









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

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
254-38 (COR)	Sabrina Salas Matanane Eulogio Shawn Gumataotao William A. Parkinson Joe S. San Agustin Shelly V. Calvo Tina Rose Muña-Barnes V. Anthony Ada	AN ACT TO <i>AMEND</i> §9401, §9402, §9403, §9405, §9406(a)(1), AND §9409 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.	1/8/26 4:32 p.m.  1/15/26 9:07 a.m.						

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

Bill No. 254-38 (COR)

Introduced by:

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**AN ACT TO AMEND §9401, §9402, §9403, §9405, §9406(a)(1), AND §9409 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.**

3 *I Liheslaturan Guåhan* finds that Public Law 35-5, the Guam Cannabis  
4 Industry Act of 2019, established a comprehensive framework to regulate the  
5 cultivation, processing, and sale of cannabis for adult use. A primary goal of this Act  
6 was to foster a new, legitimate, and local agricultural industry in Guam. In  
7 establishing the initial rules and regulations, specific and novel agricultural

1 mandates were created exclusively for cannabis cultivation, diverging significantly  
2 from the established practices and legal requirements governing general agriculture  
3 on the island.

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

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

23 *I Liheslaturan Guåhan* further finds that the Department of Agriculture  
24 possesses the expertise and regulatory authority to oversee agricultural practices  
25 across all crops cultivated in Guam. The Department's existing framework for bona  
26 fide farmer certification, agricultural land use, and compliance with environmental  
27 standards provides an appropriate and sufficient mechanism for regulating cannabis

1 cultivation without the need for cannabis-specific agricultural mandates that exceed  
2 those applied to other agricultural commodities.

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

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

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

1 equitable, and economically viable local cannabis industry while upholding  
2 established agricultural standards for environmental protection, public health, and  
3 public welfare.

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

6 **§9401. Policy.**

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

16 (b) ~~Commercial synthetic pesticides have catastrophic effects on human~~  
17 ~~health and the natural environment. As well as causing significant damage to the~~  
18 ~~environment, synthetic pesticides used on cannabis contain chemicals that will~~  
19 ~~inevitably end up in the human body. Attention to biodiversity and greater emphasis~~  
20 ~~on environmental protection will ensure that our island's future generations will have~~  
21 ~~a sustainable future.~~ Cannabis cultivation shall be subject to the pesticide laws, rules,  
22 and regulations specifically established for cannabis in this Article, which are  
23 maintained due to the unique consumption methods of cannabis products and the  
24 need to protect public health. These cannabis-specific pesticide regulations shall  
25 remain in full force and effect and shall not be superseded by general agricultural  
26 pesticide regulations.

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

3           **§9402. Cannabis Cultivator Registration Requirement.**

4           Cannabis ~~Cultivators~~cultivators must register with ~~DOAG~~the Department of  
5 Agriculture (DOAG) and obtain a "Bona Fide Farmer Certificate": in accordance  
6 with the same requirements and procedures applicable to all other agricultural  
7 producers in Guam.

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

10          **§9403. Acceptable cannabis growing conditions.**

11          (a) Cannabis may be grown ~~directly in the ground, in containers, or in a closed~~  
12 ~~system (e.g. hydroponics, aeroponics, aquaponics) with only~~ with the allowed  
13 cultivation amendments listed enumerated in ~~§9305~~ §9405 of this Article, using any  
14 cultivation method permitted for general agriculture on Guam, including but not  
15 limited to direct ground planting, container cultivation, hydroponics, aeroponics,  
16 aquaponics, or any other recognized agricultural cultivation method.

17          (b) Cannabis production must take place within:

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

20               (2) Outdoor production may take place in nonrigid greenhouses, or  
21 similar structures; or

22               (3) An expanse of open ground fully enclosed by a physical barrier that  
23 obscures public view of the premises with a wall or fence at least ten (10) feet  
24 high with ~~at least a one (1) inch thick metal gate.~~ a locking gate or door; and

25               ~~(4) Monitoring devices must be implemented at all cultivation sites.~~

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

1           (c) ~~Any cannabis plantation, in a field, farm parcel, greenhouse, or growing~~  
2 ~~facility in which cannabis is intended to be grown, harvested, processed or sold for~~  
3 ~~commercial purposes, must not have any substances that are prohibited by the~~  
4 ~~Department of Agriculture's guidelines on premises. Cannabis cultivation sites shall~~  
5 ~~comply with all applicable environmental laws and regulations governing general~~  
6 ~~agriculture on Guam.~~

7           (d) ~~The plantation must have a distinct, defined boundary and/or buffer zone~~  
8 ~~sufficient in size or other features (e.g. windbreaks or a diversion ditch) to prevent~~  
9 ~~the possibility of unintended contact by prohibited substances applied to adjacent~~  
10 ~~land areas with an area that is part of a certified operation and within the specified~~  
11 ~~GPS coordinates.~~

12           (e) ~~(d) A producer shall select suitable cultivation practices that maintain or~~  
13 ~~promote the improvement of the physical, chemical, and biological condition of soil~~  
14 ~~and minimize soil erosion. Cannabis cultivation sites shall comply with all~~  
15 ~~applicable land use, zoning, and building code requirements applicable to~~  
16 ~~agricultural operations on Guam.~~

17           (f) ~~(e)~~ Potting soil, crop production aids, soil amendments, and other growing  
18 media approved by the Department may be used in cannabis cultivation.

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

21           **§9405. Cannabis Cultivation Amendments.**

22           (a) ~~The producer must manage the allowed cultivation amendment materials,~~  
23 ~~to maintain or improve soil organic matter content, biological diversity, nutrient~~  
24 ~~eycling, and microbial activity in a manner that does not contribute to the~~  
25 ~~contamination of crops, air, water, or any adverse impacts to the environment by~~  
26 ~~plant nutrients, pathogenic organisms, heavy metals, or residues of substances. Only~~  
27 ~~the following specified soil amendments, fertilizers, other crop production aids, and~~

1 ~~pesticides may be used in the production of cannabis. The allowed cultivation~~  
2 ~~amendments include:~~

3 ~~(1) Raw animal manure, which shall be composted unless it is:~~

4 ~~(A) Incorporated into the soil not less than 120 days prior to the~~  
5 ~~harvest of cannabis whose consumable portion has direct contact with~~  
6 ~~the soil surface or soil particles; or~~

7 ~~(B) Incorporated into the soil not less than 90 days prior to the~~  
8 ~~harvest of cannabis whose consumable portion does not have direct~~  
9 ~~contact with the soil surface or soil particles.~~

10 ~~(2) Aquatic plants (alkali extracted)~~

11 ~~(3) Blood Meal~~

12 ~~(4) Boron~~

13 ~~(5) Calcium carbonate/limestone (mined)~~

14 ~~(6) Humic acid (alkali extracted)~~

15 ~~(7) Iron phosphate (molluscicide use only)~~

16 ~~(8) Feather meal~~

17 ~~(9) Fulvic acid~~

18 ~~(10) Fish/shrimp meal~~

19 ~~(11) Guano (mined)~~

20 ~~(12) Gypsum (mined)~~

21 ~~(13) Humates/Leonardite (mined)~~

22 ~~(14) Peat~~

23 ~~(15) Coco coir~~

24 ~~(16) Rockwool (without the fiberglass, metals)~~

25 ~~(17) Potassium magnesium sulfate, potassium sulfate (mined)~~

26 ~~(18) Rock phosphate (mined)~~

27 ~~(19) Worm castings (vermiculture)~~

- 1           ~~(20) Fish emulsion~~
- 2           ~~(21) Compost tea~~
- 3           ~~(22) Green waste compost~~
- 4           ~~(23) Seaweed/Kelp~~
- 5           ~~(24) Beneficial Microorganisms~~
- 6           ~~(25) Beneficial bacteria~~

7           ~~(b) A producer may manage crop nutrients and soil fertility to maintain or~~  
8 ~~improve soil organic matter content in a manner that does not contribute to the~~  
9 ~~contamination of crops, soil, air, or water.~~

10          ~~(c) The producer shall not use any fertilizer or composted plant and animal~~  
11 ~~material that contains a synthetic substance not included on the National List of~~  
12 ~~Allowed and Prohibited Substances 7 C.F.R. section 205.601.~~

13          ~~(d) Genetic modification of cannabis is prohibited.~~

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

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

17                 (2) Registered and approved by the United States Environmental

18                 Protection Agency or the Guam Environmental Protection Agency, where  
19                 applicable; and

20                 (3) Applied in accordance with label instructions and applicable laws  
21                 and regulations.

22          (b) Cannabis cultivators shall manage crop nutrients and soil fertility in a  
23 manner consistent with applicable best management practices for general agriculture  
24 on Guam and in compliance with all applicable environmental protection laws and  
25 regulations.

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

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

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

10           **§ 9406. Cannabis Plant Production.**

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

13           (1) The substance(s) for consideration of use in the production of  
14 cannabis shall only be derived from the Cannabis cultivation amendments  
15 listed in § 9305 enumerated in § 9405 of this Article, if these substances are  
16 commercially purchased from an off-island source, proper clearances and  
17 permits must be obtained prior to importation from the Guam Environmental  
18 Protections Agency (GEPA).

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

21           **§9409. Cannabis Waste Management.**

22           ~~(a)~~ Cannabis waste management ~~hall~~ shall be consistent with all other waste  
23 management mandates relative to agricultural waste, as applicable. The Department  
24 of Agriculture may formulate additional rules and regulations relative to cannabis  
25 waste subject to Administrative Adjudication Law and formal adoption by the  
26 Cannabis Control Board. ~~the formulation and usage defined:~~

27           (1) ~~Compost bin;~~

1           ~~(2) Incineration;~~

2           ~~(3) In-vessel digestion;~~

3           ~~(4) On-site soil incorporation.~~

4           ~~(b) Containers that may or may not have contaminant residue must be~~  
5 ~~decontaminated and made suitable for reuse or be sent back to the manufacturer for~~  
6 ~~proper disposal and/or recycling.~~

7           ~~(c) A record of the final disposition of cannabis waste rendered unusable must~~  
8 ~~be kept for 120 days or in the absence of crop residue.~~

9           ~~(d) The use, and/or disposal of materials originating from the producer shall~~  
10 ~~be properly recorded, packaged, disposed of in a manner consistent with the~~  
11 ~~regulatory agency requirements.~~

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

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