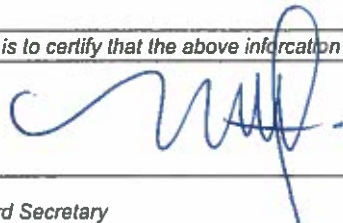


**Guam Department of Revenue and Taxation**  
**Cannabis Control Board Regular Meeting**  
**Meeting Date: December 17, 2020 | Time 2:00pm**  
**Zoom Video Conference Meeting ID: 698 255 5129 - Password: CCBGUAM**

| <u>Board Members</u>                        | <u>Position Title</u>  | <u>Signature</u> |
|---|--|------------------|
| Atty. Vanessalee Williams                   | Board Chairperson - Member   | Zoom             |
| Dafne Mansapit-Shimizu                      | Vice Chairperson - Director, Department of Revenue & Taxation              | Zoom             |
| Ursula Herrera                              | Board Secretary - Member   | Zoom             |
| Adrian Cruz                                 | Deputy Director, Department of Agriculture                                 | Zoom             |
| Dr. Suzanne S. Kaneshiro<br>Zita Pangelinan | Chief Public Health Officer, Department of Public Health & Social Services | Zoom             |
| Theresa Arriola                             | Director, Guam Behavioral Health & Wellness Center                         | Zoom             |
| Stephen Ignacio                             | Chief, Guam Police Department  |                  |
| Nico Fujikawa                               | Director of Tourism Research, Guam Visitors Bureau                         | Zoom             |
| William M. Parkinson                        | Member   | Zoom             |
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This is to certify that the above information is true and correct.



Board Secretary  
12/17/2020

Cannabis Control Board  
Meeting Minutes  
December 17, 2020

**Opening**

Chairperson Williams called the regular board meeting of the Cannabis Control Board to order at 2:03 p.m.

Location: Zoom Video Conference  
Meeting ID: 698 255 5129  
Password: CCBGUAM

**Attendees Present:**

Vanessa Williams (*Appointee*), Chair  
Dafne Shimizu (DRT), Vice-Chair  
Adrian Cruz (DOAG)  
Ursula Herrera (*Appointee*)  
Nico Fujikawa (GVB)  
William Parkinson (*Appointee*)  
Dr. Kaneshiro (DPHSS)

**Apologies:**

Steve Ignacio (GPD)  
Theresa Arriola (GBHWC)

**Quorum present? Yes**

**Approval of Minutes**

- The minutes of the November 20, 2020 meeting were unanimously approved as distributed.

**Old Business**

**a. Review of Public Hearing Testimony, Public Comment and E-mail Testimonies**

- The Board acknowledged receipt of the matrix, testimonies and transcriptions of the three public hearings that were distributed by email.
- Dr. Kaneshiro (DPHSS) Public Health representative, joined the meeting in the midst of this topic.
- Vice-Chair Shimizu reported that there were some items in the testimonies that require legal input from legal counsel and the AG's office, and that she will seek clarification from certain stakeholders regarding the comments and recommendations made in their testimonies to ensure the issues raised are properly addressed.
- Following completion of the Board's review, Vice-Chair Shimizu proposed that the Board approve and adopt the transcriptions provided by the DRT to certify the records.
- Vice-Chair Shimizu requested that the Board consider writing a letter to the Banking and Insurance Board regarding the issue of banking for Tier 1 type facilitates. Chairperson Williams agreed to discuss the content of the letter at the December 21, 2020 regular meeting.

**Action Items:**

- Provide notice of the December 21, 2020 regular meeting to the AG's office for posting on their website.
- Distribute revised matrix with the general articles for cultivation and licensing.

#### **Next CCB Board Meeting**

- In order to allow for sufficient time to engage in a discussion with all Board members, it was determined that another regular meeting will be held on Monday, December 21, 2020 to discuss Articles 3, 5, 8.

#### **Open Forum/Public Comment**

- Steven Kasperbauer of the Alupang Beach Club, representing the tourism industry. Mr. Kasperbauer expressed concerns with the perception of marijuana use by tourists and customers and its impact on the tourism industry. He stated that perception is reality. The tourist industry has been built on the premise of offering a product that is convenient, affordable and safe in the minds of their mainly Japanese, South Korean and Taiwanese customers. Most of the investment in the tourism industry come from Japan and South Korea. In Japan and South Korea, marijuana is not only illegal but also punishable by prison time of up to seven to 10 years. Currently, all employees have been furloughed due to COVID-19 and the change in the market. The industry is struggling with COVID-19 and marijuana would exacerbate the problem. He appealed to the Board that relaxing the use of marijuana in the tourism industry and attraction goes contrary to their customers' public perception and would be devastating to the industry as the profit margins are already tight. He appealed to the Board to protect the main industry of the island and would like to see certain zones protected from cannabis use.
  - Director Cruz clarified to Mr. Kasperbauer that there are limits on where cannabis businesses are allowed to operate. The restrictions that alcohol businesses have, so do cannabis businesses.
  - Vice-Chair Shimizu added that §8105 of the current legislation bans public consumption unless there are regulations promulgated and enacted by the CCB. She confirmed that there is nothing in the draft rules and regulations that allows for public consumption. She also stated that the smoking of cannabis is also regulated under that Natasha Protection Act and that §8119 of the law also prohibits businesses or persons from the unlawful dissemination of cannabis odor. Further, she noted Cannabis Control Act passed in 2019 makes adult-use of cannabis legal, and that there are certain provisions in place that addresses some, if not all, concerns.
  - Chairperson Williams clarified the mandate of the Board, which is to implement regulations in accordance with the law and in the best interest of the community. She stated the Board has no authority to outlaw or prohibit the use of recreational cannabis. The law treats cannabis smoking and consumption the same as tobacco and any other smoking; it is prohibited in places of dining and public places. The law also prohibits cannabis facilities from being located within 1,000 feet of playgrounds, parks, public or private schools, childcare centers, etc. The proposed regulations also do not allow retail facilities in H zones. Only cannabis facilities are permitted in a C zone. Chairperson Williams asked Mr. Kasperbauer what he felt was missing from the regulations to address family-friendly tourism.

- **Mark Baldyga, representing the tourism industry**  
 In response to Chairperson Williams's question, he suggested a membership club where people have to pay for a one-day membership so that it is not considered public place and prohibiting smoking inside hotel rooms and on hotel balconies. He has had prior conversations with Director Parkinson, who indicated the Board is looking at onsite consumption permits, but he would like to see the use and selling of cannabis prohibited in Tumon and instead keeping it confined to a district, like an adult entertainment zone. He expressed concern that the image of legalized marijuana in Guam, presented to visitors, will cause a decline in arrivals.
  - Chairperson Williams acknowledged the comments and responded that definitions are something the Board can look at.
  
- **Mary Rhodes, President of the Guam Hotel & Restaurant Association**  
 Ms. Rhodes shared concerns of her board regarding the perception of cannabis and how it will impact the tourism industry. Ms. Rhodes noted that there should be more discussion on the forms that cannabis comes in, aside from smoking, such as in CBD oils, etc. There are laws in place regarding smoking in public places under the Natasha Protection Act. She asked how the distribution of cannabis in other forms is being addressed in retail outlets, such as bakeries and restaurants within the tourism district and whether there will be exemptions in the law by the Board to allow smoking in public.
  - Chairperson Williams discussed the intent of the current regulations and provided an overview of the consultation process with the public that lead to the current proposed regulations. If in the future, the Board were to decide to make such an exemption, that would require another public hearing under the AAA process. She confirmed that there are currently no exemptions being contemplated to the Natasha Protection Act to allow smoking indoors or public places.
  - With regards to next steps, Chairperson Williams indicated that after the Board makes amendments to the regulations based on feedback received from the public hearing and public comment period, they will be transmitted to the Governor's office, the AG's office and the Department of Administration. The final step will be for the AG's office to review to ensure it is constitutional and consistent with the law before transmitting it fully with the record to the Legislature.

Vice-Chair Shimizu acknowledged that Gerry Perez from GVB was present during the board meeting.

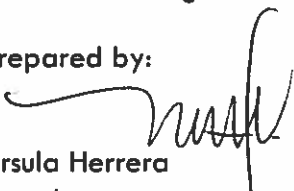
**Adjournment**

The Cannabis Control Board meeting was adjourned at 3:25 p.m.

The next meeting shall be held on Monday, December 21, 2020 at 1:00 p.m.

Prepared by:

Ursula Herrera  
 Secretary



Noted by:

for Vanessa Williams  
 Chairperson



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**CANNABIS CONTROL BOARD**

Regular Meeting #23 | December 17, 2020 | 2:00 pm

Zoom Video Conference Meeting ID: 698 255 5129 - Password: CCBGUAM

- I. Call to Order
- II. Roll Call of Members/Quorum
- III. Secretary's Report – November 30, 2020, Meeting #22 Minutes
- IV. Old Business
  - a. Review of Public Hearing Testimony, Public Comment and E-mail Testimonies
- V. Next CCB Board Meeting
- VI. Open Forum/Public Comment
- VII. Adjournment