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I MINA'TRENTAI OCHO NA LIHESLATURAN GUAHAN
Thirty-Eighth Guam Legislature

March 27, 2026

The Honorable Lourdes A. Leon Guerrero
I Maga'hågan Guåhan
Ufisinan I Maga'håga
Hagåtña, Guam 96910

Dear *Maga'håga* Leon Guerrero:

Transmitted herewith are Bill Nos. 65-38 (COR), 131-38 (COR), 141-38 (COR), 142-38 (COR), 205-38 (COR), 214-38 (COR), 218-38 (COR), 228-38 (COR), 231-38 (COR), 233-38 (COR), 234-38 (COR), 237-38 (COR), 245-38 (COR), 254-38 (COR), 262-38 (LS), 263-38 (LS), and 279-38 (COR), and Substitute Bill Nos. 206-38 (COR) and 246-38 (COR) which were passed by *I Mina'trentai Ocho Na Liheslaturan Guahan* on March 27, 2026.

Sincerely,

Senator Sabrina Salas Matanane
Legislative Secretary

POTU Jesse J. Cruz

8:24pm, 3.27.26

Enclosure (19)



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I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2026 (SECOND) Regular Session

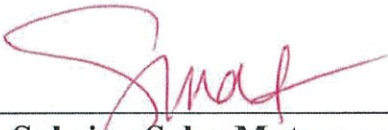
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'HÅGAN GUÅHAN

This is to certify that **Bill No. 254-38 (COR)**, "AN ACT TO *AMEND* §§ 9401, 9402, 9403, 9405, 9406(a)(1), AND 9409, ALL OF ARTICLE 4, CHAPTER 9, TITLE 3, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO ALIGNING CANNABIS AGRICULTURAL REQUIREMENTS WITH GENERAL AGRICULTURAL PRACTICES ON GUAM; AND TO MAKE OTHER NECESSARY CONFORMING AMENDMENTS," was on the 27th day of March 2026, duly and regularly passed.



Frank F. Blas, Jr
Speaker

Attested:



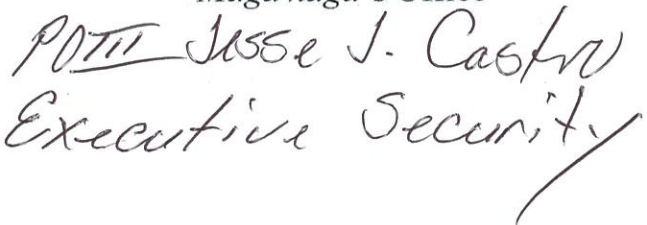
Sabrina Salas Matanane
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 27 day of March, 2026, at 8:24 o'clock P.M.



Assistant Staff Officer
Maga'håga's Office

APPROVED:



Executive Security

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: _____

Public Law No. _____

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2026 (SECOND) Regular Session

Bill No. 254-38 (COR)

As amended on the Floor.

Introduced by:

Sabrina Salas Matanane
Eulogio Shawn Gumataotao
William A. Parkinson
Joe S. San Agustin
Shelly V. Calvo
Tina Rose Muña-Barnes
Vincent A.V. Borja
V. Anthony Ada
Chris Barnett
Frank F. Blas, Jr.
Christopher M. Dueñas
Jesse A. Lujan
Sabina Flores Perez
Telo T. Taitague
Therese M. Terlaje

AN ACT TO AMEND §§ 9401, 9402, 9403, 9405, 9406(a)(1), AND 9409, ALL OF ARTICLE 4, CHAPTER 9, TITLE 3, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO ALIGNING CANNABIS AGRICULTURAL REQUIREMENTS WITH GENERAL AGRICULTURAL PRACTICES ON GUAM; AND TO MAKE OTHER NECESSARY CONFORMING AMENDMENTS.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that Public Law 35-5, the Guam Cannabis Industry Act of 2019, established a
4 comprehensive framework to regulate the cultivation, processing, and sale of

1 cannabis for adult use. A primary goal of this Act was to foster a new, legitimate,
2 and local agricultural industry in Guam. In establishing the initial rules and
3 regulations, specific and novel agricultural mandates were created exclusively
4 for cannabis cultivation, diverging significantly from the established practices and
5 legal requirements governing general agriculture on the island.

6 *I Liheslaturan Guåhan* further finds that imposing a unique and more stringent
7 agricultural and environmental regulatory regime solely on cannabis cultivators, as
8 compared to farmers of other crops, creates unnecessary barriers to entry and
9 operational inefficiencies. These specialized mandates can disproportionately
10 impact small, local entrepreneurs, limiting their ability to participate in the nascent
11 industry and compete effectively. Aligning the agricultural requirements for
12 cannabis with those for other crops promotes regulatory parity, ensures fairness, and
13 treats cannabis as the agricultural commodity it is under Guam law. Other
14 jurisdictions have similarly found it necessary to refine their initial cannabis
15 regulations to better support their local agricultural communities and industries.

16 *I Liheslaturan Guåhan* also finds that the existing body of law and regulation
17 governing general agriculture in Guam, including but not limited to water use, soil
18 management, and land grading, has been developed over decades to suit the island's
19 unique environmental and economic conditions. Applying these proven, existing
20 standards to cannabis cultivation ensures that environmental stewardship and public
21 safety are maintained without imposing duplicative or excessive regulatory burdens.
22 The existing laws and regulations pertaining to the application of pesticides shall
23 remain unchanged and in full force and effect for all agricultural products, including
24 cannabis.

25 *I Liheslaturan Guåhan* further finds that the Department of Agriculture
26 possesses the expertise and regulatory authority to oversee agricultural practices
27 across all crops cultivated in Guam. The Department's existing framework for *bona*

1 *fide* farmer certification, agricultural land use, and compliance with environmental
2 standards provides an appropriate and sufficient mechanism for regulating cannabis
3 cultivation without the need for cannabis-specific agricultural mandates that exceed
4 those applied to other agricultural commodities.

5 *I Liheslaturan Guåhan* further finds that removing cannabis-specific
6 agricultural requirements that are more burdensome than those for general
7 agriculture will reduce regulatory complexity, lower compliance costs for cultivators,
8 and encourage greater participation by local farmers in the cannabis industry. This
9 regulatory harmonization will support the development of a robust, locally-owned
10 cannabis agricultural sector that contributes to Guam’s economy and food security
11 while maintaining appropriate oversight and environmental protections.

12 *I Liheslaturan Guåhan* further finds that cannabis, as a consumable product,
13 requires specific pesticide regulations to protect public health and safety. Unlike
14 many other agricultural commodities, cannabis flowers are consumed through
15 smoking, vaporization, or direct ingestion without the benefit of washing, cooking,
16 or other processing that might reduce pesticide residues. Therefore, while this Act
17 harmonizes most agricultural requirements for cannabis cultivation with general
18 agricultural practices, it maintains the existing pesticide-specific regulations for
19 cannabis to ensure consumer safety. All cannabis cultivators shall remain subject to
20 the full scope of pesticide regulations specifically established for cannabis, as well
21 as those administered by the Guam Environmental Protection Agency and the
22 Department of Agriculture for general agricultural operations.

23 Therefore, it is the intent of *I Liheslaturan Guåhan* to amend the relevant
24 sections of the Guam Administrative Rules and Regulations to harmonize the
25 agricultural requirements for cannabis cultivation with the general agricultural laws
26 and practices of Guam, while maintaining cannabis-specific pesticide regulations.
27 This Act seeks to remove cannabis-specific mandates that are superfluous to or more

1 burdensome than those for general agriculture, thereby fostering a more accessible,
2 equitable, and economically viable local cannabis industry while upholding
3 established agricultural standards for environmental protection, public health, and
4 public welfare.

5 **Section 2.** § 9401 of Article 4, Chapter 9, Title 3, Guam Administrative
6 Rules and Regulations, is hereby *amended* to read:

7 **“§ 9401. Policy.**

8 (a) The Guam Department of Agriculture (DOAG) shall duly
9 exercise the powers vested in it as a “Regulatory Agency” in the cultivation,
10 production, waste management and destruction of cannabis in the Territory
11 of Guam for which the use and/or end product results in commercial
12 applications. A commercial producer is responsible for obtaining the
13 necessary permits and/or certifications required by the regulatory agency and
14 must comply with any specific instructions while engaged in the cultivation
15 and production of cannabis on the island of Guam.

16 (b) Cannabis cultivation shall be subject to the pesticide laws, rules,
17 and regulations specifically established for cannabis in this Article, which
18 are maintained due to the unique consumption methods of cannabis products
19 and the need to protect public health. These cannabis-specific pesticide
20 regulations shall remain in full force and effect and shall not be superseded
21 by general agricultural pesticide regulations.”

22 **Section 3.** § 9402 of Article 4, Chapter 9, Title 3, Guam Administrative
23 Rules and Regulations, is hereby *amended* to read:

24 **“§ 9402. Cannabis Cultivator Registration Requirement.**

25 Cannabis cultivators must register with the Department of Agriculture
26 (DOAG) and obtain a “*Bona Fide* Farmer Certificate” in accordance with

1 the same requirements and procedures applicable to all other agricultural
2 producers in Guam.

3 (a) Cultivator registration information shall include, but is not
4 limited to:

5 (1) Company Name and Responsible Official Contact
6 information including mailing address, telephone number, and e-
7 mail;

8 (2) Physical Address;

9 (3) Global Positioning System Coordinates of both the
10 proposed cannabis grow site and the storage facility;

11 (4) Size of the plantation and map;

12 (5) Expected number of plants to be grown (in various
13 stages) as allowable by the Department of Revenue and Taxation
14 (DRT) producer license;

15 (6) A copy of the valid DRT license, a renewed copy
16 should be provided each renewal year.

17 (b) No changes or alterations are permitted to the Bona Fide
18 Farmer Certificate unless first approved by the Department of
19 Agriculture. Bona Fide Farmer Certificate renewals shall be initiated
20 thirty (30) days prior to expiration date.

21 (c) Site evaluations shall be conducted for the purpose of
22 examining the operations and ensuring compliance with the Guam
23 Cannabis Law for production and handling operations. A
24 representative(s) of DOAG shall conduct site evaluations, at any time
25 with or without prior notice. Failure to comply will result in grounds
26 for suspension and/or revocation of the Bona Fide Farmer Certificate.

1 (d) If a Notice of Violations is issued, pursuant to
2 noncompliance with the production, cultivation, green waste
3 management and disposal requirements, DOAG shall establish a review
4 panel comprised of personnel from its Division of Agricultural
5 Development Services (ADS), to determine actions to be taken. All
6 reports are to be submitted no later than fifteen (15) calendar days for
7 administrative review within the Department for corrective actions to
8 be taken. Failure to comply within 30 days after issuance of the notice
9 of violation and an administrative directive for corrective measures are
10 proposed, shall be grounds for the Department to notify the CCB of the
11 failure to comply and a possible revocation of the Bona Fide Farmer
12 Certificate. The Department, its agents, and/or representatives shall not
13 be held liable for any consultations given to growers which may result
14 in crop failure due to grower negligence, acts of God, or unforeseen
15 circumstances.”

16 **Section 4.** § 9403 of Article 4, Chapter 9, Title 3, Guam Administrative
17 Rules and Regulations, is hereby *amended* to read:

18 **“§ 9403. Acceptable cannabis growing conditions.**

19 (a) Cannabis may be grown only with the allowed cultivation
20 amendments enumerated in § 9405 of this Article, using any cultivation
21 method permitted for general agriculture on Guam, including but not limited
22 to direct ground planting, container cultivation, hydroponics, aeroponics,
23 aquaponics, or any other recognized agricultural cultivation method.

24 (b) Cannabis production must take place within:

25 (1) a fully enclosed secure indoor facility or greenhouse
26 with rigid walls, a roof, and doors; or

27 (2) Outdoor production may take place in nonrigid

1 greenhouses, or similar structures; or

2 (3) An expanse of open ground fully enclosed by a physical
3 barrier that obscures public view of the premises with a wall or fence at
4 least ten (10) feet high with a locking gate or door; and

5 (4) complies with applicable zoning and land use regulations.

6 (c) Cannabis cultivation sites shall comply with all applicable
7 environmental laws and regulations governing general agriculture on Guam.

8 (d) Cannabis cultivation sites shall comply with all applicable
9 land use, zoning, and building code requirements applicable to agricultural
10 operations on Guam.

11 (e) Potting soil, crop production aids, soil amendments, and other
12 growing media approved by the Department may be used in cannabis
13 cultivation.”

14 **Section 5.** § 9405 of Article 4, Chapter 9, Title 3, Guam Administrative
15 Rules and Regulations, is hereby *amended* to read:

16 “§ 9405. **Cannabis Cultivation Amendments.**

17 (a) Cannabis cultivators may use any soil amendments, fertilizers,
18 growing media, and other crop production inputs that are:

19 (1) Permitted for use in general agriculture on Guam;

20 (2) Registered and approved by the United States
21 Environmental Protection Agency or the Guam Environmental
22 Protection Agency, where applicable; and

23 (3) Applied in accordance with label instructions and
24 applicable laws and regulations.

25 (b) Cannabis cultivators shall manage crop nutrients and soil
26 fertility in a manner consistent with applicable best management practices for
27 general agriculture on Guam and in compliance with all applicable

1 environmental protection laws and regulations.

2 (c) The producer shall not use any fertilizer or composted plant and
3 animal material that contains a synthetic substance not authorized or allowed in
4 the National List of Allowed and Prohibited Substances 7 C.F.R. section
5 205.601.

6 (d) Except as enumerated in this Article or in the Guam Code
7 Annotated, no additional restrictions on soil amendments, fertilizers, or
8 growing media beyond those applicable to general agriculture and codified
9 agricultural practices in Guam shall apply to cannabis cultivation.”

10 **Section 6.** § 9406(a)(1) of Article 4, Chapter 9, Title 3, Guam
11 Administrative Rules and Regulations, is hereby *amended* to read:

12 **“§ 9406. Cannabis Plant Production.**

13 (a) Only the following specified amendments, other crop production
14 aids, and pesticides may be used in the production of cannabis:

15 (1) The substance(s) for consideration of use in the
16 production of cannabis shall only be derived from the Cannabis
17 cultivation amendments enumerated in § 9405 of this Article, if these
18 substances are commercially purchased from an off-island source,
19 proper clearances and permits must be obtained prior to importation
20 from the Guam Environmental Protections Agency (GEPA).”

21 **Section 7.** § 9409 of Article 4, Chapter 9, Title 3, Guam Administrative
22 Rules and Regulations, is hereby *amended* to read:

23 **“§9409. Cannabis Waste Management.**

24 Cannabis waste management shall be consistent with all other waste
25 management mandates relative to agricultural waste, as applicable. The
26 Department of Agriculture may formulate additional rules and regulations
27 relative to cannabis waste subject to Administrative Adjudication Law and

1 formal adoption by the Cannabis Control Board.”

2 **Section 8. Severability.** If any provision of this Act or its application to any
3 person or circumstance is found to be invalid or inorganic, such invalidity shall not
4 affect other provisions or applications of this Act that can be given effect without
5 the invalid provision or application, and to this end the provisions of this Act are
6 severable.

7 **Section 9. Effective Date.** This Act shall take effect upon its enactment into
8 law.