

Guam Department of Revenue and Taxation
Cannabis Control Board Meeting
Meeting Date: January 10, 2022 | Time: 1:00 p.m.
Zoom Video Conference: <https://us02web.zoom.us/j/83905196494>

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BOARD MEMBERS	POSITION TITLE	SIGNATURE
ADRIAN CRUZ	AGRICULTURE	
URSULA H	SECRETARY	
MARIE LIZAMA	DAPHNE STUM. DEPUTY DIRECTOR	
VANESSA WILLIAM	SECRETARY CHAIRWOMAN	
SID M.	PUBLIC HEALTH	
WILL P.	MEMBER	
THERESE ARRILA	GBHW	
CHIT STUE	CAD	
NICK F.	CUR.	

This is to certify that the above information is true and correct:



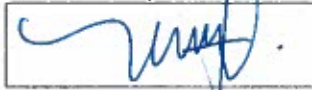
Board Secretary

01/10/2022

Guam Department of Revenue and Taxation
Cannabis Control Board Regular Meeting #33
Meeting Date: January 11, 2022 | Time: 3:00pm
Zoom Video Conference: <https://us02web.zoom.us/j/83905196494>

	Board Members	Position Title	Signature
1	Adrian Cruz	Deputy Director, Department of Agriculture	zoom
2	Cld S. Mostales	Director, Department of Public Health & Social Services	zoom
3	Marie P. Lizama	Deputy Director, Department of Revenue & Taxation	zoom
4	Theresa Arriola	Director, Guam Behavioral Health & Wellness Center	zoom
5	Chief Stephen Ignacio	Guam Police Department	
6	Nico Fujikawa	Director of Tourism Research, GVB	
7	Ursula Herrera	Board Secretary	
8	Atty. Vanessa Lee Williams	Board Chairperson	zoom
9	William M. Parkinson	Member	
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This is to certify that the above information is true and correct:



Board Secretary

1/11/2022

CANNABIS CONTROL BOARD

Regular Meeting #33 | January 10, 2022 | 1:00 pm

Zoom Video Conference Meeting ID: 839 0519 6494

- I. Call to Order
- II. Roll Call of Members/Quorum
- III. Secretary's Report
 - a. CCB Meeting #31 Minutes – November 12, 2021
 - b. CCB Meeting #32 Minutes – December 13, 2021
- IV. Old Business
 - a. Seed to Sale System
 - b. Attorney General Review of Proposed Regulations
- V. New Business
 - a. Request for Clarification re: Possible Transfer of Cannabis Plants
 - b. Request for Clarification re: CBD Enforcement
- VI. Next CCB Board Meeting
- VII. Open Forum/Public Comment
- VIII. Adjournment

Cannabis Control Board
Meeting Minutes
January 10 and 11, 2022

Opening

Chairperson Williams called the 33rd regular meeting of the Cannabis Control Board to order on January 10, 2022; however, due to technical issues with the live stream, CCB33 recessed and reconvened again on January 11, 2022.

Chairperson Williams called the regular meeting of the Cannabis Control Board to order at 3:05 p.m. on January 11, 2022.

Location: Zoom Video Conference

Meeting ID: 839 0519 6494

Attendees Present:

Vanessa Williams (*Appointee*), Chair
Adrian Cruz (DOAG), Deputy Director
Theresa Arriola (GBHWC)
Cid Mostales (DPHSS)
Marie Lizama (DRT), Deputy Director

Apologies:

Dafne Shimizu (DRT), Vice-Chair
Nico Fujikawa (GVB)
Ursula Herrera (*Appointee*), Secretary
William Parkinson (*Appointee*)
Stephen Ignacio (GPD)

Quorum present? Yes

III. Secretary's Report

Director Cruz made a motion to accept the minutes of the November 12, 2021 (CCB 31) meeting and the December 13, 2021 (CCB 32) meeting, subject to correction. Director Arriola seconded the motion. Motion carried unanimously.

IV. Old Business

A. Seed-to-Sale System

Mr. Cid Mostales reported that since the last CCB meeting, meetings have been held with the vendor to access the Metrc system and to review for functionality requirements and gaps. He shared that the team is currently working on a gap analysis to ensure all gaps have been identified and addressed and that the system works with the rules and regulations.

Director Cruz added that a company reached out to him to provide a demonstration that could fill in some of the gaps and is suitable for regulatory agencies such as DOAG, DPHSS and DRT. The demonstration relates to banking reporting, compliance, etc. Director Cruz committed to sharing the date and time of the demonstration with the Board once known.

B. Attorney General and Governor Review of Proposed Regulations

Ms. Lizama provided an overview of the DRT's suggested revision to be in compliance with the law, as follows.

- Page 24 – “and terminating” was added the section to address situations where a Cannabis Identification Card is not being revoked but terminated.
- Page 24, Line 18 – “Department” was crossed out and replaced with “the Board” as the entity responsible for revoking a Responsible Official or Designated Transporter’s Cannabis Identification Card.
- Page 25, Line 1 – replaced “Department” with “Board”.
- Page 25, Line 2 §9205(a) – additional language included for clarity.
- Page 25, Line 3 – added “the revocation of the card”
- Adding a section C to address termination. She advised that the addition of this section would affect the subsequent numbering.
- Line 18, c – revised to differentiate a revocation and a termination.
- Line 22 – added “or terminated”.
- Line 23 – added “or notice of termination”.
- Line 24 – revised to specify “any cardholder” and “identification card is revoked pursuant to subsection A.”

- Page 119 – “inspector” was changed to “Inspector” to refer to the collective group.
- Line 26 – revised to read “Inspectors”.
- Line 27 – revised “with reasonable notice” to align with the law.
- Page 120, Line 3 – revised to read “Inspectors”.
- Line 13 – “Agency or Department” was replaced with “Board”.
- Line 19 – “Agency or Department” was replaced with “Board”.
- #10 – Ms. Lizama advised the Department of Revenue and Tax was retained here as the agency responsible for providing the written notice of the findings. The Board discussed the definition of “Department” applicable to this section as the Attorney General may comment on the vagueness of it. The Board agreed to revise this section to read: “Upon completion of the inspection, the department of the Inspector shall provide written notice within five business days”.
- Page 122, Lines 13, 19, 22, 24, 26 – “Department” was replaced with “Board”.
- Page 124 – “Department” was replaced with “Board”.

Director Cruz made a motion to add “Inspector” and its definition from §9901, Line 13-17 to Page 120, #10 to the proposed Regulations. Director Arriola seconded the motion. Motion carried unanimously.

Director Cruz made a motion to accept the revisions to the Proposed Regulations as proposed by the Attorney General’s Office, including the revision to Page 120, Line 10 to add “department of the Inspector”. Director Arriola seconded the motion. Motion carried unanimously.

The Cannabis Control Board meeting was recessed briefly for five minutes to address technology issues with the live stream.

Chairperson Williams highlighted other provisions in the Proposed Regulations that may be unclear based on feedback received. The Board discussed the feedback and made the following revisions:

- Article 2, Licensing of Establishments, §9209 – It was suggested that the Rules be referenced rather than the *Guam Cannabis Industry Act*. There were no concerns with this suggestion.
- §9212 – Replace all references to “this Chapter” to “this Article”.

- §9308, subsection (a) – This section could be interpreted to mean that no one may transport cannabis unless they have valid identification or are a Designated Transporter. It was suggested that language be added to clarify that “cannabis, cannabis concentrate or product shall only be in an amount greater than the allowable amount for personal consumption shall only be transported...” There were no concerns with this suggestion.
- §9308, subsection (c) – The Board agreed to use “vehicle” rather than “motor vehicle”.
- §9308, subsection (d) – It was suggested that this subsection be clarified to apply to those who transport cannabis on behalf of a licensed cannabis establishment. There were no concerns with this suggestion.
- §9309, subsection (b) – Reference to the “Department” should be changed to the “Guam Environmental Protection Act”. There were no concerns with this suggestion.
- §9309, subsection (m)(9)(a) – It was suggested that instead of using “Inventory Tracking System”, it should reference the “Seed-to-Sale System” to be consistent with §9312 and §9313.
- §9310 – The reference to the “Department” should be changed to the “Guam Environmental Protection Act”. There were no concerns with this suggestion.
- Article 6, §9602, subsection (g) – The Board agreed to omit “valid cannabis ID cards” as the Responsible Officials must already have a valid ID card.
- Article 6, §9602, subsections (e2) and (e3) – It was suggested that there be a time limit specified for the allowable amount. The Board agreed to specify that the allowable is “per transaction”.
- §9704, subsection (d) – It was agreed that “Department” should be clarified to refer to DPHSS.
- §9706 and §9709 – It was agreed that “Department” should also be clarified to refer to DPHSS in these sections.
- §9801, subsection (b) – Typo. Reference to §9702 should be corrected to §9802.
- Article 5, §9504, subsection (a) – Mr. Cid Mostales advised that additional language was provided to the director for approval to require manufacturing facilities to use other authorized methods of extraction and enable requests to be made for DPHSS to review new methods. The

Board approved Mr. Mostales' recommended language for this section, subject to approval from DPHSS.

- §9504 A, subsection (h) – The Board agreed to remove reference to “statue” and rather than specify a specific list of residual solvents with limits, replace with “as gases or levels provided within the guidelines of DPHSS”.
- Article 9, §9902, subsection (d), (e), (f) – It was suggested that “deficiencies” be defined. The Board agreed to replace “deficiencies” with “violations of these Rules”.
- Replace “CCB approval” to “DPHSS approval”.
- Article 7 – Replace “professional engineer” with “licensed engineer”.
- §9403, subsection (c) – The Board agreed to revise this section to read: “...any substances that are prohibited by the Department of Agriculture’s guidelines on premises.”

Director Arriola made a motion to adopt the changes as suggested and/or discussed to the Proposed Regulations, subject to approval from DPHSS on the DPHSS articles. Director Cruz seconded the motion. Motion carried unanimously.

V. New Business

A. Request for Clarification re: Possible Transfer of Cannabis Plants

Chairperson Williams presented the letter to the Board and the Attorney General’s received from an attorney’s office inquiring about the transfer of cannabis plants to a licensed grower. The Board discussed the letter, noting that the Proposed Regulations allow up to six cannabis plants to be grown for personal use; however, personal use plants cannot be sold for commercial use without a commercial license. Further, if someone was gifted a cannabis plant, it still cannot be sold for commercial use without a proper license. Cannabis plants must come from a licensed facility.

Chairperson Williams advised that she is unaware as to whether the Attorney General’s Office has responded to the letter.

The Board determined it is unable to respond at this time and agreed that no further action was required, as the Proposed Regulations have not technically been approved in legislature.

B. Request for Clarification re: CBD Enforcement

The Board discussed the inquiry regarding the regulatory and enforcement agency responsible for the review of advertising in stores that sell CBD products. The Board noted that the Proposed Regulations address cannabis products, not CBD as CBD products do not meet the THC threshold to be considered cannabis. The Board indicated that the Department of Revenue and Tax may be the regulatory agency responsible for CBD.

VI. Next CCB Board Meeting

The Board agreed to schedule its next meeting to review the minutes of this meeting on January 24, 2022 at 1:00 p.m.

VII. Open Forum/Public Comment

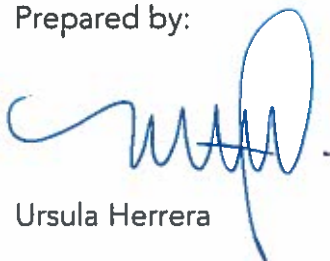
There were no announcements or issues raised by the Board and no comments raised from the public.

VIII. Adjournment

Director Cruz made a motion to adjourn the meeting. Director Arriola seconded the motion. Motion carried unanimously.

The Cannabis Control Board meeting was adjourned at 4:47 p.m. on January 11, 2022. The next meeting shall be held on Monday, January 24, 2022.

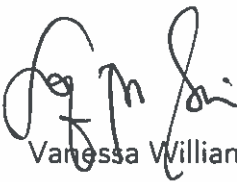
Prepared by:



Ursula Herrera

Secretary

Noted by:


for
Vanessa Williams

Chairperson