



Refer to
Legislative Secretary

CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

JAN 04 1999

The Honorable Antonio R. Unpingco
Speaker
Mina'Bente Kuattro na Liheslaturan Guåhan
Twenty-Fourth Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Hagåtña, Guam 96910

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIVED	
Received By	<i>[Signature]</i>
Time	1:33 pm
Date	1-6-99

Dear Speaker Unpingco:

Enclosed please find Substitute Bill No. 753 (LS), "AN ACT TO ESTABLISH THE ELIGIBILITY OF *BONA FIDE* FARMERS TO PROCURE EQUIPMENT THROUGH THE GENERAL SERVICES AGENCY", which was vetoed and subsequently overridden by i Liheslatura. This legislation is now designated as **Public Law No. 24-334**.

Very truly yours,

[Signature]
Carl T. C. Gutierrez
I Maga'lahaen Guåhan
Governor of Guam

Attachment: copy attached for signed bill or overridden bill
 original attached for vetoed bill

cc: The Honorable Joanne M. S. Brown
 Legislative Secretary

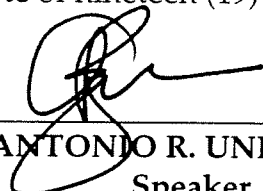
00021

Office of the Speaker
ANTONIO R. UNPINGCO
Date: 1-6-99
Time: 1049
Rec'd by: *[Signature]*
Print Name: Charlene D.


MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN
1998 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN

This is to certify that Substitute Bill No. 753 (LS), "AN ACT TO ESTABLISH THE ELIGIBILITY OF *BONA FIDE* FARMERS TO PROCURE EQUIPMENT THROUGH THE GENERAL SERVICES AGENCY," returned without approval of *I Maga'lahaen Guahan*, was reconsidered by *I Liheslaturan Guahan* and after such consideration, did agree, on the 30th day of December, 1998, to pass said bill notwithstanding the veto of *I Maga'lahaen Guahan* by a vote of nineteen (19) members.


ANTONIO R. UNPINGCO
Speaker

Attested:


JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by *I Maga'lahaen Guahan* this 31st day of December,
1998, at 3:10 o'clock P.M.


Assistant Staff Officer
Maga'lahaen's Office

Public Law No. 24-334

**MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN
1998 (SECOND) Regular Session**

Bill No. 753 (LS)

As substituted by the Committee on
Agriculture, Land, Housing, Community
and Human Resources Development and
as amended on the Floor.

Introduced by:

J. C. Salas
E. J. Cruz
L. F. Kasperbauer
T. C. Ada
F. B. Aguon, Jr.
A. C. Blaz
J. M.S. Brown
Felix P. Camacho
Francisco P. Camacho
M. C. Charfauros
W. B.S.M. Flores
Mark Forbes
A. C. Lamorena, V
C. A. Leon Guerrero
L. A. Leon Guerrero
V. C. Pangelinan
A. L.G. Santos
F. E. Santos
A. R. Unpingco
J. T. Won Pat

**AN ACT TO ESTABLISH THE ELIGIBILITY OF
BONA FIDE FARMERS TO PROCURE EQUIPMENT
THROUGH THE GENERAL SERVICES AGENCY.**

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

2 **Section 1. Legislative Findings and Intent.**

I Liheslaturan

3 *Guahan* finds that local farmers are limited in the availability of farming
4 equipment on Guam. It is also found that the government and the
5 Department of Agriculture have access to farm equipment at discounted
6 prices through the General Services Agency. *I Liheslaturan Guahan* has already
7 established that Guam farmers are a group whose business is to be protected
8 and expanded according to Public Law Number 23-18, which requires
9 government agencies to make maximum use of fresh local produce. In order
10 to assist *bona fide* farmers as prescribed in this law, and to encourage the
11 registration of farmers with the government for better record-keeping
12 purposes, an allowance should be made for farmers who register with the
13 Department of Agriculture to have access to purchase equipment through the
14 General Services Agency.

15 **Section 2. Rules.** The Rules by which farmers are made eligible to
16 purchase equipment through the General Services Agency are hereby enacted
17 to read as follows:

18 **"Rules for Farmers and Fishermen to Purchase**
19 **Equipment Through the General Services Agency.**

20 **I. Administration.** The Agricultural Development Services
21 Division of the Department of Agriculture shall be the responsible body
22 for the administration of this program.

23 **II. Definitions.** 1. '*Eligible bona fide farmer*' shall mean a
24 person registered with the Department of Agriculture who
25 commercially grows for profit fruits, crops, herbs, ornamentals,

1 nonedible horticulture, livestock, including aquaculture,
2 mariculture, and/or similar products, who furnishes financial
3 records that substantiate a claim to the Department's satisfaction;
4 and who is a U.S. citizen, a permanent resident alien, or who has
5 been a resident of Guam for the immediately preceding five (5)
6 years.

7 2. 'Equipment' shall mean any tool or supplies that are
8 strictly for agricultural use.

9 **III. Registration and Application.** In order to be eligible to
10 participate in this program, farmers are required to register their farms
11 with the Department of Agriculture. Registration applications must be
12 filed with the Agricultural Development Services Division of the
13 Department of Agriculture. Each eligible *bona fide* farmer who is
14 registered according to the Department of Agriculture is required to
15 renew the registration every year from the date of registration
16 thereafter.

17 **IV. Purchase of Equipment.** Each eligible *bona fide* farmer is
18 entitled to issue one (1) order through the General Services Agency
19 upon, or within fourteen (14) days after, the successful completion of
20 the processing of a registration application. Each order shall be limited
21 to a value of Fifty Thousand Dollars (\$50,000.00) or less.

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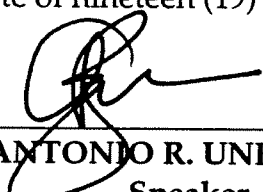
3 **Section 3. Implementation.** The Department of Agriculture shall
4 coordinate with the General Services Agency in order to implement this
5 program within one hundred twenty (120) days after enactment of this law.

6 **Section 4. Severability.** *If* any provision of this Law or its
7 application to any person or circumstance is found to be invalid or contrary to
8 law, such invalidity shall *not* affect other provisions or applications of this
9 Law which can be given effect without the invalid provisions or application,
10 and to this end the provisions of this Law are severable.


MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN
1998 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN

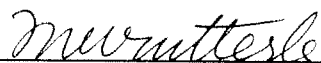
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ANTONIO R. UNPINGCO
Speaker

Attested:


JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by *I Maga'lahaen Guahan* this 31st day of December,
1998, at 3:10 o'clock P.M.


Assistant Staff Officer
Maga'lahaen's Office

APPROVED:

CARL T. C. GUTIERREZ
I Maga'lahaen Guahan

Date: _____

Public Law No. _____

**MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN
1998 (SECOND) Regular Session**

Bill No. 753 (LS)

As substituted by the Committee on
Agriculture, Land, Housing, Community
and Human Resources Development and
as amended on the Floor.

Introduced by:

J. C. Salas
E. J. Cruz
L. F. Kasperbauer
T. C. Ada
F. B. Aguon, Jr.
A. C. Blaz
J. M.S. Brown
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F. E. Santos
A. R. Unpingco
J. T. Won Pat

**AN ACT TO ESTABLISH THE ELIGIBILITY OF
BONA FIDE FARMERS TO PROCURE EQUIPMENT
THROUGH THE GENERAL SERVICES AGENCY.**

1 nonedible horticulture, livestock, including aquaculture,
2 mariculture, and/or similar products, who furnishes financial
3 records that substantiate a claim to the Department's satisfaction;
4 and who is a U.S. citizen, a permanent resident alien, or who has
5 been a resident of Guam for the immediately preceding five (5)
6 years.

7 2. 'Equipment' shall mean any tool or supplies that are
8 strictly for agricultural use.

9 **III. Registration and Application.** In order to be eligible to
10 participate in this program, farmers are required to register their farms
11 with the Department of Agriculture. Registration applications must be
12 filed with the Agricultural Development Services Division of the
13 Department of Agriculture. Each eligible *bona fide* farmer who is
14 registered according to the Department of Agriculture is required to
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22 Each eligible *bona fide* farmer is entitled to issue one order through
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7 application to any person or circumstance is found to be invalid or contrary to
8 law, such invalidity shall *not* affect other provisions or applications of this
9 Law which can be given effect without the invalid provisions or application,
10 and to this end the provisions of this Law are severable.



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

Refer to
~~Legislative Secretary~~

DEC 28 1998

The Honorable Antonio R. Unpingco
Speaker
Mina'Bente Kuåtтро na Liheslaturan Guåhan
Twenty-Fourth Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Hagåtña, Guam 96910

Dear Speaker Unpingco:

Enclosed please find Substitute Bill No. 753 (LS), "AN ACT TO ESTABLISH THE ELIGIBILITY OF *BONA FIDE* FARMERS TO PROCURE EQUIPMENT THROUGH THE GENERAL SERVICES AGENCY", which I have vetoed.

This is a curious piece of legislation, since it authorizes owners of private businesses, farmers, to place orders through a local government agency, GSA, for equipment and supplies needed to run their private businesses. This legislation has the potential of removing up to \$15 Million of business now enjoyed by the private sector, and would turn the General Services Administration of the Department of Administration into a "Sears and Roebuck" for island farmers.

This legislation allows each person registered as a farmer to have the government process up to \$50,000 of items for use in that person's business. This would mean that trucks, cars, tractors, gas, various farming equipment and supplies would be ordered by the government, individually for each farmer. In fact, this legislation calls for the separate processing of orders for each farmer, and even the economy of scale which could be realized by bulk ordering for a group is eliminated.

Assistance to farmers has been a long tradition on Guam, and a number of programs are offered through the Department of Agriculture, including free seed, free cuttings of plants, and other services. However, turning over

OFFICE OF THE LEGISLATIVE SECRETARY
ACKNOWLEDGMENT RECEIPT
Received By: <u>[Signature]</u>
Time: <u>2:54pm</u>
Date: <u>12.28.98</u>

Office of the Speaker
ANTONIO R. UNPINGCO

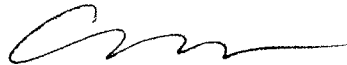
Date: 12/28/98
Time: 11:52
Rec'd by: [Signature]
Print Name: [Signature]

01149

the GSA to the use of farmers would discriminate against other businesses on our island who will wonder why they also do not have the privilege of having the Department of Administration's GSA do their ordering of equipment and supplies for them.

Perhaps it would be better for i Liheslatura to assist farmers in forming a farmers cooperative, which could gain economies of scale through bulk ordering, rather than mandating that the government hire more employees and equipment to process separate orders for each and every private farmer.

Very truly yours,



Carl T. C. Gutierrez
I Maga'lahañ Guåhan
Governor of Guam

Attachment: copy attached for signed bill
 original attached for vetoed bill

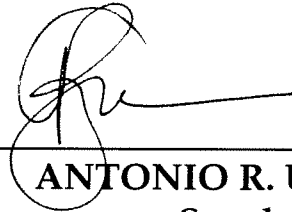
cc: The Honorable Joanne M. S. Brown
 Legislative Secretary

01119

MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN
1998 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN

This is to certify that Substitute Bill No. 753 (LS), "AN ACT TO ESTABLISH THE ELIGIBILITY OF *BONA FIDE* FARMERS TO PROCURE EQUIPMENT THROUGH THE GENERAL SERVICES AGENCY," was on the 11th day of December, 1998, duly and regularly passed.



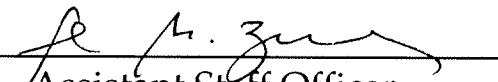
ANTONIO R. UNPINGCO
Speaker

Attested:



JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by *I Maga'lahaen Guahan* this 16th day of December, 1998,
at 11:10 o'clock A.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:



CARL T. C. GUTIERREZ
I Maga'lahaen Guahan

Date: _____

Public Law No. _____

**MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN
1998 (SECOND) Regular Session**

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ANTONIO R. UNPINGCO
Speaker

Attested:



JOANNE M.S. BROWN
Senator and Legislative Secretary

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at 11:10 o'clock A.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:

CARL T. C. GUTIERREZ
I Maga'lahen Guahan

Date: _____

Public Law No. _____

**MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN
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