more than Thirty Thousand
12 Dollars (\$30,000.00). The sentence *shall* include a special parole term of at
13 least two (2) years in addition to such term of imprisonment.”

14 **Section 7.** § 67.401.4(h) of Article 4, Chapter 67, Title 9, Guam Code
15 Annotated, is *amended* to read:

16 “(h) If he is guilty of an offense involving a controlled substance
17 listed in Schedule IV of this Act and if he has been convicted of a felony under
18 a provision of this Act; or a law of the United States, a state or foreign
19 jurisdiction relating to narcotic drugs, [~~marijuana, or~~] depressant or stimulant
20 substances, and such convictions are final, then he *shall* he sentenced to a term
21 of imprisonment of not more than six (6) years and, in addition, may be fined
22 not more than Twenty Thousand Dollars (\$20,000.00). The sentence *shall*
23 include a special parole term of at least two (2) years in addition to such term
24 of imprisonment. Imposition or execution of such sentence *shall not* be
25 suspended and probation *shall not* be granted.”

26 **Section 8.** § 67.401.4(j) of Article 4, Chapter 67, Title 9, Guam Code
27 Annotated, is *amended* to read:

1 “(j) If he is guilty of an offense involving a controlled substance
2 listed in Schedule V of this Act and if he has been convicted of a felony under
3 a provision of this Act, or a law of the United States, a state or foreign
4 jurisdiction relating to narcotic drugs, [~~marijuana, or~~] depressant or stimulant
5 substances, and such convictions are final, then he *shall* be sentenced to a term
6 of imprisonment of not more than two (2) years or a fine of not more than Ten
7 Thousand Dollars (\$10,000.00), or both. Imposition or execution of such
8 sentence *shall not* be suspended and probation *shall not* be granted.”

9 **Section 9.** § 67.401.4(k) of Article 4, Chapter 67, Title 9, Guam Code
10 Annotated, is hereby *repealed*.

11 ~~(k) — Notwithstanding the provisions of this Section, any person who~~
12 ~~is guilty of an offense pursuant to § 67.401.1(a) of this Act by distributing less~~
13 ~~than one (1) pound of marijuana for no remuneration *shall* be sentenced as~~
14 ~~provided in § 67.412 of this Act.~~

15 **Section 10.** § 67.401.5 of Article 4, Chapter 67, Title 9, Guam Code
16 Annotated, is *amended* to read:

17 **“§ 67.401.5. Fines for Drug Offenses.**

18 Any person who is guilty of an offense pursuant to § 67.402(a) of this
19 Act may, in addition to imprisonment for felony of the third degree, be fined
20 not more than Twenty-five Thousand Dollars (\$25,000.00), except that if any
21 person commits such offense after previously being convicted of one (1) or
22 more prior offenses involving § 67.402(a) of this Act, or for a felony under
23 any other provision of this Act or other law of the United States, state or
24 foreign jurisdiction relating to narcotic drugs, [~~marijuana, or~~] depressant or
25 stimulant substances, and one (1) or more of the convictions have become
26 final, such person may, in addition to imprisonment for felony of the third
27 degree, be fined not more than Fifty Thousand Dollars (\$50,000.00).”

1 **Section 11.** § 67.401.6 of Article 4, Chapter 67, Title 9, Guam Code
2 Annotated, is *amended* to read:

3 **“§ 67.401.6. Additional Fines for Drug Offenses.**

4 Any person who is guilty of an offense pursuant to § 67.403(a) of this
5 Act may, in addition to imprisonment for felony of the third degree, be fined
6 not more than Thirty Thousand Dollars (\$30,000.00); except, that if any
7 person commits such offense after previously being convicted of one (1) or
8 more offenses pursuant to § 67.403(a) of this Act or for any felony under any
9 other provision of this Act or other law of the United States, state or foreign
10 jurisdiction relating to narcotic drugs, [~~marijuana, or~~] depressant or stimulant
11 substances, and one (1) or more of the convictions have become final, such
12 person *shall* be sentenced to a term of imprisonment of not more than eight
13 (8) years and, in addition, may be fined not more than Sixty Thousand Dollars
14 (\$60,000.00).”

15 **Section 12.** § 67.411(b) of Article 4, Chapter 67, Title 9, Guam Code
16 Annotated, is *amended* to read:

17 “(b) For purposes of this Section, a person *shall* be considered
18 convicted of a second or subsequent offense if, prior to the commission of
19 such offense, he was convicted of one (1) or more felonies under any provision
20 of this Act or law of the United States, a state or foreign jurisdiction relating
21 to narcotic drugs, [~~marijuana or~~] depressant or stimulant drugs.”

22 **Section 13.** § 67.412(a) of Article 4, Chapter 67, Title 9, Guam Code
23 Annotated, is *amended* to read:

24 “(a) Whenever any person who has not previously been convicted of
25 an offense under this Act or under any statute of the United States or of any
26 state relating to narcotic drugs, [~~marijuana or~~] stimulant, depressant or
27 hallucinogenic drugs, pleads guilty to or is found guilty of possession of a

1 controlled substance under § 67.401.2(a), the Court, without entering a
2 judgment of guilt and with the consent of the accused, may defer further
3 proceedings and place him on probation upon terms and conditions. Upon
4 violation of a term or condition, the Court may enter an adjudication of guilty
5 and proceed as otherwise provided. Upon fulfillment of the terms and
6 conditions, the Court *shall* discharge such person and dismiss the proceedings
7 against him. Discharge and dismissal under this Section *shall* be without
8 Court adjudication of guilt and *shall not* be deemed a conviction for purposes
9 of disqualifications or disabilities imposed by law upon conviction of a crime.
10 Discharge and dismissal under this Section may occur only once with respect
11 to any person.”

12 **Section 14.** A new § 70.44.4 is *added* to Title 9, Guam Code Annotated to
13 read:

14 **“§ 70.44.4. Possession of cannabis by persons under twenty-one (21)**
15 **years of age.** Any person under twenty-one (21) years of age possessing cannabis
16 shall be guilty of a violation and subject to a One Hundred Dollar (\$100.00) fine for
17 the first offense and a Two Hundred-Fifty Dollar (\$250.00) fine for each subsequent
18 possession.”

19 **Section 15.** Nothing in this Act shall be construed or interpreted to amend,
20 repeal, affect, restrict, or preempt laws pertaining to Guam Public Laws 32-237, 34-
21 125 and 34-165.

22 **Section 16. Severability.** If any provision of this Act or its application to any
23 person or circumstance is found to be invalid or contrary to law, 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.

27 **Section 17. Effective Date.** This Act *shall* become effective upon enactment.

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2019 (FIRST) Regular Session

Bill No. 32-35 (COR)

As Amended by the Committee on Economic
Development, Agriculture, Maritime
Transportation, Power and Energy Utilities, and
Emergency Response

Introduced by:

Clynton E. Ridgell
Tina Rose Muña Barnes
Joe S. San Agustin
Régine Biscoe Lee
Telo T. Taitague
Jose "Pedo" Terlaje

AN ACT TO ADD A NEW CHAPTER 8 TO TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO REGULATING THE USE, PRODUCTION, SALE, AND TAXATION OF MARIJUANA, TO BE KNOWN AS THE "GUAM CANNABIS INDUSTRY ACT OF 2019"; TO ADD A NEW CHAPTER 9 TO TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO CREATING THE CANNABIS CONTROL BOARD; TO REPEAL §§ (c)(23) AND (c)(31) OF APPENDIX A, CHAPTER 67, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO DECLASSIFYING MARIJUANA AS A SCHEDULE I CONTROLLED SUBSTANCE AND REDEFINING REFERENCES TO IT IN THE GUAM UNIFORM CONTROLLED SUBSTANCES ACT; AND TO AMEND §§ 67.401.2(b), 67.401.4(f), (h), AND (j), 67.401.5, 67.401.6, 67.411(b) AND 67.412(a), AND REPEAL § 67.401.4(k), ALL OF ARTICLE 4, CHAPTER 67, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO REDEFINING REFERENCES TO IT IN THE GUAM UNIFORM CONTROLLED SUBSTANCES ACT; AND ADDING A NEW § 70.44.4 TO TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO POSSESSION OF CANNABIS BY PERSONS UNDER TWENTY-ONE (21) YEARS OF AGE.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that in the interest of enhancing revenue for public purposes with the creation of a
4 new industry, enhancing individual freedom, and promoting the efficient use of law
5 enforcement resources, the use of cannabis should be legal for persons twenty-one
6 (21) years of age or older, and the production and sale of cannabis should be
7 regulated for public health, welfare, safety, and taxation purposes.

8 It is the intent of *I Liheslaturan Guåhan* that the use, sale, and production of
9 cannabis should be regulated so that:

10 (a) individuals will have to show proof of age before purchasing
11 cannabis;

12 (b) selling, distributing, or transferring marijuana to individuals
13 under twenty-one (21) years of age remains illegal, *except* that nothing in this
14 Act is intended to or shall be construed as prohibiting or restricting the
15 possession or medical use of cannabis by qualified patients as permitted by
16 Public Law 32-237;

17 (c) driving under the influence of cannabis remains illegal;

18 (d) legitimate, taxpaying businesses ~~people~~ will conduct sales of
19 cannabis; and

20 (e) cannabis produced and sold by regulated businesses will be
21 tested, packaged, labeled, and tracked, subject to additional regulations to
22 prevent access by individuals under the age of twenty-one (21) to ensure that
23 consumers are informed and protected, and so that cannabis is not diverted
24 outside of Guam to states or jurisdictions where it is illegal.

1 (a) Board means the Cannabis Control Board referenced in § 8109
2 of this Chapter.

3 (b) Cannabis means all parts of the plant of the genus cannabis,
4 whether growing or not, the seeds thereof, the resin extracted from any part
5 of the plant, and every compound, manufacture, salt, derivative, mixture, or
6 preparation of the plant, its seeds, or its resin, including cannabis or marijuana
7 concentrate. Cannabis does not include the mature stalks of the plant, fiber
8 produced from the stalks, oil, or cake made from the seeds of the plant,
9 sterilized seed of the plant which is incapable of germination, or the weight of
10 any other ingredient combined with marijuana to prepare topical or oral
11 administrations, food, drink, or other products.

12 (c) Cannabis accessories means any equipment, products, or
13 materials of any kind that are used, intended for use, or designed for use in
14 planting, propagating, cultivating, growing, harvesting, composting,
15 manufacturing, compounding, converting, producing, processing, preparing,
16 testing, analyzing, packaging, repackaging, storing, vaporizing, or containing
17 marijuana, or for ingesting, inhaling, or otherwise introducing marijuana into
18 the human body.

19 (d) Cannabis concentrate means any cannabis product or subset of
20 cannabis produced by extracting cannabinoids from cannabis.

21 (e) Cannabis cultivation facility means an entity licensed to
22 cultivate, prepare, and package cannabis; and sell cannabis to retail cannabis
23 stores, to cannabis product manufacturing facilities, and to other licensed
24 cannabis cultivation facilities, but not to consumers.

25 (f) Cannabis establishment means a cannabis cultivation facility,
26 cannabis testing facility, a cannabis product manufacturing facility, or a retail
27 cannabis store.

1 (g) Cannabis flower or flower means the inflorescence(s) of the
2 mature pistillate (female) cannabis plant.

3 (h) Cannabis-infused product means any product that is comprised
4 of cannabis concentrate or cannabis plant material and other ingredients, and
5 is intended for use or consumption other than by smoking or vaporizing,
6 including ingestible cannabis-infused products, topical cannabis-infused
7 products, transdermal cannabis-infused products, and transmucosal cannabis-
8 infused products.

9 (i) Cannabis product means a finished product intended for human
10 consumption or use that is comprised partially or completely of cannabis. This
11 term is used generally to refer to one (1) or more of the following: cannabis
12 flower, cannabis concentrates, and cannabis-infused products.

13 (j) Cannabis product category means a defined group of cannabis
14 products that are in the same form. Cannabis flower, cannabis concentrates,
15 and cannabis-infused products are all cannabis product categories, though the
16 latter category may be further broken down into sub-categories such as
17 ingestible cannabis-infused products and non-ingestible cannabis-infused
18 products.

19 (k) Cannabis product manufacturing facility means an entity
20 licensed to purchase cannabis from licensed cannabis cultivation facilities to
21 manufacture, prepare, and package cannabis products; and to sell cannabis
22 and cannabis products to other cannabis product manufacturing facilities and
23 to retail cannabis stores, but not to consumers. Nothing herein shall be
24 construed to prohibit a cannabis product manufacturing facility from
25 purchasing cannabis or cannabis products from other cannabis product
26 manufacturing facilities.

1 (l) Cannabis testing facility means an entity licensed to analyze and
2 certify the safety and potency of cannabis. Only a licensed cannabis testing
3 facility may collect and transport cannabis or cannabis samples to and from a
4 cannabis testing facility.

5 (m) Consumer means a person twenty-one (21) years of age or older
6 who purchases cannabis or marijuana products for personal use only, but not
7 for resale to others.

8 (n) Consumption means the act of ingesting, inhaling, or otherwise
9 introducing cannabis or marijuana into the human body, including through the
10 use of topicals, ointments, or tinctures.

11 (o) Department means the Guam Department of Revenue and
12 Taxation.

13 (p) Ingestible cannabis-infused product or ingestible means a
14 product that contains cannabis and at least one (1) other ingredient, is intended
15 for use or consumption other than by inhalation, is intended to be taken into
16 the body, and is one (1) of the following:

17 (1) edible cannabis-infused product or edible, which is an
18 ingestible cannabis-infused product that is intended to be taken by
19 mouth, swallowed, and is primarily absorbed through the
20 gastrointestinal tract. Edible cannabis-infused products may be
21 psychoactive when used as intended. Without limitation, edible
22 cannabis-infused products may be in the form of a food, beverage,
23 capsule, or tablet; or

24 (2) transmucosal cannabis-infused product or transmucosal,
25 which is an ingestible cannabis-infused product that is intended to be
26 placed in a body cavity and absorbed through the mucosal lining of that
27 cavity, and may be psychoactive when used as intended. Transmucosal

1 cannabis-infused products include, but are not limited to, cannabis-
2 infused tinctures, anal suppositories, lozenges, and nasal sprays.

3 (q) *Non-ingestible cannabis-infused product or non-ingestible*
4 means a product that contains cannabis and at least one (1) other ingredient,
5 is intended for use or consumption other than by inhalation, is intended for
6 external use only, and is one (1) of the following:

7 (1) *topical cannabis-infused product or topical,* which is a
8 *non-ingestible cannabis-infused product that produces a non-*
9 *psychoactive effect when used as intended. Topical cannabis-infused*
10 *products include, but are not limited to, cannabis-infused creams,*
11 *salves, bath soaks, and lotions; or*

12 (2) *transdermal cannabis-infused product or transdermal,*
13 *which is a non-ingestible cannabis-infused product that contains at least*
14 *one (1) skin-permeation-enhancing ingredient to facilitate absorption*
15 *through the skin into the bloodstream, and may be psychoactive when*
16 *used as intended. Transdermal cannabis-infused products include, but*
17 *are not limited to, cannabis-infused adhesive patches that are applied to*
18 *the skin surface.*

19 (r) *Retail cannabis store* means an entity licensed to purchase
20 cannabis, and to sell cannabis and cannabis products to consumers. Nothing
21 herein shall be construed to prohibit a licensed retail cannabis store to
22 purchase, sell, or transfer cannabis and cannabis products to another licensed
23 retail cannabis store.

24 (s) *Unreasonably impracticable* means that the measures necessary
25 to comply with this part require such a high investment of risk, money, time,
26 or any other resource or asset that the operation of a cannabis establishment

1 is not worthy of being carried out in practice by a reasonably prudent
2 businessperson.

3 (t) *Marijuana* means *cannabis* as defined in Subsection (b) of this
4 Section. For purposes of this Chapter, the terms marijuana and cannabis shall
5 carry the same meaning and shall be used interchangeably.

6 **§ 8103. Personal Use of Cannabis.**

7 Notwithstanding any other provision of law, except as provided in this
8 Chapter, the following acts by persons twenty-one (21) years of age or older
9 are lawful and shall not be a criminal or civil offense under Guam law or be
10 a basis for seizure or forfeiture of assets under Guam law:

11 (a) possessing, using, displaying, purchasing, or transporting
12 cannabis accessories; one (1) ounce or less of cannabis; eight (8) grams or less
13 of cannabis concentrate; or any cannabis-infused products containing eight
14 hundred (800) mg or less of tetrahydrocannabinol;

15 (b) possessing, growing, processing, or transporting no more than
16 six (6) cannabis plants, with three (3) or fewer being mature flowering plants,
17 and possession of the cannabis produced by the plants on the premises where
18 the plants were grown; provided, that the growing takes place in an enclosed,
19 locked place, is not conducted openly or publicly, and is not made available
20 for sale;

21 (c) transferring one (1) ounce or less of cannabis and immature
22 cannabis plants; eight (8) grams or less of cannabis concentrate; or any
23 cannabis-infused products containing eight hundred (800) mg or less of
24 tetrahydrocannabinol to a person who is twenty-one (21) years of age or older
25 without remuneration;

1 (d) consumption of cannabis, except that absent regulations
2 otherwise promulgated by the Cannabis Control Board, nothing in this
3 Chapter shall permit the consumption of marijuana in public; and

4 (e) assisting another person who is twenty-one (21) years of age or
5 older in any of the acts described in Subsections (a) through (d) of this Section
6 if such assistance is provided for a non-commercial purpose.

7 (f) The provisions of this § 8103 do not apply to cannabis
8 establishments as defined in this Chapter.

9 **§ 8104. Restrictions on Personal Cultivation, Penalty.**

10 The personal cultivation of cannabis described in § 8103(b) of this
11 Chapter is subject to the following terms:

12 (a) Cannabis cultivation for personal use may only occur inside a
13 private residence, inside an accessory structure to a private residence located
14 upon the grounds of a private residence, or within a fully enclosed, locked
15 outdoor space on the grounds of a private residence; provided, that:

16 (1) cultivation takes place within a closet, room, greenhouse,
17 or other fully enclosed area that is equipped with a lock or other security
18 device that allows access only to persons authorized to access the area;
19 and

20 (2) no more than six (6) plants are possessed, cultivated, or
21 processed at a single residence or upon the grounds of that residence, at
22 one (1) time;

23 (b) cannabis cultivation for personal use may only occur on property
24 lawfully possessed by the cultivator or with the consent of the person in lawful
25 possession of the property;

26 (c) cannabis plants shall be cultivated in a location where the plants
27 are not visible from any public location;

1 (d) a person who cultivates cannabis shall take reasonable
2 precautions to ensure the plants are secure from unauthorized access; and

3 (e) a person who violates this Section while otherwise acting in
4 compliance with § 8103(b) of this Chapter is guilty of a violation punishable
5 by a fine of up to Five Hundred Dollars (\$500).

6 **§ 8105. Public Consumption Banned, Penalty.**

7 It is unlawful to consume cannabis openly and in public, unless
8 otherwise permitted by regulations duly promulgated and enacted by the
9 Cannabis Control Board. A person who violates this Section is guilty of a
10 violation punishable by a fine of up to One Hundred Dollars (\$100).

11 **§ 8106. False Identification, Penalty.**

12 (a) A person who is under twenty-one (21) years of age may not
13 present or offer to a licensed cannabis establishment or the cannabis
14 establishment's agent or employee any written or oral evidence of age that is
15 false, fraudulent, or not actually the person's own, for the purpose of:

16 (1) purchasing, attempting to purchase, or otherwise
17 procuring or attempting to procure cannabis or cannabis products; or

18 (2) gaining access or attempting to gain access to a cannabis
19 establishment.

20 (3) A person who violates this Section is guilty of a violation
21 punishable by a fine of up to Five Hundred Dollars (\$500).

22 (b) A licensee, or his agent or employee, shall not sell, give, nor
23 permit to be sold, given, or served any cannabis or cannabis products to any
24 person under twenty-one (21) years of age. For the purpose of preventing any
25 violation of this Section, any licensee or her/his agent or employee may refuse
26 to sell or serve cannabis or cannabis products to any person who is unable to
27 produce adequate written evidence that she or he has reached the age of

1 twenty-one (21) years. In any criminal prosecution or proceeding for the
2 suspension or revocation of any license and based upon a violation of this
3 Section, proof that the defendant licensee or her/his agent or employee
4 demanding and was shown, before furnishing any cannabis or cannabis product
5 to a minor, an identification card or other bona fide documentary evidence of
6 majority of such person shall be a defense to such prosecution or proceeding
7 for the suspension or revocation of any license, unless it is demonstrated that
8 a reasonable person would have determined that the identification exhibited
9 was altered or did not accurately describe the person to whom the cannabis or
10 cannabis product was sold or served. Every person who violates this Section
11 shall be guilty of a petty misdemeanor.

12 **§ 8107. Cannabis Accessories Authorized.**

13 Notwithstanding any other provision of law, it is lawful and shall not
14 be an offense under Guam law or be a basis for seizure or forfeiture of assets
15 for persons twenty-one (21) years of age or older to manufacture, possess, or
16 purchase cannabis accessories, or to distribute or sell cannabis accessories to
17 a person who is twenty-one (21) years of age or older.

18 **§ 8108. Lawful Operation of Cannabis-Related Facilities.**

19 (a) Notwithstanding any other provision of law, the following acts,
20 when performed by a retail cannabis store with a current, valid registration or
21 a person twenty-one (21) years of age or older who is acting in his or her
22 capacity as an owner, employee, or agent of a retail cannabis store, are lawful
23 and shall not be an offense under Guam law or be a basis for seizure or
24 forfeiture of assets under Guam law:

- 25 (1) possessing, displaying, storing, or transporting cannabis,
26 cannabis products, or cannabis accessories, except that such items may

1 not be displayed in a manner that is visible to the general public from a
2 public right-of-way;

3 (2) delivering or transferring cannabis or cannabis products to
4 a cannabis testing facility;

5 (3) receiving cannabis or cannabis products from a cannabis
6 cultivation facility or cannabis product manufacturing facility;

7 (4) purchasing cannabis from a cannabis cultivation facility;

8 (5) purchasing cannabis or cannabis products from a cannabis
9 product manufacturing facility; and

10 (6) delivering, distributing, or selling cannabis, cannabis
11 products, or cannabis accessories to consumers.

12 (b) Notwithstanding any other provision of law, the following acts,
13 when performed by a cannabis cultivation facility with a current, valid
14 registration or a person twenty-one (21) years of age or older who is acting in
15 his or her capacity as an owner, employee, or agent of a cannabis cultivation
16 facility, are lawful and shall not be an offense under Guam law or be a basis
17 for seizure or forfeiture of assets under Guam law:

18 (1) cultivating, harvesting, processing, packaging,
19 transporting, displaying, storing, or possessing cannabis;

20 (2) delivering or transferring cannabis to a cannabis testing
21 facility;

22 (3) delivering, distributing, or selling cannabis to a cannabis
23 cultivation facility, a cannabis product manufacturing facility, or a
24 retail cannabis store;

25 (4) receiving or purchasing cannabis from a cannabis
26 cultivation facility; and

1 (5) receiving cannabis seeds or immature cannabis plants
2 from a person twenty-one (21) years of age or older.

3 (c) Notwithstanding any other provision of law, the following acts,
4 when performed by cannabis product manufacturing facility with a current,
5 valid registration or a person twenty-one (21) years of age or older who is
6 acting in his or her capacity as an owner, employee, or agent of a cannabis
7 product manufacturing facility, are lawful and shall not be an offense under
8 Guam law or be a basis for seizure or forfeiture of assets under Guam law:

9 (1) packaging, processing, transporting, manufacturing,
10 displaying, or possessing cannabis or cannabis products;

11 (2) delivering or transferring cannabis or cannabis products to
12 a cannabis testing facility; and

13 (3) delivering or selling cannabis or cannabis products to a
14 person or establishment authorized to possess, use, display, purchase,
15 or transport cannabis or cannabis products.

16 (d) Notwithstanding any other provision of law, possessing,
17 cultivating, processing, repackaging, storing, transporting, displaying,
18 transferring, or delivering cannabis, when performed by a cannabis testing
19 facility with a current, valid registration or a person twenty-one (21) years of
20 age or older who is acting in his or her capacity as an owner, employee or
21 agent of a cannabis testing facility, are lawful and shall not be an offense
22 under Guam law or be a basis for seizure or forfeiture of assets under Guam
23 law.

24 (e) Notwithstanding any other provision of law, it is lawful and shall
25 not be an offense under Guam law or be a basis for seizure or forfeiture of
26 assets under Guam law to lease or otherwise allow the use of property owned,
27 occupied, or controlled by any person, corporation or other entity for any of

1 the activities conducted lawfully in accordance with Subsections (a) through
2 (d) of this Section.

3 (f) Nothing in this Section prevents the imposition of penalties upon
4 cannabis establishments for violating this Chapter or rules adopted by the
5 Cannabis Control Board referenced in § 8109 of this Chapter.

6 **§ 8109. Cannabis Control Board.**

7 *I Liheslaturan Guåhan shall create a Cannabis Control Board which*
8 *shall assume the power, duties, and authority to promulgate rules and*
9 *regulations necessary to enforce this Chapter.*

10 **§ 8110. Rulemaking.**

11 (a) No later than one (1) year after the effective date of this Act, the
12 Cannabis Control Board shall prescribe forms and adopt such rules and
13 regulations necessary for the implementation of this Chapter. Such regulations
14 shall not prohibit the operation of cannabis establishments either expressly or
15 through regulations that make their operation unreasonably impracticable.
16 Such regulations shall include:

17 (1) procedures and grounds for the issuance, renewal,
18 suspension, denial, and/or revocation of a registration to operate a
19 cannabis establishment;

20 (2) a schedule of application, registration, and renewal fees;
21 provided, that application fees shall not exceed Five Thousand Dollars
22 (\$5,000) with this upper limit adjusted annually for inflation, unless the
23 Cannabis Control Board determines a greater fee is necessary to carry
24 out its responsibilities under this Chapter;

25 (3) qualifications for registration that are directly and
26 demonstrably related to the operation of a cannabis establishment or

1 security requirements for cannabis establishments, including for the
2 transportation and storage of cannabis by cannabis establishments;

3 (4) requirements to prevent the sale or diversion of cannabis
4 and cannabis products to persons under the age of twenty-one (21);

5 (5) labeling and packaging requirements for cannabis and
6 cannabis products sold or distributed by a cannabis establishment;

7 (6) health and safety regulations and standards for the
8 manufacture of cannabis products and the cultivation of cannabis;

9 (7) reasonable restrictions on the advertising and display of
10 cannabis and cannabis products;

11 (8) reasonable restrictions on the quantity of cannabis and
12 cannabis products purchased at any one (1) time by a consumer so as to
13 effectually prevent the resale of cannabis items;

14 (9) implementation of a “seed to sale” tracking system;

15 (10) civil penalties for the failure to comply with regulations
16 made pursuant to this Chapter; and

17 (11) any other rules the Cannabis Control Board considers
18 necessary for the administration of the Guam Cannabis Industry Act,
19 and the implementation and enforcement of this Chapter.

20 (b) In order to ensure that individual privacy is protected, the
21 Cannabis Control Board shall not require a consumer to provide a retail
22 cannabis store with personal information other than government-issued
23 identification to determine the consumer’s age, and a retail cannabis store
24 shall not be required to acquire or record personal information about
25 consumers.

26 **§ 8111. Cannabis Establishment Registrations.**

1 (a) Each application or renewal application for a registration to
2 operate a cannabis establishment shall be submitted to the Cannabis Control
3 Board. A renewal application may be submitted up to ninety (90) days prior
4 to the expiration of the cannabis establishment's registration.

5 (b) The Cannabis Control Board shall begin accepting and
6 processing applications to operate cannabis establishments no later than
7 ninety (90) days after the regulations prescribed in § 8110 of this Chapter
8 become effective. Upon receipt of an application for licensure, the Cannabis
9 Control Board shall not unreasonably delay the processing, approval, or
10 rejection of the application, or if the application is approved, the issuance of
11 the license.

12 (c) The Cannabis Control Board shall issue an annual registration to
13 the applicant within sixty (60) days after receiving an application, or thirty
14 (30) days after receiving a renewal application, unless the Cannabis Control
15 Board finds that the applicant is not in compliance with the regulations
16 established pursuant to § 8110 of this Chapter.

17 (d) Upon denial of an application, the Board shall notify the
18 applicant in writing of the specific reason for its denial and of the applicant's
19 right to seek administrative and judicial review as provided for under the
20 Guam Administrative Adjudication Law.

21 (e) Every cannabis establishment registration shall specify the
22 location where the cannabis establishment will operate, and shall have defined
23 boundaries. A separate registration is required for each location at which a
24 cannabis establishment operates. The Cannabis Control Board may require
25 reasonable restrictions for the operation of a licensed cannabis establishment.

1 (f) Cannabis establishments, and books and records maintained and
2 created by cannabis establishments, are subject to inspection by the Cannabis
3 Control Board with reasonable notice to the owner or agent of the business.

4 **§ 8112. Employers, Driving, Minors, and Control of Property.**

5 (a) Nothing in this Chapter shall be construed or interpreted to
6 amend, repeal, affect, restrict, or preempt the rights and obligations of public
7 and private employers to maintain a drug and alcohol free workplace; require
8 an employer to permit or accommodate the use, consumption, possession,
9 transfer, display, transportation, sale, or growth of cannabis in the workplace;
10 or affect the ability of employers to have policies prohibiting the use of
11 marijuana by employees and prospective employees in the workplace.

12 (b) Nothing in this Chapter is intended to affect the ability of
13 employers to enact and enforce workplace policies restricting the use or
14 consumption of cannabis by employees in the workplace.

15 (c) Nothing in this Chapter is intended to impair, restrict, or diminish
16 the ability of a government agency to prohibit or restrict any of the actions or
17 conduct otherwise permitted under this Chapter within a building owned,
18 leased, or occupied by the government agency.

19 (d) Nothing in this Chapter is intended to allow driving under the
20 influence of cannabis or to supersede laws related to driving under the
21 influence of cannabis.

22 (e) Nothing in this Chapter is intended to permit the transfer of
23 cannabis, with or without remuneration, to a person under the age of twenty-
24 one (21) years.

25 (f) Nothing in this Chapter shall prohibit a person, employer, school,
26 hospital, recreation, or youth center, correction facility, corporation, or any
27 other entity who occupies, owns, or controls private property from prohibiting

1 or otherwise regulating the possession, consumption, use, display, transfer,
2 distribution, sale, transportation, or growing of cannabis on or in that property.

3 **§ 8113. Excise Tax on Cannabis.**

4 (a) A Guam excise tax is imposed on the sale or transfer of cannabis
5 from a cannabis cultivation facility to a retail cannabis store or cannabis
6 product manufacturing facility. Every cannabis cultivation facility shall pay a
7 Guam excise tax at the rate of fifteen percent (15%) on the dollar value of
8 cannabis that is sold or transferred from a cannabis cultivation facility to a
9 retail cannabis store or cannabis product manufacturing facility. Provided
10 further, that no such excise tax shall be levied upon cannabis intended for sale
11 as medical cannabis.

12 (b) The Department of Revenue and Taxation shall establish
13 procedures for the collection of all excise taxes levied.

14 (c) The Cannabis Control Board may exempt certain parts of the
15 cannabis plant from the excise tax described in Subsection (a), or may
16 establish an alternate rate or tax structure in accordance with the rules and
17 regulations promulgated in accordance with this Chapter.

18 **§ 8114. Monthly Statements and Payments.**

19 (a) Each cannabis cultivation facility shall send a statement by mail
20 or electronically to the Department on or before the last day of each calendar
21 month. The statement must contain an account of the amount of cannabis sold
22 or transferred to retail cannabis stores and cannabis product manufacturing
23 facilities in Guam during the preceding month, setting out:

24 (1) the total number of ounces, including fractional ounces
25 sold or transferred;

26 (2) the names and addresses of each buyer and transferee; and

1 **§ 9101. Short Title.**

2 This Chapter shall be known as the “Cannabis Control Board Act of
3 2019.”

4 **§ 9102. Cannabis Control Board, Established.**

5 There is hereby established a “Cannabis Control Board” (Board) within
6 the Department of Revenue and Taxation.

7 **§ 9103. Appointment of Members; Term.**

8 The Board shall have a membership of five (5) members who are
9 appointed by and serve at the pleasure of I Maga'hågan Guåhan.

10 (a) One (1) member shall be the Director of the Department of
11 Revenue and Taxation, or his/her designee;

12 (b) one (1) member shall be the Director of the Department of
13 Agriculture, or his/her designee;

14 (c) one (1) member shall represent the Guam business community;
15 and

16 (d) two (2) members shall represent the general public, and at least
17 one (1) member from the general public shall possess a medical cannabis card.

18 Each member shall serve a term of four (4) years.

19 **§ 9104. Qualifications of Members.**

20 Each member shall be a citizen of the United States of America or a
21 permanent resident of Guam for at least one (1) year immediately preceding
22 the appointment; be at least twenty-one (21) years of age; not have been
23 convicted of a crime, other than traffic offenses, that involves moral turpitude;
24 and, must not be an applicant for, or hold a license to conduct any activities
25 under the Board’s supervision and regulation.

26 **§ 9105. Meetings of Board; Quorum; Chairperson, Vice**
27 **Chairperson.**

1 The Board shall meet at least monthly, and may meet more frequently
2 as its duties require. A quorum shall consist of at least three (3) members
3 being present for the conduct of all official business. At its initial meeting, a
4 quorum being present, the members shall select their chairperson and vice
5 chairperson.

6 **§ 9106. Staff Support.**

7 The Department of Revenue and Taxation shall provide staff support
8 for the Board.

9 **§ 9107. Duties of Board.**

10 The Board shall have all of the powers and duties specified in this
11 Chapter, and also the powers necessary or proper to enable it to carry out the
12 purposes of this Chapter, and the purposes of the “Guam Cannabis Industry
13 Act of 2019.” The jurisdiction, supervision, powers and duties of the Board
14 shall extend to any person who buys, sells, produces, possesses, transports, or
15 delivers any cannabis items within Guam. The Board shall be responsible for:

16 (a) conducting hearings pertaining to any violation of this Chapter
17 or regulations promulgated hereby, including hearings for the purpose of
18 approving cannabis licenses and any other business allowed under this
19 Chapter;

20 (b) promulgating such rules and regulations as may be necessary to
21 fulfill the intent, policies and purposes of this Chapter;

22 (c) levying fines and penalties for any violation of provisions of this
23 Chapter and the regulations promulgated by the Board;

24 (d) requiring and demanding access to, for the purposes of
25 inspecting, examining, photocopying, and/or auditing, all papers, books, and
26 records of a licensed cannabis business on its premises or elsewhere as
27 practical, including inspecting the gross income produced by a cannabis

1 establishment and verification of their income, and all other matters affecting
2 the enforcement of the Board's policy or as required pursuant to this Chapter;

3 (e) the types of licenses or permits to be covered by the cannabis
4 license and its structure, including onsite ingestion, application of topicals,
5 and smoking or vaping in a manner consistent with Chapter 90 of Title 10
6 GCA;

7 (f) regulating the testing, purchase, sale, production, processing,
8 transportation, and delivery of cannabis and cannabis products to be sold to
9 consumers by a retail cannabis store in accordance with the provisions of this
10 Chapter and the provisions of Chapter 8, Title 11 GCA;

11 (g) granting, refusing, suspending, or canceling licenses for the sale,
12 processing, or production of cannabis items, or other licenses in regard to
13 cannabis items, and to permit, in its discretion, the transfer of a license of any
14 person;

15 (h) investigating and aiding in the prosecution of every violation of
16 Guam statutes relating to cannabis items, and cooperating in the prosecution
17 of offenders before the Superior Court of Guam;

18 (i) adopting such regulations as are necessary and feasible for
19 carrying out the intent and provisions of this Chapter, and to amend or repeal
20 such regulations;

21 (j) exercising all powers incidental, convenient or necessary to
22 enable it to administer or carry out the provisions of this Chapter, and the
23 provisions of Chapter 8, Title 11 GCA;

24 (k) regulating and prohibiting any advertising by manufacturers,
25 processors, wholesalers or retailers of cannabis items by newspapers, letters,
26 billboards, radio, television, or otherwise;

1 (l) regulating the use of cannabis items for scientific,
2 pharmaceutical, manufacturing, mechanical, industrial, and other purposes;

3 (m) adopting separate regulations as are necessary and feasible for
4 the public display and use of cannabis items at exhibitions promoting cannabis
5 as an alternative to pharmaceuticals;

6 (n) adopting separate regulations as are necessary and feasible for
7 the development of a hemp program for strains of cannabis that exceed three
8 tenths percent (0.3%) on a dry weight basis of any part of the cannabis plant,
9 or per volume or weight of cannabis product, or the combined percent of delta-
10 9-tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the
11 cannabis plant regardless of moisture content;

12 (o) conducting an annual summit with the Department of Revenue
13 and Taxation, the Department of Agriculture, the Department of Public Health
14 and Social Services, the Guam Police Department, the Department of Land
15 Management, and other stakeholders in the government and private sectors to
16 discuss the regulation of cannabis on Guam; and

17 (p) prescribing forms and adopting such rules and regulations as the
18 Board deems necessary for the implementation and administration of this
19 Chapter *no later than* one (1) calendar year following the Board’s initial
20 meeting.

21 **§ 9108. Limitations on Board Jurisdiction.**

22 The Board shall not regulate the personal cultivation of cannabis as may
23 be allowed by Guam statute. The Board has no power to purchase, own, sell,
24 or possess any cannabis items.

25 **§ 9109. Cannabis Control Fund, Created.**

26 There is hereby created, separate and apart from all other funds of the
27 government of Guam, the Cannabis Control Fund (Fund). All fees, fines,

1 penalties and other charges resulting from the licensing and enforcement of
2 adult cannabis use on Guam shall be deposited in this Fund. Expenditures of
3 the Fund shall be by appropriation from *I Liheslaturan Guåhan*. The Director
4 of the Department of Revenue and Taxation shall report on a quarterly basis
5 to the Speaker of *I Liheslaturan Guåhan* of the revenues collected and
6 expended from this Fund, and post the same on the Department’s website.”

7 **Section 4.** Items (23) and (31) of §§ (c) of Appendix A, Chapter 67, Title 9,
8 Guam Code Annotated, *isare repealed*, and thereby declassifies marijuana as a
9 Schedule 1 Controlled Substance. Any reference by the Guam Uniform Controlled
10 Substances Act to marijuana, such as “marihuana,” “tetrahydrocannabinol,”
11 “cannabis,” and derivatives thereof, *shall* be deemed repealed, null, and void upon
12 the passage of this Act.

13 “[~~(23)~~marihuana]”

14 “[~~(31)~~ tetrahydrocannabinols (Meaning tetrahydrocannabinols
15 naturally contained in a plant of the genus *Cannabis* (cannabis plant), as well
16 as synthetic equivalents of the substances contained in the cannabis plant, or
17 in the resinous extractives of such plant, and/or synthetic substances,
18 derivatives, and their isomers with similar chemical structure and
19 pharmacological activity to those substances contained in the plant, such as
20 the following:

21 ~~–1 cis or trans tetrahydrocannabinol, and their optical isomers; –6 cis or~~
22 ~~trans tetrahydrocannabinol, and their optical isomers; and –3, 4 cis or trans~~
23 ~~tetrahydrocannabinol, and its optical isomers. (Since nomenclature of these~~
24 ~~substances is not internationally standardized, compounds of these structures,~~
25 ~~regardless of numeric designation of atomic positions covered.);]”~~

26 **Section 5.** § 67.401.2(b) of Article 4, Chapter 67, Title 9, Guam Code
27 Annotated, is *amended* to read:

1 “(b) Any person who violates Subsection (a) with respect to:

2 (1) any controlled substance ~~except marijuana~~ *shall* be guilty
3 of a felony of the third degree.

4 ~~(2) any person under the age of twenty one (21) years~~
5 ~~possessing more than one (1) ounce of marijuana shall be guilty of a~~
6 ~~petty misdemeanor.~~

7 ~~(3) any person under the age of twenty one (21) years~~
8 ~~possessing one (1) ounce or less of marijuana shall be guilty of a~~
9 ~~violation and punished by a fine of One Hundred Dollars (\$100.00).”~~

10 **Section 6.** § 67.401.4(f) of Article 4, Chapter 67, Title 9, Guam Code
11 Annotated, is *amended* to read:

12 “(f) If he is guilty of an offense involving a controlled substance
13 listed in Schedule I or II of this Act which is not a narcotic drug or a controlled
14 substance in Schedule III of this Act and if he has been convicted of one (1)
15 or more prior offenses punishable under the provisions of Subsection (e) of
16 this Section, a felony under any provision of this Act, any law of the United
17 States, a state or foreign jurisdiction relating to narcotic drugs, [~~marijuana, or~~]
18 depressant or stimulant substances and one (1) or more of the convictions are
19 final, he *shall* be sentenced to a term of imprisonment of not more than ten
20 (10) years and, in addition, may be fined not more than Thirty Thousand
21 Dollars (\$30,000.00). The sentence *shall* include a special parole term of at
22 least two (2) years in addition to such term of imprisonment.”

23 **Section 7.** § 67.401.4(h) of Article 4, Chapter 67, Title 9, Guam Code
24 Annotated, is *amended* to read:

25 “(h) If he is guilty of an offense involving a controlled substance
26 listed in Schedule IV of this Act and if he has been convicted of a felony under
27 a provision of this Act; or a law of the United States, a state or foreign

1 jurisdiction relating to narcotic drugs, [~~marijuana, or~~] depressant or stimulant
2 substances, and such convictions are final, then he *shall* be sentenced to a term
3 of imprisonment of not more than six (6) years and, in addition, may be fined
4 not more than Twenty Thousand Dollars (\$20,000.00). The sentence *shall*
5 include a special parole term of at least two (2) years in addition to such term
6 of imprisonment. Imposition or execution of such sentence *shall not* be
7 suspended and probation *shall not* be granted.”

8 **Section 8.** § 67.401.4(j) of Article 4, Chapter 67, Title 9, Guam Code
9 Annotated, is *amended* to read:

10 “(j) If he is guilty of an offense involving a controlled substance
11 listed in Schedule V of this Act and if he has been convicted of a felony under
12 a provision of this Act, or a law of the United States, a state or foreign
13 jurisdiction relating to narcotic drugs, [~~marijuana, or~~] depressant or stimulant
14 substances, and such convictions are final, then he *shall* be sentenced to a term
15 of imprisonment of not more than two (2) years or a fine of not more than Ten
16 Thousand Dollars (\$10,000.00), or both. Imposition or execution of such
17 sentence *shall not* be suspended and probation *shall not* be granted.”

18 **Section 9.** § 67.401.4(k) of Article 4, Chapter 67, Title 9, Guam Code
19 Annotated, is hereby *repealed*.

20 (k) — ~~Notwithstanding the provisions of this Section, any person who~~
21 ~~is guilty of an offense pursuant to § 67.401.1(a) of this Act by distributing less~~
22 ~~than one (1) pound of marijuana for no remuneration shall be sentenced as~~
23 ~~provided in § 67.412 of this Act.~~

24 **Section 10.** § 67.401.5 of Article 4, Chapter 67, Title 9, Guam Code
25 Annotated, is *amended* to read:

26 “§ 67.401.5. **Fines for Drug Offenses.**

1 Any person who is guilty of an offense pursuant to § 67.402(a) of this
2 Act may, in addition to imprisonment for felony of the third degree, be fined
3 not more than Twenty-five Thousand Dollars (\$25,000.00), except that if any
4 person commits such offense after previously being convicted of one (1) or
5 more prior offenses involving § 67.402(a) of this Act, or for a felony under
6 any other provision of this Act or other law of the United States, state or
7 foreign jurisdiction relating to narcotic drugs, [~~marijuana, or~~] depressant or
8 stimulant substances, and one (1) or more of the convictions have become
9 final, such person may, in addition to imprisonment for felony of the third
10 degree, be fined not more than Fifty Thousand Dollars (\$50,000.00).”

11 **Section 11.** § 67.401.6 of Article 4, Chapter 67, Title 9, Guam Code
12 Annotated, is *amended* to read:

13 **“§ 67.401.6. Additional Fines for Drug Offenses.**

14 Any person who is guilty of an offense pursuant to § 67.403(a) of this
15 Act may, in addition to imprisonment for felony of the third degree, be fined
16 not more than Thirty Thousand Dollars (\$30,000.00); except, that if any
17 person commits such offense after previously being convicted of one (1) or
18 more offenses pursuant to § 67.403(a) of this Act or for any felony under any
19 other provision of this Act or other law of the United States, state or foreign
20 jurisdiction relating to narcotic drugs, [~~marijuana, or~~] depressant or stimulant
21 substances, and one (1) or more of the convictions have become final, such
22 person *shall* be sentenced to a term of imprisonment of not more than eight
23 (8) years and, in addition, may be fined not more than Sixty Thousand Dollars
24 (\$60,000.00).”

25 **Section 12.** § 67.411(b) of Article 4, Chapter 67, Title 9, Guam Code
26 Annotated, is *amended* to read:

1 “(b) For purposes of this Section, a person *shall* be considered
2 convicted of a second or subsequent offense if, prior to the commission of
3 such offense, he was convicted of one (1) or more felonies under any provision
4 of this Act or law of the United States, a state or foreign jurisdiction relating
5 to narcotic drugs, [~~marijuana or~~] depressant or stimulant drugs.”

6 **Section 13.** § 67.412(a) of Article 4, Chapter 67, Title 9, Guam Code
7 Annotated, is *amended* to read:

8 “(a) Whenever any person who has not previously been convicted of
9 an offense under this Act or under any statute of the United States or of any
10 state relating to narcotic drugs, [~~marijuana or~~] stimulant, depressant or
11 hallucinogenic drugs, pleads guilty to or is found guilty of possession of a
12 controlled substance under § 67.401.2(a), the Court, without entering a
13 judgment of guilt and with the consent of the accused, may defer further
14 proceedings and place him on probation upon terms and conditions. Upon
15 violation of a term or condition, the Court may enter an adjudication of guilty
16 and proceed as otherwise provided. Upon fulfillment of the terms and
17 conditions, the Court *shall* discharge such person and dismiss the proceedings
18 against him. Discharge and dismissal under this Section *shall* be without
19 Court adjudication of guilt and *shall not* be deemed a conviction for purposes
20 of disqualifications or disabilities imposed by law upon conviction of a crime.
21 Discharge and dismissal under this Section may occur only once with respect
22 to any person.”

23 **Section 14.** A new § 70.44.4 is *added* to Title 9, Guam Code Annotated to
24 read:

25 “§ 70.44.4. Possession of cannabis by persons under twenty-one (21)
26 years of age. Any person under twenty-one (21) years of age possessing cannabis
27 shall be guilty of a violation and subject to a One Hundred Dollar (\$100.00) fine for

1 the first offense and a Two Hundred-Fifty Dollar (\$250.00) fine for each subsequent
2 possession.”

3 **Section 15.** Nothing in this Act shall be construed or interpreted to amend,
4 repeal, affect, restrict, or preempt laws pertaining to Guam Public Laws 32-237, 34-
5 125 and 34-165.

6 **Section 16. Severability.** If any provision of this Act or its application to any
7 person or circumstance is found to be invalid or contrary to law, such invalidity *shall*
8 *not* affect other provisions or applications of this Act that can be given effect without
9 the invalid provision or application, and to this end the provisions of this Act are
10 severable.

11 **Section 17. Effective Date.** This Act *shall* become effective upon enactment.

Senator Amanda L. Shelton,
Vice Chairperson

Speaker Tina Rose Muña Barnes,
Member

Vice Speaker Telená Cruz Nelson,
Member

Senator Kelly Marsh (Taitano), Ph.D.,
Member

Senator Sabina Flores Perez
Member

Senator Clynton E. Ridgell
Member



COMMITTEE ON RULES
SENATOR RÉGINE BISCOE LEE, CHAIR
I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
35TH GUAM LEGISLATURE

February 20, 2019

Senator Joe S. San Agustin,
Member

Senator Jose T. Terlaje,
Member

Senator Therese M. Terlaje,
Member

Senator James C. Moylan,
Member

Senator Mary Camacho Torres,
Member and
Chair, Subcommittee on Protocol

MEMO

To: **Rennae Meno**
Clerk of the Legislature

From: **Senator Régine Biscoe Lee**
Chairperson, Committee on Rules

Re: **Fiscal Notes**

Buenas yan Háfa adai.

Attached, please find the fiscal notes for the following bills:

Bill No. 32-35 (COR)
Bill No. 37-35 (COR)
Bill No. 39-35 (COR)
Bill No. 44-35 (COR)
Bill No. 45-35 (COR)

Please forward the same to Management Information Services (MIS) for posting on our website.

For any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.



**Bureau of Budget & Management Research
Fiscal Note of Bill No. 32-35 (COR)**

AN ACT TO ADD A NEW CHAPTER 8 TO TITLE 11, GUAM CODE ANNOTATED, KNOWN AS THE "GUAM CANNABIS INDUSTRY ACT OF 2019" RELATIVE TO REGULATING THE USE, PRODUCTION, SALE, AND TAXATION OF MARIJUANA; ADDING A NEW CHAPTER 9 TO DIVISION 1, TITLE 11 GCA, RELATIVE TO CREATING THE CANNABIS CONTROL BOARD; DECLASSIFYING MARIJUANA AS A SCHEDULE 1 CONTROLLED SUBSTANCE AND REDEFINING REFERENCES TO IT IN THE GUAM UNIFORM CONTROLLED SUBSTANCES ACT.

Department/Agency Appropriation Information	
Dept./Agency Affected: Department of Revenue and Taxation	Dept./Agency Head: Dafne M. Shimizu, Acting Director
Department's General Fund (GF) appropriation(s) to date:	8,435,879
Department's Other Fund appropriation(s) to date: Banking and Insurance Enforcement Fund, Better Public Service Fund, and Tax Collection Enhancement Fund	3,014,354
Total Department/Agency Appropriation(s) to date:	11,450,233

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund)	Total:
FY 2018 Unreserved Fund Balance		\$0	\$0
FY 2019 Adopted Revenues	\$0	\$0	\$0
FY 2019 Appro. (P.L. 34-116 thru)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill						
Fund 1/	One Full Fiscal Year	For Remainder of FY 2019 (if applicable)	FY 2020	FY 2021	FY 2022	FY 2023
General Fund	\$5,400,000	\$3,150,000	\$5,400,000	\$5,400,000	\$5,400,000	\$5,400,000
Cannabis Control Fund	\$257,500	\$150,208	\$257,500	\$257,500	\$257,500	\$257,500
Total	\$5,657,500	\$3,300,208	\$5,657,500	\$5,657,500	\$5,657,500	\$5,657,500

- | | | | |
|---|---------|---------|--------|
| 1. Does the bill contain "revenue generating" provisions?
If Yes, see attachment(s) | | /X/ Yes | // No |
| 2. Is amount appropriated adequate to fund the intent of the appropriation?
If no, what is the additional amount required? \$ | /X/ N/A | // Yes | // No |
| 3. Does the Bill establish a new program/agency?
If yes, will the program duplicate existing programs/agencies?
Is there a federal mandate to establish the program/agency? | /X/ N/A | // Yes | /X/ No |
| 4. Will the enactment of this Bill require new physical facilities? | | // Yes | /X/ No |
| 5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason:
/ / Requested agency comments not received by due date / / Other | | /X/ Yes | // No |

Analyst: <u>Tammy Amuan</u> Tammy Amuan, BMA II	Date: <u>02/09/2019</u>	Director: <u>Lester L. Carlsson, Jr.</u> Lester L. Carlsson, Jr., Acting Director	Date: <u>FEB 20 2019</u>
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Footnotes / Notes:
1/ See attached comments.

**Bureau of Budget & Management Research
Attachment to Fiscal Note No. 32-35 (COR)
(for revenue generating provisions)**

Projected Multi-Year Revenues					
	Year 1 (FY2019)	Year 2 (FY2020)	Year 3 (FY2021)	Year 4 (FY2022)	Year 5 (FY2023)
General Fund	\$3,150,000	\$5,400,000	\$5,400,000	\$5,400,000	\$5,400,000
Cannabis Control Fund	\$150,208	\$257,500	\$257,500	\$257,500	\$257,500
Total 1/	\$3,300,208	\$5,657,500	\$5,657,500	\$5,657,500	\$5,657,500

Comments:

1/ See attached comments on Bill No. 32-35 (COR).

COMMENTS ON BILL NO. 32-35 (COR)

Bill No. 32-35 (COR) is an act to add a new Chapter 8 to Title 11, Guam Code Annotated, known as the "Guam Cannabis Industry Act Of 2019" relative to regulating the use, production, sale, and taxation of marijuana; adding a new Chapter 9 to Division 1, Title 11 GCA, relative to creating the Cannabis Control Board; declassifying marijuana as a Schedule 1 Controlled Substance and redefining references to it in the Guam Uniform Controlled Substances Act.

The DRT provided the following preliminary revenue estimates to the General Fund based on a 15% excise tax rate on cannabis cultivation facilities:

**General Fund Revenue
15% Levy on Cultivation Facilities**

	Estimate of Users	Estimated Monthly Consumption	Cost/0.5oz	Monthly Gross (Sales)	Annual Gross (Sales)	Estimated Tax Revenue/Annum @ 15% Excise Tax Rate
Local	5,000	0.5 (1/2 ounce)	\$400	\$2,000,000	\$24,000,000	\$3,600,000
Tourist	2,500	0.5 (1/2 ounce)	\$400	\$1,000,000	\$12,000,000	\$1,800,000
GT:	7,500			\$3,000,000	\$36,000,000	\$5,400,000

DRT further details in correspondence that the preliminary tax revenue estimates are based upon data made available through the Guam Drug Threat Assessment of August 2003 publication by the U.S. Department of Justice's National Drug Intelligence Center.

The proposed measure also outlines an exclusive special fund be created upon enactment of this legislation named the Cannabis Control Fund. Within this fund will be deposited the fees, fines, penalties and other charges resulting from the licensing and enforcement of adult cannabis use on Guam and estimates of per annum collections are as follows:

Cannabis Control Fund Revenue

§ 8110(a)(2) Schedule of Application, Registration, and Renewal Fees to Operate Cannabis Establishment with application fees not to exceed \$5,000					
Potential Qualifying Businesses	Count	Count Est. to Operate	Application Fee \$5,000	Registration	Renewal
Gift Shops	49	25	125,000	TBD	TBD
Clubs	21	10	50,000	TBD	TBD
	70	35	\$175,000	-	-

**Info of business-type which may qualify to operate cannabis establishment obtained from www.guamphonebook.com*

Cannabis Control Fund Revenue

Provision within Proposed	Penalty	Estimated Percentage of Criminal Offenders	Estimated Consumers		Estimated Arrests (Annum of Marijuana-Related Offenses)	Cumulative Fines (Annum (max penalty/person))
			Local 5,000	Tourist 2,500		
§ 8104(e) - Restrictions on personal cultivation	Fine of up to \$500	1% of each demographic listed	50	25	75	37,500
§ 8105 - Public consumption banned	Fine of up to \$100	1% of each demographic listed	50	25	75	7,500
§ 8104(a)(3) - False Identification	Fine of up to \$500	1% of each demographic listed	50	25	75	37,500
						\$82,500

**Estimates based upon data made available through the Guam Drug Threat Assessment of August 2003 by the U.S. Department of Justice*

Expenditures from the Cannabis Control Fund will be determined by the I Liheslaturan Guahan forming an appropriation of funds for a specific purpose.



Clynton E. Ridgell

Senator - 35th Guam Legislature

Committee on Economic Development, Agriculture, Maritime Transportation, Power and Energy Utilities, and Emergency Response

COMMITTEE VOTE SHEET

Bill No. 32-35 (COR) *As Amended by the Committee on Economic Development, Agriculture, Maritime Transportation, Power and Energy Utilities, and Emergency Response - AN ACT TO ADD A NEW CHAPTER 8 TO TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO REGULATING THE USE, PRODUCTION, SALE, AND TAXATION OF MARIJUANA, TO BE KNOWN AS THE "GUAM CANNABIS INDUSTRY ACT OF 2019"; TO ADD A NEW CHAPTER 9 TO TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO CREATING THE CANNABIS CONTROL BOARD; TO REPEAL §§ (c)(23) AND (c)(31) OF APPENDIX A, CHAPTER 67, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO DECLASSIFYING MARIJUANA AS A SCHEDULE I CONTROLLED SUBSTANCE; AND TO AMEND §§ 67.401.2(b), 67.401.4(f), (h), AND (j), 67.401.5, 67.401.6, 67.411(b) AND 67.412(a), AND REPEAL § 67.401.4(k), ALL OF ARTICLE 4, CHAPTER 67, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO REDEFINING REFERENCES TO IT IN THE GUAM UNIFORM CONTROLLED SUBSTANCES ACT; AND ADDING A NEW § 70.44.4 TO TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO POSSESSION OF CANNABIS BY PERSONS UNDER TWENTY-ONE (21) YEARS OF AGE.*

	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Clynton E. Ridgell Chairperson		<input checked="" type="checkbox"/>				
Speaker Tina Muña Barnes Vice Chairperson		<input checked="" type="checkbox"/>				
Senator Régine Biscoe Lee Member						
Senator Jose T. Terlaje Member		<input checked="" type="checkbox"/>				
Senator Therese M. Terlaje Member						
Senator James C. Moylan Member				<input checked="" type="checkbox"/>		
Senator Mary Camacho Torres Member						

So far, recreational marijuana proposal has strong support, little organized opposition

Steve Limtiaco, Pacific Daily News USA TODAY Network Published 5:05 p.m. ChT Feb. 5, 2019

It's been about a week since Sen. Clynt Ridgell introduced a bill to legalize recreational marijuana on Guam, and so far there has been little organized opposition, Ridgell said Tuesday.

The bill has been assigned to Ridgell's Economic Development and Agriculture committee, and Ridgell said he plans to schedule a public hearing for early March.

More: [Bill to legalize recreational pot has strong bipartisan support \(/story/news/2019/01/31/bill-legalize-recreational-pot-has-strong-bipartisan-support/2718447002/\)](/story/news/2019/01/31/bill-legalize-recreational-pot-has-strong-bipartisan-support/2718447002/)

More: [Leon-Guerrero: Why not let the mayors sell marijuana instead of running a casino? \(/story/opinion/readers/2019/01/29/leon-guerrero-why-not-let-mayors-sell-marijuana/2707059002/\)](/story/opinion/readers/2019/01/29/leon-guerrero-why-not-let-mayors-sell-marijuana/2707059002/)

The bill has strong bipartisan support in the Legislature, with five cosponsors from both parties.

"I see some comments on social media – maybe some callers to talk show radio," he said. "I think most of the concerns are old concerns that people thought was true about it, but the facts don't support it."

As an example, marijuana is not a gateway drug, he said, and marijuana use by youth did not increase in places it has been legalized. No one ever has overdosed on marijuana, he said.



Democratic Sen. Clynt Ridgell talks to the Rotary Club of Tumon Bay about legalizing recreational marijuana during the club's meeting Feb. 5 at the Pacific Star Resort & Spa. (Photo: Steve Limtiaco/PDN)

"If we do it now, it's also going to open up the medicinal program by allowing the labs to come in. There's a larger market for the labs to do business on Guam. It's a larger market overall for investors," he said. It also could attract more tourists, he said.

Interest in creating testing lab

The island's medical marijuana program, approved by voters more than four years ago, has not been implemented, in part because there has been no public interest in creating a mandatory testing laboratory. Ridgell said a testing lab also will be required for recreational marijuana to ensure it is safe.

Ridgell on Monday introduced a separate bill to make it easier to open a marijuana testing lab, he said, by eliminating the current requirement that a lab be mostly locally owned.

Ridgell was guest speaker at Tuesday's meeting of the Rotary Club of Tumon Bay, at the Pacific Star Resort & Spa.

Legalizing recreational marijuana

Ridgell on Jan. 31 introduced Bill 32, which would legalize recreational marijuana use by anyone at least 21 years old.

The sale of marijuana and related products would be regulated by the government, through licensed establishments, the bill states, but residents also would be allowed to cultivate as many as six plants at home, in a secured room. Marijuana sales through licensed facilities would be assessed a 15 percent excise tax.

The existing medical marijuana program would remain in place, Ridgell said, and the 15 percent tax will not apply to medical marijuana.

"This will create a new industry that can be taxed," Ridgell told Rotarians. "I believe this the proverbial shot in the arm the economy needs."

Rotarians address federal concerns

Rotarian Brian McDermott said Guam depends heavily on federal funding, and he is concerned legalizing recreational marijuana could put that funding at risk. Although marijuana use has been legalized in some form in 34 states, it is illegal under federal law.

"No one has lost federal funding because of it," Ridgell said.

Rotarian Jerry Filush said federally insured banks can't accept money associated with marijuana, so a local marijuana industry would operate primarily in cash, which is harder to track. Ridgell said that could provide a new opportunity for a business, other than a federally insured bank, to handle that cash.

Unlike what happened with the medical marijuana program, Ridgell said he does not think it is necessary to take the question of recreational marijuana to the voters. He said the voters who approved medical marijuana have essentially been ignored because there still is no program.

"I believe the voters elected us so we could make these type of decisions, so we can legislate. I mean, are we going to put everything to a referendum? I also think if we put it to a referendum we're going to have to wait two more years before it gets on the ballot. Then there's going to be the whole process of generating the rules and regulations, which could take another year."

READ MORE:

[Lee Garden reopens after passing inspection](https://www.guampdn.com/story/news/local/2019/02/05/lee-garden-reopens-after-passing-inspection/2774720002/)

(<https://www.guampdn.com/story/news/local/2019/02/05/lee-garden-reopens-after-passing-inspection/2774720002/>)

[Jeremiah Isezaki convicted of assault](https://www.guampdn.com/story/news/local/2019/02/05/jeremiah-izezaki-convicted-assault/2774525002/)

(<https://www.guampdn.com/story/news/local/2019/02/05/jeremiah-izezaki-convicted-assault/2774525002/>)

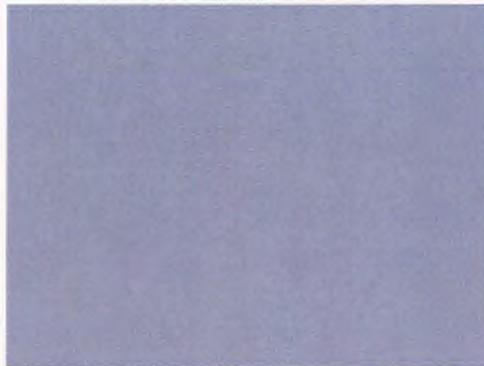
Read or Share this story: <https://www.guampdn.com/story/news/local/2019/02/05/recreational-marijuana-bill-has-strong-support-little-opposition/2773491002/>

https://www.postguam.com/news/local/residents-divided-on-legalizing-marijuana/article_68c33a42-25e2-11e9-aedo-2b09c4fc28ec.html

Residents divided on legalizing marijuana

LANNIE WALKER | THE GUAM DAILY POST

FEB 4, 2019



Richard Camacho



Larry Cunningham



Health benefits as well as the potential to boost the island's economy are some of the reasons local residents believe marijuana should be legalized for adult personal use. But there are those who believe marijuana is a gateway drug to harsher drugs and don't support Bill 32-35.

With Sen. Clynton Ridgell's introduction of the bill, titled the Guam Cannabis Industry Act of 2019, Guam is poised to follow in the footsteps of eight states that have legalized marijuana. The bill, if passed into law, would allow residents age 21 and older, to personally cultivate, purchase and use cannabis and cannabis products. The bill also legalizes commercial cultivation, manufacturing and sales of cannabis and cannabis products for adult personal use.

Larry Cunningham, a Yigo resident in his 30s, said it's OK for medicinal purposes but that's all.

“I know a lot of people are for it for recreational use. I don’t side with that side of the argument. That’s where I fall (in the debate): for medicinal use — yes, for recreational — no,” said Cunningham.

“I personally see it as a gateway drug,” Cunningham continued. “You are going to have a lot of people on both sides of the fence on that. If you don’t need to take it, don’t take it, no matter how great it makes you feel. You can find that kind of positive feeling somewhere else without any kind of chemical, so to speak.”

“If you are asking me, let’s not legalize for recreation. We have enough issues on island with smaller, not as harsh drugs, anyway. Let’s not complicate matters by introducing marijuana into the equation,” Cunningham said.

Richard Camacho, 31, of Yigo, called the measure “awesome.”

“It would be a lot of income for the island,” Camacho said. “Hopefully, Clynt fights more and hopefully he wins because it will benefit the island.”

Camacho said he believes the bill has about a 60 percent chance of passing.

Pat Santos, 23, of Mangilao said he thinks the bill has a 70 percent chance. But he said he doesn't believe the bill will get the needed approval to become law.

"No, I don't think the governor will sign it into law," Santos said.

MORE INFORMATION

LEGALIZING RECREATIONAL MARIJUANA A THREAT TO GUAM'S FAMILY-FRIENDLY VACATION BRAND

LANNIE WALKER



https://www.postguam.com/news/local/governor-supports-recreational-marijuana-bill/article_5e95bd16-25e1-11e9-bd5c-73c90238aaf7.html

Governor supports recreational marijuana bill

JOHN O'CONNOR | THE GUAM DAILY POST

FEB 2, 2019



Lou Leon Guerrero



Clynt Ridgell

Gov. Lou Leon Guerrero said she is in support of new legislation that promises to legalize adult use of marijuana and marijuana products.

Leon Guerrero and freshman Sen. Clynt Ridgell, the bill's author, met Friday morning to discuss the legislation, dubbed the "Guam Cannabis Industry Act of 2019."

The governor's position is not surprising. She has been supportive of fully legalizing marijuana and regulating its use similar to tobacco and alcohol.

Marijuana, or cannabis, is federally classified as a Schedule I illegal substance but is **legally** available for adult or recreational use in 10 states plus the District of Columbia.

Ridgell's Bill 32-35 will allow adults age 21 and older to personally cultivate, purchase and use cannabis and cannabis products on Guam.

The bill also would legalize commercial cultivation, manufacturing, and sales of cannabis and cannabis products for adult personal use.

Ridgell said a cannabis industry on the island could increase tourism because medical and recreational use is still prohibited in countries including Japan, which has recently become a declining market for Guam.

Concerns from tourism industry

But such proposals were met with skepticism by the Guam Visitors Bureau about two years ago, when then-Gov. Eddie Calvo attempted to pass his own recreational use legislation.

At the time, GVB received general feedback from overseas markets on recreational marijuana and noted it was generally agreed upon that legalizing the practice may compromise Guam's image as a family friendly and safe destination.

Guam spent years building its profile and the unintended ramifications of recreational marijuana worried stakeholders in an industry holding one-third of the island's workforce, according to the agency. Guam's primary markets are in Asia, which have very strict laws on drug use.

Calvo put the brakes on his own bill midway through 2017 in light of pronouncements from then-U.S. Attorney General Jeff Sessions to crack down on jurisdictions with legal recreational marijuana.

Exiting GVB President and CEO Nathan Denight said the agency is reviewing Bill 32 and will need to discuss it with its board of directors. The new administration has appointed Pilar Lagaña to replace Denight.

JOHN O'CONNOR

Reporting on utilities, education and other topics.

Bill to legalize recreational pot has strong bipartisan support

Haidee V Eugenio, Pacific Daily News Published 5:11 p.m. ChT Jan. 31, 2019



A bill to legalize recreational marijuana has strong bipartisan support in the Legislature, and proponents say it could create a new industry, new jobs and new revenues for Guam.

More: [Leon-Guerrero: Why not let the mayors sell marijuana instead of running a casino? \(/story/opinion/readers/2019/01/29/leon-guerrero-why-not-let-mayors-sell-marijuana/2707059002/\)](https://story/opinion/readers/2019/01/29/leon-guerrero-why-not-let-mayors-sell-marijuana/2707059002/)

Sen. Clynt Ridgell, D-Talofofo, gestures as he talks about his bill seeking to legalize on Guam the use, production, sale and taxation of marijuana for adults or those at least 21 years old. Bill 32, co-sponsored by five senators and introduced on Jan. 31, 2019, also seeks to declassify marijuana as a schedule I controlled substance. (Photo: Haidee Eugenio/PDN)

More: [Barnes: Implement vacation rental tax and other laws \(/story/news/2019/01/10/barnes-implement-vacation-rental-tax-and-other-laws/2534099002/\)](https://story/news/2019/01/10/barnes-implement-vacation-rental-tax-and-other-laws/2534099002/)

Freshman Sen. Clynton Ridgell, D-Talofofo, introduced Bill 32, which seeks to legalize the use, production, sale and taxation of marijuana for people who are at least 21 years old.

The bill has five co-sponsors, which is only two senators short for guaranteed passage.

"I think this is something that our island needs right now," Ridgell said in an interview at his office shortly after the bill's introduction.

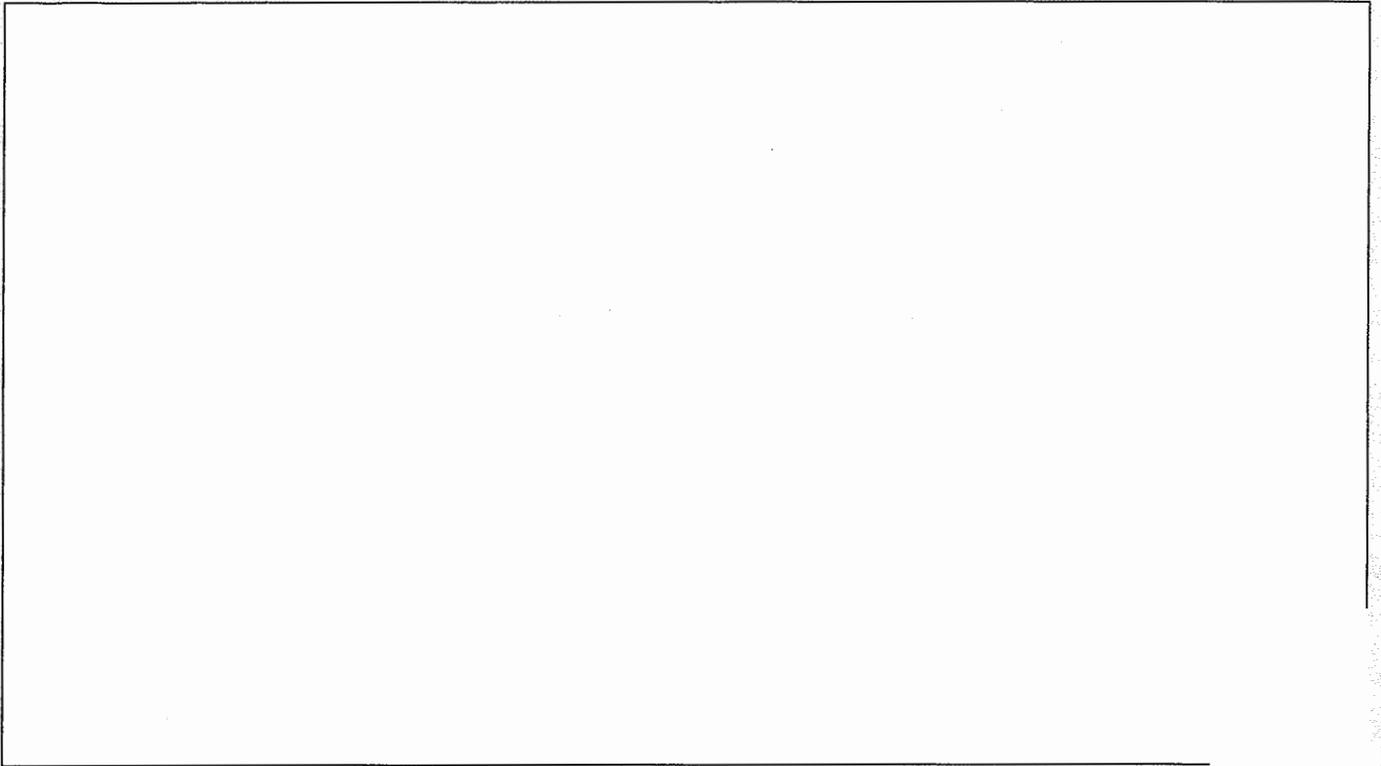
If the bill becomes law, it would also open up Guam's tourism economy, Ridgell said.

There's a large market for marijuana tourism, he said, including those from Japan and Korea.

Guam Cannabis Industry Act of 2019

The measure, known as the Guam Cannabis Industry Act of 2019, would create a five-member Cannabis Control Commission that will develop rules and issue licenses.

ADVERTISEMENT



"It's a measure that would legalize the cultivation and sale of cannabis, and cannabis products, to anyone 21 years or older. We want to treat it similar to how alcohol is treated currently," Ridgell said.

Bill 32 also seeks to declassify marijuana as a Schedule 1 controlled substance and redefine references to it in the Guam Uniform Controlled Substances Act.

"You still won't be able to drive under the influence of cannabis or use it while driving, for example. Those types of laws will still be in place. Also, public consumption will not be allowed," Ridgell said.

Laboratory testing will also be required, similar to the medical marijuana industry requirement.

Bipartisan bill

The co-sponsors are Speaker Tina Barnes, D-Mangilao, and Sens. Joe San Agustin, D-Yigo, Regine Biscoe Lee, D-Tamuning, Telo Taitague, R-Tamuning, and Jose "Pedo" Terlaje, D-Yona.

The bill will still have to go through a public hearing before senators can consider it for a vote.

In the 2018 political campaign season, a number of Republican and Democrat candidates, including the now Gov. Lou Leon Guerrero, said they support legalizing the adult use of marijuana on Guam.

More: [CNMI legalizes recreational marijuana, as Guam's medical cannabis still not a reality 4 years later \(/story/news/2018/09/20/3-medical-marijuana-bills-among-16-measures-session-agenda/1365721002/\)](#)

More: [Home cultivation of medical marijuana starts on Guam \(/story/news/2018/12/25/home-cultivation-medical-marijuana-starts-guam/2404677002/\)](#)

Every cannabis cultivation facility would pay a Guam excise tax of 15 percent on the dollar value of cannabis that is sold or transferred from a cannabis cultivation facility to retail cannabis store or manufacturing facility.

The Department of Revenue and Taxation is required to establish procedures for collection of all excise tax, the bill says.

The bill imposes penalties including up to \$30,000 in fines and imprisonment, and also requires regular reporting.

What's allowed, not allowed

Under the bill, the following would be legal:

- Possessing, using, displaying, purchasing or transporting cannabis accessories; 1 ounce or less of cannabis; 8 grams or less of cannabis concentrate; any cannabis-infused products containing 800 milligrams or less of tetrahydrocannabinol;
- Possessing, growing, processing, or transporting no more than six cannabis plants, with three or fewer being mature, flowering plants and possession of the cannabis produced by the plants on the premises where the plants were grown;
- Transferring 1 ounce or less of cannabis and immature cannabis plants; 8 grams or less of cannabis concentrate
- Consumption of cannabis except that absent regulations otherwise promulgated by the Cannabis Control Board
- Assisting another person who is 21 years old or older in any of the above acts.

Joining other U.S. jurisdictions

This comes five years after Guam voters voted to legalize medical marijuana, but the program has not been fully implemented for a lack of a testing laboratory, so the government allowed home cultivation.

The new bill allows for personal cultivation, with restrictions, limited to six plants possessed, cultivated or processed at a single residence.

Guam's adult use recreational bill was introduced four months after the Commonwealth of the Northern Mariana Islands passed a law allowing the recreational and medical use of marijuana.

The CNMI is the first U.S. jurisdiction to directly adopt the recreational use of marijuana instead of starting with a medical marijuana program. Unlike states where marijuana commerce was legalized by voters, the CNMI legalized it through an act by lawmakers.

Ridgell said the new Guam bill takes from legislation from other states and territories such as California, Colorado and the CNMI.

More: [Preliminary data from homeless count shows increase \(/story/news/2019/01/30/preliminary-data-guam-homeless-count-increase/2727435002/\)](/story/news/2019/01/30/preliminary-data-guam-homeless-count-increase/2727435002/)

More: [Lee Garden closed due to roach infestation \(/story/news/2019/01/30/lee-garden-dededo-closed-due-roach-infestation/2728918002/\)](/story/news/2019/01/30/lee-garden-dededo-closed-due-roach-infestation/2728918002/)

Reporter Haidee Eugenio covers Guam's Catholic church issues, government, business and more. Follow her on Twitter @haidee_eugenio (https://twitter.com/haidee_eugenio). Follow Pacific Daily News on Facebook/GuamPDN (<http://www.facebook.com/guampdn/>) and Instagram @guampdn (<http://instagram.com/GuamPDN>).

Read or Share this story: <https://www.guampdn.com/story/news/2019/01/31/bill-legalize-recreational-pot-has-strong-bipartisan-support/2718447002/>