

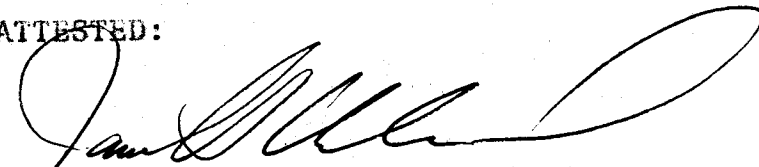
FIFTEENTH GUAM LEGISLATURE
1979 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

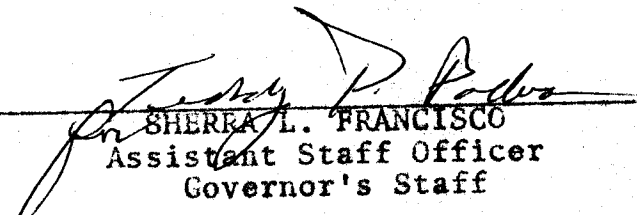
This is to certify that Substitute Bill No. 38, "An Act to add Subchapter E to Chapter II, Title X of the Government Code relative to the Food Stamp Program", was on the 11th day of May 1979, duly and regularly passed.


KATHERINE B. AGUON
Vice-Speaker

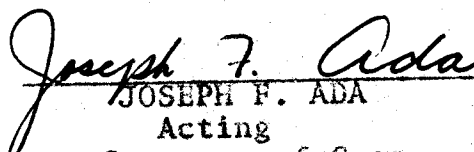
ATTESTED:


JAMES H. UNDERWOOD
Legislative Secretary

This Act was received by the Governor this 31st day of
May 1979 at 2:10 o'clock P.M.


SHERRA L. FRANCISCO
Assistant Staff Officer
Governor's Staff

APPROVED:


JOSEPH F. ADA
Acting
Governor of Guam

DATED: June 12, 1979
PL 15-35

FIFTEENTH GUAM LEGISLATURE
1979 (FIRST) Regular Session

Bill No. 38
(As Substituted
by the Committee
on Health, Welfare
and Ecology)

Introduced by E. M. Espaldon

AN ACT TO ADD SUBCHAPTER E TO CHAPTER II,
TITLE X OF THE GOVERNMENT CODE RELATIVE TO
THE FOOD STAMP PROGRAM.

BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:

Section 1. A new Subchapter E is added to Chapter II, Title
X of the Government Code of Guam to read as follows:

"SUBCHAPTER E

Food Stamp Program

Section 9130. Definitions. For the purposes of this
subchapter:

(a) 'Department' means the Department of Public
Health and Social Services;

(b) 'food' means any food or food product for
human consumption except alcoholic beverages and
tobacco and shall include seeds and plants for use in
gardens to produce food for the personal consumption
for the eligible household;

(c) 'food coupons' means any coupon, stamp, or
type of certificate used under the Federal Food Stamp
Act of 1977;

(d) 'food stamp program' means the Federal Food
Stamp Act of 1977.

1 Section 9131. Authorization. The Department of
2 Public Health and Social Services, through the Division of
3 Social Services, is authorized to implement the food stamp
4 program locally in accordance with the provisions of
5 the Federal Food Stamp Act of 1977.

6 (a) Householders determined by the Department
7 to be eligible for assistance under the food stamp
8 program may obtain food coupons.

9 (b) Food coupons shall be used to purchase food
10 from retail food stores which have been approved for
11 the participation in the food stamp program.

12 Section 9132. Duties of the Department. The Depart-
13 ment of Public Health and Social Services, through the
14 Division of Social Services, shall:

15 (a) adopt rules and regulations necessary to
16 carry out the food stamp program;

17 (b) cooperate with the Federal Government and
18 do all things necessary to continue territorial
19 eligibility under the food stamp program;

20 (c) comply with the requirements of the Federal
21 Food Stamp Act of 1977.

22 Section 9133. Reporting Change of Status. A person
23 receiving assistance under Section 9131 of this subchapter
24 who willfully fails to report to the Department a change
25 in his status which affects his eligibility or the amount
26 of payment for which he is eligible, within ten (10) days
27 of that change, is guilty of a misdemeanor.

1 Section 9134. Penalties. (A) A person is guilty:

2 (a) of a misdemeanor if he knowingly makes a
3 false statement for the purpose of influencing the
4 action of the Department in connection with its
5 responsibilities under the Federal Food Stamp Act of
6 1977, with respect to the certification of households
7 applying for participation in the food stamp program
8 and the issuance under such program of food stamp
9 coupons to households;

10 (b) of a misdemeanor if he knowingly uses,
11 transfers, acquires, alters, or possesses food stamp
12 coupons or authorization-to-participate cards in any
13 manner not authorized by the Federal Food Stamp Act of
14 1977, or the Federal or territorial regulations issued
15 pursuant to this Act and the face value of the food
16 stamps or the authorization-to-participate cards is
17 Five Hundred Dollars (\$500) or less;

18 (c) is guilty of felony if he knowingly uses,
19 transfers, acquires, alters or possesses food stamp
20 coupons or authorization-to-participate cards in any
21 manner not authorized by the Federal Food Stamp Act
22 of 1977 or the Federal or territorial regulations
23 issued pursuant to this Act and the face value of the
24 food stamp coupons or the authorization-to-participate
25 cards exceeds Five Hundred Dollars (\$500);

26 (d) of a misdemeanor if he knowingly uses, trans-
27 fers, acquires, or possesses a blank authorization-to-
28 participate cards of the Department in a manner not
29 authorized by the Department;

1 (e) of a felony if he knowingly counterfeits,
2 forges, or alters any authorization-to-participate
3 cards issued by the Department in connection with its
4 responsibilities under the Federal Food Stamp Act of
5 1977; and

6 (f) of a felony if he knowingly alters, publishes,
7 or puts into circulation, any counterfeited, forged,
8 or altered authorization-to-participate card ."



PAUL M. CALVO
GOVERNOR

Territory of Guam

OFFICE OF THE GOVERNOR

AGANA, GUAM 96910

U.S.A.

JUN 12 1979

Honorable Thomas V.C. Tanaka
Speaker,
Fifteenth Guam Legislature
P.O. Box 373
Agana, Guam 96910

Dear Mr. Speaker:

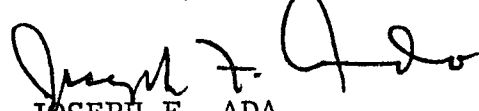
I am pleased to transmit herewith Public Law 15-35
(Bill No. 38 as substituted by the Committee on Health,
Welfare and Ecology).

In signing this bill into law however, I do wish to
take this opportunity and point out certain disparity
between the Federal Act and Bill No. 38 as substituted.
In case of conflict, the Federal law may prevail over
the local law.

Section 15 of the Food Stamp Act of 1977 and Part 271.5
of the Food Stamp Regulations clearly establishes that
"Whoever knowingly uses, transfers, acquires, alters,
or possesses coupons or authorization cards in any manner
not authorized by this Act or the regulations issued
pursuant to this Act shall, if such coupons or authorization
cards are of the value of \$100.00 or more, be guilty of a
felony" Bill No. 38 as substituted, which was
originally in consonance with this particular provision,
was amended establishing similar violations of up to
\$500.00 only as a misdemeanor.

Thanking you, I remain.

Sincerely yours,


JOSEPH F. ADA
Acting

0000208

Attachments

ACKNOWLEDGEMENT RECEIPT

Received By BT
Time 11:45 AM
Date 6-12-79