

I Mina'trentai Sais Na Liheslaturan Guåhan  
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
63-36 (LS)	Clynton E. Ridgell Tina Rose Muña Barnes	AN ACT TO <i>AMEND</i> § 68101 OF CHAPTER 68, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING FARMERS TO BE CERTIFIED AS BONA FIDE FARMERS TO SELL LOCALLY GROWN PRODUCE OR AQUACULTURE PRODUCTS AND TO SUSPEND OR REVOKE BUSINESS LICENSES FROM COMPANIES FOUND IN VIOLATION.	2/19/21 1:39 p.m.	2/23/21	Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts	3/31/21 9:00 a.m.	4/14/21 11:14 a.m.	Request: 2/23/21  3/3/21	



**Clynton E. Ridgell**

Senator – 36<sup>th</sup> Guam Legislature

*Committee on Economic Development, Agriculture, Power and Energy Utilities,  
and the Arts*

April 13, 2021

**The Honorable Therese M. Terlaje**

Speaker

*I Mina'trentai Sais na Liheslaturan Guåhan*

163 Chalan Santo Papa

Hagåtña, Guam 96910

**VIA: The Honorable Tina Rose Muña Barnes**

Chairperson, Committee on Rules

**Re: Committee Report on Bill No. 63-36 (LS)**

*Håfa Adai* Speaker Terlaje:

Transmitted herewith is the Bill No. 63-36 (LS) introduced by Clynton E. Ridgell and Tina Rose Muña Barnes. - "AN ACT TO *AMEND* § 68101 OF CHAPTER 68, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING FARMERS TO BE CERTIFIED AS BONA FIDE FARMERS TO SELL LOCALLY GROWN PRODUCE OR AQUACULTURE PRODUCTS AND TO SUSPEND OR REVOKE BUSINESS LICENSES FROM COMPANIES FOUND IN VIOLATION."

Committee votes are as follows:

  4   TO DO PASS

  0   TO NOT PASS

  1   TO REPORT OUT ONLY

  0   TO ABSTAIN

       TO PLACE IN INACTIVE FILE

Si Yu'os ma'åse',

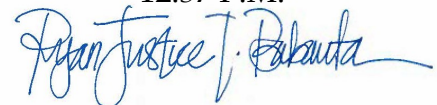
  
Clynton E. Ridgell

**COMMITTEE ON RULES**

**RECEIVED:**

April 13, 2021

12:37 P.M.



**Revision Rec'd:**

April 14, 2021 @ 8:19 A.M.

238 Archbishop Flores St · Suite 906 – DNA Building · Hagåtña GU 96910

Phone: (671) 475-4983 · Fax: (671) 475-4768

[sen.cridgell@teleguam.net](mailto:sen.cridgell@teleguam.net)



**Clynton E. Ridgell**

Senator – 36<sup>th</sup> Guam Legislature

*Committee on Economic Development, Agriculture, Power and Energy Utilities,  
and the Arts*

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## **COMMITTEE REPORT**

### **Bill No. 63-36 (LS)**

**Introduced by Clynton E. Ridgell and Tina Muña  
Barnes**

**“AN ACT TO *AMEND* § 68101 OF CHAPTER 68,  
TITLE 5, GUAM CODE ANNOTATED, RELATIVE  
TO REQUIRING FARMERS TO BE CERTIFIED AS  
BONA FIDE FARMERS TO SELL LOCALLY  
GROWN PRODUCE OR AQUACULTURE  
PRODUCTS AND TO SUSPEND OR REVOKE  
BUSINESS LICENSES FROM COMPANIES FOUND  
IN VIOLATION.”**



**Clynton E. Ridgell**

Senator – 36<sup>th</sup> Guam Legislature

*Committee on Economic Development, Agriculture, Power and Energy Utilities,  
and the Arts*

April 12, 2021

**MEMORANDUM**

**To: All Members**

Committee on Economic Development, Agriculture, Power and Energy Utilities, and  
the Arts

**From: Senator Clynton E. Ridgell**   
Committee Chairperson

**Subject: Committee Report on Bill No. 63-36 (LS)**

Transmitted herewith for your consideration is the Committee Report on Bill No. 63-36 (LS) introduced by Clynton E. Ridgell and Tina Rose Muña Barnes. - "AN ACT TO *AMEND* § 68101 OF CHAPTER 68, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING FARMERS TO BE CERTIFIED AS BONA FIDE FARMERS TO SELL LOCALLY GROWN PRODUCE OR AQUACULTURE PRODUCTS AND TO SUSPEND OR REVOKE BUSINESS LICENSES FROM COMPANIES FOUND IN VIOLATION."

This report includes the following:

- Copy of COR Referral of Bill No. 63-36 (LS)
- Notices of Public Hearing & Other Correspondence
- Copy of the Public Hearing Agenda
- Public Hearing Sign-In Sheet
- Copies of Submitted Testimonies
- Committee Report Digest
- Copy of Bill No. 63-36 (LS)
- Copy of Fiscal Note from the Bureau of Budget and Management Research
- Committee Vote Sheet

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Please contact me if you should have any questions or concerns.

Si Yu'os ma'åse'



Vice Speaker

**TINA ROSE MUÑA BARNES**

**CHAIRPERSON, COMMITTEE ON RULES**

*I Mina'trentai Sais Na Liheslaturan Guahan*

GUAM CONGRESS BUILDING  
163 CHALAN SANTO PAPA  
HAGATÑA, GUAM 96910  
TEL 671-472-2461  
COR@GUAMLEGISLATURE.ORG

February 23, 2021

## MEMO

**To:** Rennae Meno  
Clerk of the Legislature

**Attorney Ana Won Pat-Borja**  
Legislative Legal Counsel

**From:** Vice Speaker Tina Rose Muña Barnes  
Chairperson, Committee on Rules

**Re:** Referral of Bill No. 63-36 (LS)

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*Buenas yan Håfa adai,*

As per my authority as Chairperson of the Committee on Rules and subject to §6.01(d), Rule VI of our Standing Rules, I am forwarding the referral of Bill No. 63-36 (LS) – Clynton E. Ridgell, Tina Rose Muña Barnes - "AN ACT TO AMEND § 68101 OF CHAPTER 68, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING FARMERS TO BE CERTIFIED AS BONA FIDE FARMERS TO SELL LOCALLY GROWN PRODUCE OR AQUACULTURE PRODUCTS AND TO SUSPEND OR REVOKE BUSINESS LICENSES FROM COMPANIES FOUND IN VIOLATION."

Please ensure that the subject bill is referred to the **Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts**, chaired by Senator Clynton E. Ridgell.

I also request that the same be forwarded to the prime sponsor of the subject bill.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.

Respectfully,

  
**Vice Speaker Tina Rose Muña Barnes**  
Chairperson, Committee on Rules



Selina Onedera-Salas <[sonedera-salas@guamlegislature.org](mailto:sonedera-salas@guamlegislature.org)>

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## FIRST NOTICE of Virtual Public Hearing: March 31, 2021

1 message

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**Selina Onedera-Salas** <[sonedera-salas@guamlegislature.org](mailto:sonedera-salas@guamlegislature.org)>  
Bcc: PHrg Notice <[phnotice@guamlegislature.org](mailto:phnotice@guamlegislature.org)>

Wed, Mar 24, 2021 at 8:43 AM

### FOR IMMEDIATE RELEASE

March 24, 2021

### MEMORANDUM

**To:** All Senators, Stakeholders, Media  
**From:** Senator Clynton E. Ridgell  
**Re:** FIRST NOTICE of Virtual Public Hearing – March 31, 2021

The Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts will conduct a Virtual Public Hearing on **Wednesday, March 31, 2021**, via Zoom Video Conference. The Committee will hear and accept testimony on the items listed in the Agenda below.

### AGENDA

#### 9:00 am

**Bill No. 63-36 (LS) Clynton E. Ridgell/Tina Rose Muña Barnes** – An Act to Amend § 68101 of Chapter 68, Title 5, Guam Code Annotated, Relative to Requiring Farmers to be Certified as Bona Fide Farmers to Sell Locally Grown Produce or Aquaculture Products and to Suspend or Revoke Business Licenses from Companies Found in Violation.

**Bill No. 48-36 (COR) V. Anthony Ada** – An Act to Amend § 58110(d) of Chapter 58, Title 12 Guam Code Annotated Relative to Expansion of the Public Investments Options for Qualifying Certificate Holders to Include Municipal Programs and Projects.

**2:00 pm – Resolution No. 46-36 (LS) Clynton E. Ridgell** – Relative to urging the National Marine Fisheries Service to delay the proposed coral critical habitat designation process until such time that the 5-year coral status review and coral recovery plan can be completed, as well as urging the Department of Agriculture to work in coordination with NMFS to identify appropriate coral critical habitat for Guam using Best Scientific Information Available.

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Individuals who wish to participate in the virtual public hearing to provide testimony should contact Ms. Erin M. Grajek at the Office of Senator Clynton E. Ridgell via email at [egrajek@guamlegislature.org](mailto:egrajek@guamlegislature.org) or at (671) 475-4983 for further information and guidance.

Written testimonies may be submitted via email to [egrajek@guamlegislature.org](mailto:egrajek@guamlegislature.org); mailed to our office at 238 Archbishop Flores Street, Suite 906, Hagåtña, Guam 96910; or sent by fax at (671) 475-4768.

The Public Hearing will broadcast LIVE on local television (GTA Channel 21, Docomo Channel 112.4/60.4) and stream online via i Liheslaturan Guåhan's live feed.

All government activities, programs, and services are accessible for people with disabilities in compliance with Title II of the Americans with Disabilities Act (ADA). Should you or interested parties require assistance or special accommodations to fully participate in this public hearing, please contact Ms. Erin M. Grajek at the Office of Senator Clynton E. Ridgell at (671) 475-4983 or via email at [egrajek@guamlegislature.org](mailto:egrajek@guamlegislature.org).

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Selina Onedera-Salas  
Chief of Staff - Office of Senator Clynton E. Ridgell  
Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts  
238 Archbishop Flores St  
Suite 906, DNA Building  
Hagåtña, Guam 96910  
Phone: (671) 475-4983 • Fax: 475-4768  
[sonedera-salas@guamlegislature.org](mailto:sonedera-salas@guamlegislature.org)

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**4 attachments**

**Res. No. 46-36 (LS).pdf**  
285K



**Bill No. 63-36 (LS).pdf**  
390K



**Bill No. 48-36 (COR).pdf**  
1717K



**Mar 24 2021 - FIRST NOTICE of Virtual Public Hearing, March 31 2021.pdf**  
183K





**Clynton E. Ridgell**

Senator – 36<sup>th</sup> Guam Legislature

*Committee on Economic Development, Agriculture, Power and Energy Utilities,  
and the Arts*

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**FOR IMMEDIATE RELEASE**

March 24, 2021

**MEMORANDUM**

**To:** All Senators, Stakeholders, Media  
**From:** Senator Clynton E. Ridgell  
**Re:** FIRST NOTICE of Virtual Public Hearing – March 31, 2021

The Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts will conduct a Virtual Public Hearing on **Wednesday, March 31, 2021**, via Zoom Video Conference. The Committee will hear and accept testimony on the items listed in the Agenda below.

**AGENDA**

**9:00 am**

- **Bill No. 63-36 (LS)** Clynton E. Ridgell/Tina Rose Muña Barnes – An Act to Amend § 68101 of Chapter 68, Title 5, Guam Code Annotated, Relative to Requiring Farmers to be Certified as Bona Fide Farmers to Sell Locally Grown Produce or Aquaculture Products and to Suspend or Revoke Business Licenses from Companies Found in Violation.
- **Bill No. 48-36 (COR)** V. Anthony Ada – An Act to Amend § 58110(d) of Chapter 58, Title 12 Guam Code Annotated Relative to Expansion of the Public Investments Options for Qualifying Certificate Holders to Include Municipal Programs and Projects.

**2:00 pm** – **Resolution No. 46-36 (LS)** Clynton E. Ridgell – Relative to urging the National Marine Fisheries Service to delay the proposed coral critical habitat designation process until such time that the 5-year coral status review and coral recovery plan can be completed, as well as urging the Department of Agriculture to work in coordination with NMFS to identify appropriate coral critical habitat for Guam using Best Scientific Information Available.

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Individuals who wish to participate in the virtual public hearing to provide testimony should contact Ms. Erin M. Grajek at the Office of Senator Clynton E. Ridgell via email at [egrajek@guamlegislature.org](mailto:egrajek@guamlegislature.org) or at (671) 475-4983 for further information and guidance. Written testimonies may be submitted via email to [egrajek@guamlegislature.org](mailto:egrajek@guamlegislature.org); mailed to our office at 238 Archbishop Flores Street, Suite 906, Hagåtña, Guam 96910; or sent by fax at (671) 475-4768.

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**Clynton E. Ridgell**

Senator – 36<sup>th</sup> Guam Legislature

*Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts*

**VIRTUAL PUBLIC HEARING SIGN-IN SHEET – Page 1 of 2**  
**Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts**  
**Wednesday – March 31, 2021 • 9:00 am**  
**Zoom Video Conference**

**Bill No. 63-36 (LS) Clynton E. Ridgell/Tina Rose Muña Barnes** – An Act to Amend § 68101 of Chapter 68, Title 5, Guam Code Annotated, Relative to Requiring Farmers to be Certified as Bona Fide Farmers to Sell Locally Grown Produce or Aquaculture Products and to Suspend or Revoke Business Licenses from Companies Found in Violation.

NAME	AGENCY/ ORGANIZATION	POSITION	TESTIMONY	CONTACT INFORMATION
1. Chelsa Muña-Brecht, Director	Department of Agriculture	SUPPORT <input checked="" type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input type="checkbox"/> ORAL <input checked="" type="checkbox"/>	chelsa.munabrecht@doag.guam.gov
2. John Borja, Chief	Agricultural Development Services Department of Agriculture	SUPPORT <input checked="" type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input type="checkbox"/> ORAL <input checked="" type="checkbox"/>	john.borja@doag.guam.gov
3. Roland Santos	Farm to Table Guam	SUPPORT <input checked="" type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input type="checkbox"/> ORAL <input checked="" type="checkbox"/>	
4. Michelle Crisostomo, Co-Founder & President	Guåhan Sustainable Culture	SUPPORT <input checked="" type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input checked="" type="checkbox"/> ORAL <input checked="" type="checkbox"/>	gusustainable@gmail.com
5. Roland Quitugua, Extension Agent III	Cooperative Extension & Outreach University of Guam	SUPPORT <input type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input type="checkbox"/> ORAL <input checked="" type="checkbox"/>	quituguarj@triton.uog.edu
6. Jesse Bamba, M.S., Extension Associate III	Cooperative Extension & Outreach University of Guam	SUPPORT <input type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input checked="" type="checkbox"/> ORAL <input checked="" type="checkbox"/>	jbamba@triton.uog.edu
7. Benny San Nicolas	Farmer	SUPPORT <input type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input checked="" type="checkbox"/> ORAL <input checked="" type="checkbox"/>	
8. Ursula Herrera	Herbalist	SUPPORT <input checked="" type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input type="checkbox"/> ORAL <input checked="" type="checkbox"/>	
9. Leroy R. Barber, Extension Specialist/Professor, Agricultural Economics	Cooperative Extension and Outreach, University of Guam	SUPPORT <input type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input checked="" type="checkbox"/> ORAL <input checked="" type="checkbox"/>	



**Clynton E. Ridgell**

Senator – 36<sup>th</sup> Guam Legislature

*Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts*

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**VIRTUAL PUBLIC HEARING SIGN-IN SHEET – Page 2 of 2**  
**Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts**  
**Wednesday – March 31, 2021 • 9:00 am**  
**Zoom Video Conference**

**Bill No. 63-36 (LS) Clynton E. Ridgell/Tina Rose Muña Barnes** – An Act to Amend § 68101 of Chapter 68, Title 5, Guam Code Annotated, Relative to Requiring Farmers to be Certified as Bona Fide Farmers to Sell Locally Grown Produce or Aquaculture Products and to Suspend or Revoke Business Licenses from Companies Found in Violation.

10. Chen Kuan-Ju, Assistant Professor of Agricultural Economics	Cooperative Extension and Outreach, University of Guam	SUPPORT <input type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input checked="" type="checkbox"/> ORAL <input checked="" type="checkbox"/>	
11. Theodore “Ted” Nelson	Farmer	SUPPORT <input checked="" type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input checked="" type="checkbox"/> ORAL <input type="checkbox"/>	
12. Bill McDonald	Farmer	SUPPORT <input checked="" type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input checked="" type="checkbox"/> ORAL <input type="checkbox"/>	
13. Jack E. Hattig, Administrative Director	CHamoru Land Trust Commission	SUPPORT <input checked="" type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input checked="" type="checkbox"/> ORAL <input type="checkbox"/>	
14. Nanette Flores		SUPPORT <input checked="" type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input checked="" type="checkbox"/> ORAL <input type="checkbox"/>	
15. Marcus Cepeda		SUPPORT <input checked="" type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input type="checkbox"/> ORAL <input checked="" type="checkbox"/>	
16. Dennis Larson	Raw 671 Honey Farms	SUPPORT <input type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input type="checkbox"/> ORAL <input checked="" type="checkbox"/>	
17. Christopher Rosario		SUPPORT <input checked="" type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input type="checkbox"/> ORAL <input checked="" type="checkbox"/>	
18.		SUPPORT <input type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input type="checkbox"/> ORAL <input type="checkbox"/>	



Selina Onedera-Salas <[sonedera-salas@guamlegislature.org](mailto:sonedera-salas@guamlegislature.org)>

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## SECOND NOTICE of Virtual Public Hearing: March 31, 2021

1 message

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**Selina Onedera-Salas** <[sonedera-salas@guamlegislature.org](mailto:sonedera-salas@guamlegislature.org)>  
Bcc: PHrg Notice <[phnotice@guamlegislature.org](mailto:phnotice@guamlegislature.org)>

Mon, Mar 29, 2021 at 8:51 AM

### FOR IMMEDIATE RELEASE

March 29, 2021

### MEMORANDUM

**To:** All Senators, Stakeholders, Media  
**From:** Senator Clynton E. Ridgell  
**Re:** SECOND NOTICE of Virtual Public Hearing – March 31, 2021

The Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts will conduct a Virtual Public Hearing on **Wednesday, March 31, 2021**, via Zoom Video Conference. The Committee will hear and accept testimony on the items listed in the Agenda below.

### AGENDA

#### 9:00 am

**Bill No. 63-36 (LS) Clynton E. Ridgell/Tina Rose Muña Barnes** – An Act to Amend § 68101 of Chapter 68, Title 5, Guam Code Annotated, Relative to Requiring Farmers to be Certified as Bona Fide Farmers to Sell Locally Grown Produce or Aquaculture Products and to Suspend or Revoke Business Licenses from Companies Found in Violation.

**Bill No. 48-36 (COR) V. Anthony Ada** – An Act to Amend § 58110(d) of Chapter 58, Title 12 Guam Code Annotated Relative to Expansion of the Public Investments Options for Qualifying Certificate Holders to Include Municipal Programs and Projects.

**2:00 pm – Resolution No. 46-36 (LS) Clynton E. Ridgell** – Relative to urging the National Marine Fisheries Service to delay the proposed coral critical habitat designation process until such time that the 5-year coral status review and coral recovery plan can be completed, as well as urging the Department of Agriculture to work in coordination with NMFS to identify appropriate coral critical habitat for Guam using Best Scientific Information Available.

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Individuals who wish to participate in the virtual public hearing to provide testimony should contact Ms. Erin M. Grajek at the Office of Senator Clynton E. Ridgell via email at [egrajek@guamlegislature.org](mailto:egrajek@guamlegislature.org) or at (671) 475-4983 for further information and guidance. Written testimonies may be submitted via email to [egrajek@guamlegislature.org](mailto:egrajek@guamlegislature.org); mailed to our office at 238 Archbishop Flores Street, Suite 906, Hagåtña, Guam 96910; or sent by fax at (671) 475-4768.

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--

Selina Onedera-Salas  
Chief of Staff - Office of Senator Clynton E. Ridgell  
Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts  
238 Archbishop Flores St  
Suite 906, DNA Building  
Hagåtña, Guam 96910  
Phone: (671) 475-4983 • Fax: 475-4768  
[sonedera-salas@guamlegislature.org](mailto:sonedera-salas@guamlegislature.org)

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**4 attachments**



**Res. No. 46-36 (LS).pdf**  
285K



**Bill No. 63-36 (LS).pdf**  
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**Bill No. 48-36 (COR).pdf**  
1717K



**Mar 29 2021 - SECOND NOTICE of Virtual Public Hearing, March 31 2021.pdf**  
183K



**Clynton E. Ridgell**

Senator – 36<sup>th</sup> Guam Legislature

*Committee on Economic Development, Agriculture, Power and Energy Utilities,  
and the Arts*

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**FOR IMMEDIATE RELEASE**

March 29, 2021

**MEMORANDUM**

**To: All Senators, Stakeholders, Media**  
**From: Senator Clynton E. Ridgell**  
**Re: SECOND NOTICE of Virtual Public Hearing – March 31, 2021**

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Erin M. Grajek <egrajek@guamlegislature.org>

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## A Letter from Senator Clynton E. Ridgell

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Erin M. Grajek <egrajek@guamlegislature.org>

Tue, Mar 23, 2021 at 10:14 AM

To: fcaguam@gmail.com

Håfa adai:

Please see the attached notice from Senator Clynton E. Ridgell. A copy of Bill No. 63-36 (LS) has been attached for your reference. Kindly confirm receipt of this email.

--

Si Yu'os ma'åse',

**Erin Marie Grajek - Office Manager**  
The Office of Senator Clynton E. Ridgell  
238 Archbishop Flores St.  
Suite 906  
Hagåtña, GU 96910  
671 475 4983

*I Mina trentai Sais na Liheslaturan Guåhan*

Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts

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### 2 attachments



**2020-03-23 Aguon, Michael (FCOG) - Notice of Public Hearing.pdf**

244K



**Bill No. 63-36 (LS).pdf**

390K



**Clynton E. Ridgell**

Senator – 36<sup>th</sup> Guam Legislature

*Committee on Economic Development, Agriculture, Power and Energy Utilities,  
and the Arts*

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March 23, 2021

**Transmitted via electronic mail**

fcaguam@gmail.com

Michael Aguon

President

Farmers Cooperative Association of Guam

125 Iglesia Circle

Dededo, Guam 96929

**Re: Notice of Virtual Public Hearing on Bill No. 63-36 (LS): March 31, 2021**

Håfa adai Mr. Aguon:

This is to notify you that the Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts has scheduled a virtual public hearing on [Bill No. 63-36 \(LS\)](#) - Clynton E. Ridgell, Tina Rose Muña Barnes – An Act to *Amend* § 68101 of Chapter 68, Title 5, Guam Code Annotated, Relative to Requiring Farmers to be Certified as Bona Fide Farmers to Sell Locally Grown Produce or Aquaculture Products and to Suspend or Revoke Business Licenses from Companies Found in Violation.

The Virtual Public Hearing is scheduled for Wednesday – March 31, 2021, at 9:00 am via Zoom Video conference.

The Committee requests that you attend the virtual public hearing to present testimony on the bill, and you are welcome to invite other members of your team who will provide valuable input on the intent of the bill. Please contact the Office of Senator Clynton E. Ridgell via electronic mail at [egrajek@guamlegislature.org](mailto:egrajek@guamlegislature.org) or (671) 475-4983 no later than March 29, 2021 for further guidance or visit <http://guamlegislature.com/index/virtual-hearings/> for instructions.

Statements may be submitted via email at [egrajek@guamlegislature.org](mailto:egrajek@guamlegislature.org) . Please submit written statements at least two days prior to the date of the hearing.

If you have any questions or concerns, please call our office at 475-4983 or send email to [egrajek@guamlegislature.org](mailto:egrajek@guamlegislature.org).

Si Yu'os ma'åse',

Clynton E. Ridgell



Erin M. Grajek <egrajek@guamlegislature.org>

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## A Letter from Senator Clynton E. Ridgell

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**Erin M. Grajek** <egrajek@guamlegislature.org>  
To: Erica Pangelinan <Southernguamswcd@gmail.com>

Tue, Mar 23, 2021 at 10:15 AM

Håfa adai:

Please see the attached notice from Senator Clynton E. Ridgell. A copy of Bill No. 63-36 (LS) has been attached for your reference. Kindly confirm receipt of this email.

--

Si Yu'os ma'åse',

**Erin Marie Grajek** Office Manager  
The Office of Senator Clynton E. Ridgell  
238 Archbishop Flores St.  
Suite 906  
Hagåtña, GU 96910  
671-475-4983

*I Mina trentai Sais na Liheslaturan Guåhan*  
Committee on Economic Development, Agriculture, Power and Energy Utilitie , and the Art

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### 2 attachments



**Bill No. 63-36 (LS).pdf**  
390K



**2020-03-23 Aguon, Michael (SGSWCD) - Notice of Public Hearing.pdf**  
198K



**Clynton E. Ridgell**

Senator – 36<sup>th</sup> Guam Legislature

*Committee on Economic Development, Agriculture, Power and Energy Utilities,  
and the Arts*

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March 23, 2021

**Transmitted via electronic mail**

southernguamswcd@gmail.com

Michael Aguon

Chairperson

Southern Guam Soil and Water Conservation District

USDA NRCS

770 E Sunset Blvd

Suite 270

Barrigada, Guam 96913

**Re: Notice of Virtual Public Hearing on Bill No. 63-36 (LS): March 31, 2021**

Håfa adai Mr. Aguon:

This is to notify you that the Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts has scheduled a virtual public hearing on [Bill No. 63-36 \(LS\)](#) - Clynton E. Ridgell, Tina Rose Muña Barnes – An Act to *Amend* § 68101 of Chapter 68, Title 5, Guam Code Annotated, Relative to Requiring Farmers to be Certified as Bona Fide Farmers to Sell Locally Grown Produce or Aquaculture Products and to Suspend or Revoke Business Licenses from Companies Found in Violation.

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If you have any questions or concerns, please call our office at 475-4983 or send email to [egrajek@guamlegislature.org](mailto:egrajek@guamlegislature.org).

Si Yu'os ma'åse',

Clynton E. Ridgell

238 Archbishop Flores St · Suite 906 – DNA Building · Hagåtña GU 96910

Phone: (671) 475-4983 · Fax: (671) 475-4768

[sen.cridgell@teleguam.net](mailto:sen.cridgell@teleguam.net)



Erin M. Grajek <egrajek@guamlegislature.org>

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## A Letter from Senator Clynton E. Ridgell

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Erin M. Grajek <egrajek@guamlegislature.org>

Tue, Mar 23, 2021 at 10:15 AM

To: jbamba@triton.uog.edu

Håfa adai:

Please see the attached notice from Senator Clynton E. Ridgell. A copy of Bill No. 63-36 (LS) has been attached for your reference. Kindly confirm receipt of this email.

--

Si Yu'os ma'åse',

**Erin Marie Grajek** Office Manager  
The Office of Senator Clynton E. Ridgell  
238 Archbishop Flores St.  
Suite 906  
Hagåtña, GU 96910  
671-475-4983

*I Mina trentai Sais na Liheslaturan Guåhan*

Committee on Economic Development, Agriculture, Power and Energy Utilitie , and the Art

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### 2 attachments



**2020-03-23 Bamba, Jesse (UOG) - Notice of Public Hearing.pdf**

199K



**Bill No. 63-36 (LS).pdf**

390K



**Clynton E. Ridgell**

Senator – 36<sup>th</sup> Guam Legislature

*Committee on Economic Development, Agriculture, Power and Energy Utilities,  
and the Arts*

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March 23, 2021

**Transmitted via electronic mail**

jbamba@triton.uog.edu

Jesse P. Bamba

Extension Associate III

Cooperative Extension & Outreach

University of Guam

UOG Station

Mangilao, Guam 96923

**Re: Notice of Virtual Public Hearing on Bill No. 63-36 (LS): March 31, 2021**

Håfa adai Mr. Bamba:

This is to notify you that the Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts has scheduled a virtual public hearing on [Bill No. 63-36 \(LS\)](#) - Clynton E. Ridgell, Tina Rose Muña Barnes – An Act to *Amend* § 68101 of Chapter 68, Title 5, Guam Code Annotated, Relative to Requiring Farmers to be Certified as Bona Fide Farmers to Sell Locally Grown Produce or Aquaculture Products and to Suspend or Revoke Business Licenses from Companies Found in Violation.

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If you have any questions or concerns, please call our office at 475-4983 or send email to [egrajek@guamlegislature.org](mailto:egrajek@guamlegislature.org).

Si Yu'os ma'åse',

Clynton E. Ridgell



Erin M. Grajek <egrajek@guamlegislature.org>

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## A Letter from Senator Clynton E. Ridgell

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Erin M. Grajek <egrajek@guamlegislature.org>

Tue, Mar 23, 2021 at 10:17 AM

To: petebarcina@triton.uog.edu

Håfa adai:

Please see the attached notice from Senator Clynton E. Ridgell. A copy of Bill No. 63-36 (LS) has been attached for your reference. Kindly confirm receipt of this email.

--

Si Yu'os ma'åse',

**Erin Marie Grajek** Office Manager  
The Office of Senator Clynton E. Ridgell  
238 Archbishop Flores St.  
Suite 906  
Hagåtña, GU 96910  
671-475-4983

*I Mina trentai Sais na Liheslaturan Guåhan*

Committee on Economic Development, Agriculture, Power and Energy Utilitie , and the Art

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### 2 attachments



**2020-03-23 Barcinas, Peter (UOG) - Notice of Public Hearing.pdf**

199K



**Bill No. 63-36 (LS).pdf**

390K





**Clynton E. Ridgell**

Senator – 36<sup>th</sup> Guam Legislature

*Committee on Economic Development, Agriculture, Power and Energy Utilities,  
and the Arts*

---

March 23, 2021

**Transmitted via electronic mail**

pbarcinas@triton.uog.edu

Peter R. Barcinas  
Extension Agent III  
Cooperative Extension & Outreach  
University of Guam  
UOG Station  
Mangilao, Guam 96923

**Re: Notice of Virtual Public Hearing on Bill No. 63-36 (LS): March 31, 2021**

Håfa adai Mr. Barcinas:

This is to notify you that the Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts has scheduled a virtual public hearing on [Bill No. 63-36 \(LS\)](#) - Clynton E. Ridgell, Tina Rose Muña Barnes – An Act to *Amend* § 68101 of Chapter 68, Title 5, Guam Code Annotated, Relative to Requiring Farmers to be Certified as Bona Fide Farmers to Sell Locally Grown Produce or Aquaculture Products and to Suspend or Revoke Business Licenses from Companies Found in Violation.

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Si Yu'os ma'åse',

Clynton E. Ridgell



Erin M. Grajek <egrajek@guamlegislature.org>

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## A Letter from Senator Clynton E. Ridgell

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**Erin M. Grajek** <egrajek@guamlegislature.org>  
To: "John C. Borja" <John.Borja@doag.guam.gov>

Tue, Mar 23, 2021 at 10:16 AM

Håfa adai:

Please see the attached notice from Senator Clynton E. Ridgell. A copy of Bill No. 63-36 (LS) has been attached for your reference. Kindly confirm receipt of this email.

--

Si Yu'os ma'åse',

**Erin Marie Grajek** Office Manager  
The Office of Senator Clynton E. Ridgell  
238 Archbishop Flores St.  
Suite 906  
Hagåtña, GU 96910  
671-475-4983

*I Mina trentai Sais na Liheslaturan Guåhan*

Committee on Economic Development, Agriculture, Power and Energy Utilitie , and the Art

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### 2 attachments



**2020-03-23 Borja, John (DOAg) - Notice of Public Hearing.pdf**  
198K



**Bill No. 63-36 (LS).pdf**  
390K



**Clynton E. Ridgell**

Senator – 36<sup>th</sup> Guam Legislature

*Committee on Economic Development, Agriculture, Power and Energy Utilities,  
and the Arts*

---

March 23, 2021

**Transmitted via electronic mail**

John.Borja@doag.guam.gov

John Borja

Agricultural Development Chief

Department of Agriculture

163 Dairy Road

Mangilao, Guam 96913

**Re: Notice of Virtual Public Hearing on Bill No. 63-36 (LS): March 31, 2021**

Håfa adai Mr. Borja:

This is to notify you that the Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts has scheduled a virtual public hearing on [Bill No. 63-36 \(LS\)](#) - Clynton E. Ridgell, Tina Rose Muña Barnes – An Act to *Amend* § 68101 of Chapter 68, Title 5, Guam Code Annotated, Relative to Requiring Farmers to be Certified as Bona Fide Farmers to Sell Locally Grown Produce or Aquaculture Products and to Suspend or Revoke Business Licenses from Companies Found in Violation.

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If you have any questions or concerns, please call our office at 475-4983 or send email to [egrajek@guamlegislature.org](mailto:egrajek@guamlegislature.org).

Si Yu'os ma'åse',

Clynton E. Ridgell



Erin M. Grajek <egrajek@guamlegislature.org>

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## A Letter from Senator Clynton E. Ridgell

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Erin M. Grajek <egrajek@guamlegislature.org>  
To: Cassie Brady <cassie@farmtotableguam.org>

Tue, Mar 23, 2021 at 10:17 AM

Håfa adai:

Please see the attached notice from Senator Clynton E. Ridgell. A copy of Bill No. 63-36 (LS) has been attached for your reference. Kindly confirm receipt of this email.

--

Si Yu'os ma'åse',

**Erin Marie Grajek** Office Manager  
The Office of Senator Clynton E. Ridgell  
238 Archbishop Flores St.  
Suite 906  
Hagåtña, GU 96910  
671-475-4983

*I Mina trentai Sais na Liheslaturan Guåhan*

Committee on Economic Development, Agriculture, Power and Energy Utilitie , and the Art

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### 2 attachments



**2020-03-23 Brady, Cassie (FTTG) - Notice of Public Hearing.pdf**  
198K



**Bill No. 63-36 (LS).pdf**  
390K



**Clynton E. Ridgell**

Senator – 36<sup>th</sup> Guam Legislature

*Committee on Economic Development, Agriculture, Power and Energy Utilities,  
and the Arts*

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March 23, 2021

**Transmitted via electronic mail**

cassie@farmtotableguam.org

Cassie Brady  
Project Director  
Farm to Table Corp.  
118 Chalan Duenas  
Yigo, Guam 96929

**Re: Notice of Virtual Public Hearing on Bill No. 63-36 (LS): March 31, 2021**

Håfa adai Ms. Brady:

This is to notify you that the Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts has scheduled a virtual public hearing on [Bill No. 63-36 \(LS\)](#) - Clynton E. Ridgell, Tina Rose Muña Barnes – An Act to *Amend* § 68101 of Chapter 68, Title 5, Guam Code Annotated, Relative to Requiring Farmers to be Certified as Bona Fide Farmers to Sell Locally Grown Produce or Aquaculture Products and to Suspend or Revoke Business Licenses from Companies Found in Violation.

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If you have any questions or concerns, please call our office at 475-4983 or send email to [egrajek@guamlegislature.org](mailto:egrajek@guamlegislature.org).

Si Yu'os ma'åse',

Clynton E. Ridgell



Erin M. Grajek <egrajek@guamlegislature.org>

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## A Letter from Senator Clynton E. Ridgell

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Erin M. Grajek <egrajek@guamlegislature.org>

Tue, Mar 23, 2021 at 10:18 AM

To: GSC Guahan Sustainable Culture <gusustainable@gmail.com>

Håfa adai:

Please see the attached notice from Senator Clynton E. Ridgell. A copy of Bill No. 63-36 (LS) has been attached for your reference. Kindly confirm receipt of this email.

--

Si Yu'os ma'åse',

**Erin Marie Grajek** Office Manager  
The Office of Senator Clynton E. Ridgell  
238 Archbishop Flores St.  
Suite 906  
Hagåtña, GU 96910  
671-475-4983

*I Mina trentai Sais na Liheslaturan Guåhan*

Committee on Economic Development, Agriculture, Power and Energy Utilitie , and the Art

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### 2 attachments



**2020-03-23 Crisostomo, Michelle (GSC) - Notice of Public Hearing.pdf**

198K



**Bill No. 63-36 (LS).pdf**

390K



**Clynton E. Ridgell**

Senator – 36<sup>th</sup> Guam Legislature

*Committee on Economic Development, Agriculture, Power and Energy Utilities,  
and the Arts*

---

March 23, 2021

**Transmitted via electronic mail**

[gusustainable@gmail.com](mailto:gusustainable@gmail.com)

Michelle Crisostomo

President

Guåhan Sustainable Culture

180 Golondrina Ave

Barrigada, Guam 96913

**Re: Notice of Virtual Public Hearing on Bill No. 63-36 (LS): March 31, 2021**

Håfa adai Ms. Crisostomo:

This is to notify you that the Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts has scheduled a virtual public hearing on [Bill No. 63-36 \(LS\)](#) - Clynton E. Ridgell, Tina Rose Muña Barnes – An Act to *Amend* § 68101 of Chapter 68, Title 5, Guam Code Annotated, Relative to Requiring Farmers to be Certified as Bona Fide Farmers to Sell Locally Grown Produce or Aquaculture Products and to Suspend or Revoke Business Licenses from Companies Found in Violation.

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Si Yu'os ma'åse',

Clynton E. Ridgell





Erin M. Grajek <egrajek@guamlegislature.org>

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## A Letter from Senator Clynton E. Ridgell

---

Erin M. Grajek <egrajek@guamlegislature.org>

Tue, Mar 23, 2021 at 10:20 AM

To: Hope Cristobal [REDACTED]

Håfa adai:

Please see the attached notice from Senator Clynton E. Ridgell. A copy of Bill No. 63-36 (LS) has been attached for your reference. Kindly confirm receipt of this email.

--

Si Yu'os ma'åse',

**Erin Marie Grajek - Office Manager**  
The Office of Senator Clynton E. Ridgell  
238 Archbishop Flores St.  
Suite 906  
Hagåtña, GU 96910  
671-475-4983

*I Mina trentai Sais na Liheslaturan Guåhan*

Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts

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### 2 attachments



**2020-03-23 Cristobal, Hope (NGSWCD) - Notice of Public Hearing.pdf**  
198K



**Bill No. 63-36 (LS).pdf**  
390K



**Clynton E. Ridgell**

Senator – 36<sup>th</sup> Guam Legislature

*Committee on Economic Development, Agriculture, Power and Energy Utilities,  
and the Arts*

---

March 23, 2021

**Transmitted via electronic mail**

[REDACTED]

Hope A. Cristobal  
Chairperson  
Northern Guam Soil and Water Conservation District  
USDA NRCS  
770 E Sunset Blvd  
Suite 270  
Barrigada, Guam 96913

**Re: Notice of Virtual Public Hearing on Bill No. 63-36 (LS): March 31, 2021**

Håfa adai Ms. Cristobal:

This is to notify you that the Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts has scheduled a virtual public hearing on [Bill No. 63-36 \(LS\)](#) - Clynton E. Ridgell, Tina Rose Muña Barnes – An Act to *Amend* § 68101 of Chapter 68, Title 5, Guam Code Annotated, Relative to Requiring Farmers to be Certified as Bona Fide Farmers to Sell Locally Grown Produce or Aquaculture Products and to Suspend or Revoke Business Licenses from Companies Found in Violation.

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If you have any questions or concerns, please call our office at 475-4983 or send email to [egrajek@guamlegislature.org](mailto:egrajek@guamlegislature.org).

Si Yu'os ma'åse',

Clynton E. Ridgell



Erin M. Grajek <egrajek@guamlegislature.org>

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## A Letter from Senator Clynton E. Ridgell

---

Erin M. Grajek <egrajek@guamlegislature.org>

Tue, Mar 23, 2021 at 10:23 AM

To: [REDACTED]

Håfa adai:

Please see the attached notice from Senator Clynton E. Ridgell. A copy of Bill No. 63-36 (LS) has been attached for your reference. Kindly confirm receipt of this email.

--

Si Yu'os ma'åse',

**Erin Marie Grajek - Office Manager**  
The Office of Senator Clynton E. Ridgell  
238 Archbishop Flores St.  
Suite 906  
Hagåtña, GU 96910  
671-475-4983

*I Mina trentai Sais na Liheslaturan Guåhan*

Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts

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### 2 attachments



**2020-03-23 McDonald, Bill - Notice of Public Hearing.pdf**  
197K



**Bill No. 63-36 (LS).pdf**  
390K



**Clynton E. Ridgell**

Senator – 36<sup>th</sup> Guam Legislature

*Committee on Economic Development, Agriculture, Power and Energy Utilities,  
and the Arts*

---

March 23, 2021

**Transmitted via electronic mail**

[REDACTED]

**Re: Notice of Virtual Public Hearing on Bill No. 63-36 (LS): March 31, 2021**

Håfa adai Mr. McDonald:

This is to notify you that the Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts has scheduled a virtual public hearing on [Bill No. 63-36 \(LS\)](#) - Clynton E. Ridgell, Tina Rose Muña Barnes – An Act to *Amend* § 68101 of Chapter 68, Title 5, Guam Code Annotated, Relative to Requiring Farmers to be Certified as Bona Fide Farmers to Sell Locally Grown Produce or Aquaculture Products and to Suspend or Revoke Business Licenses from Companies Found in Violation.

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Statements may be submitted via email at [egrajek@guamlegislature.org](mailto:egrajek@guamlegislature.org) . Please submit written statements at least two days prior to the date of the hearing.

If you have any questions or concerns, please call our office at 475-4983 or send email to [egrajek@guamlegislature.org](mailto:egrajek@guamlegislature.org).

Si Yu'os ma'åse',

Clynton E. Ridgell



Erin M. Grajek <egrajek@guamlegislature.org>

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## A Letter from Senator Clynton E. Ridgell

---

Erin M. Grajek <egrajek@guamlegislature.org>

Tue, Mar 23, 2021 at 10:25 AM

To: Chelsa Muna-Brecht <Chelsa.MunaBrecht@doag.guam.gov>

Håfa adai:

Please see the attached notice from Senator Clynton E. Ridgell. A copy of Bill No. 63-36 (LS) has been attached for your reference. Kindly confirm receipt of this email.

--

Si Yu'os ma'åse',

**Erin Marie Grajek** Office Manager  
The Office of Senator Clynton E. Ridgell  
238 Archbishop Flores St.  
Suite 906  
Hagåtña, GU 96910  
671-475-4983

*I Mina trentai Sais na Liheslaturan Guåhan*

Committee on Economic Development, Agriculture, Power and Energy Utilitie , and the Art

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### 2 attachments



**2020-03-23 Muna-Brecht, Chelsa (DOAg) - Notice of Public Hearing.pdf**

198K



**Bill No. 63-36 (LS).pdf**

390K



**Clynton E. Ridgell**

Senator – 36<sup>th</sup> Guam Legislature

*Committee on Economic Development, Agriculture, Power and Energy Utilities,  
and the Arts*

---

March 23, 2021

**Transmitted via electronic mail**

chelsa.munabrecht@agriculture.guam.gov

Chelsa Muña-Brecht

Director

Department of Agriculture

163 Dairy Road

Mangilao, Guam 96913

**Re: Notice of Virtual Public Hearing on Bill No. 63-36 (LS): March 31, 2021**

Håfa adai Ms. Muña-Brecht:

This is to notify you that the Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts has scheduled a virtual public hearing on [Bill No. 63-36 \(LS\)](#) - Clynton E. Ridgell, Tina Rose Muña Barnes – An Act to *Amend* § 68101 of Chapter 68, Title 5, Guam Code Annotated, Relative to Requiring Farmers to be Certified as Bona Fide Farmers to Sell Locally Grown Produce or Aquaculture Products and to Suspend or Revoke Business Licenses from Companies Found in Violation.

The Virtual Public Hearing is scheduled for Wednesday – March 31, 2021, at 9:00 am via Zoom Video conference.

The Committee requests that you attend the virtual public hearing to present testimony on the bill, and you are welcome to invite other members of your team who will provide valuable input on the intent of the bill. Please contact the Office of Senator Clynton E. Ridgell via electronic mail at [egrajek@guamlegislature.org](mailto:egrajek@guamlegislature.org) or (671) 475-4983 no later than March 29, 2021 for further guidance or visit <http://guamlegislature.com/index/virtual-hearings/> for instructions.

Statements may be submitted via email at [egrajek@guamlegislature.org](mailto:egrajek@guamlegislature.org) . Please submit written statements at least two days prior to the date of the hearing.

If you have any questions or concerns, please call our office at 475-4983 or send email to [egrajek@guamlegislature.org](mailto:egrajek@guamlegislature.org).

Si Yu'os ma'åse',

Clynton E. Ridgell



Erin M. Grajek <egrajek@guamlegislature.org>

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## A Letter from Senator Clynton E. Ridgell

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Erin M. Grajek <egrajek@guamlegislature.org>

Tue, Mar 23, 2021 at 10:26 AM

To: [REDACTED]

Håfa adai:

Please see the attached notice from Senator Clynton E. Ridgell. A copy of Bill No. 63-36 (LS) has been attached for your reference. Kindly confirm receipt of this email.

--

Si Yu'os ma'åse',

**Erin Marie Grajek - Office Manager**  
The Office of Senator Clynton E. Ridgell  
238 Archbishop Flores St.  
Suite 906  
Hagåtña, GU 96910  
671-475-4983

*I Mina trentai Sais na Liheslaturan Guåhan*

Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts

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### 2 attachments



**Bill No. 63-36 (LS).pdf**  
390K



**2020-03-23 Quitigua, Roland (UOG) - Notice of Public Hearing.pdf**  
199K





**Clynton E. Ridgell**

Senator – 36<sup>th</sup> Guam Legislature

*Committee on Economic Development, Agriculture, Power and Energy Utilities,  
and the Arts*

---

March 23, 2021

**Transmitted via electronic mail**

[REDACTED]

Roland Quitugua  
Extension Agent III  
Cooperative Extension & Outreach  
University of Guam  
UOG Station  
Mangilao, Guam 96923

**Re: Notice of Virtual Public Hearing on Bill No. 63-36 (LS): March 31, 2021**

Håfa adai Mr. Quitugua:

This is to notify you that the Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts has scheduled a virtual public hearing on [Bill No. 63-36 \(LS\)](#) - Clynton E. Ridgell, Tina Rose Muña Barnes – An Act to *Amend* § 68101 of Chapter 68, Title 5, Guam Code Annotated, Relative to Requiring Farmers to be Certified as Bona Fide Farmers to Sell Locally Grown Produce or Aquaculture Products and to Suspend or Revoke Business Licenses from Companies Found in Violation.

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If you have any questions or concerns, please call our office at 475-4983 or send email to [egrajek@guamlegislature.org](mailto:egrajek@guamlegislature.org).

Si Yu'os ma'åse',

Clynton E. Ridgell



**Clynton E. Ridgell**

Senator – 36<sup>th</sup> Guam Legislature

*Committee on Economic Development, Agriculture, Power and Energy Utilities,  
and the Arts*

---

March 23, 2021

**Transmitted via electronic mail**

[REDACTED]

**Re: Notice of Virtual Public Hearing on Bill No. 63-36 (LS): March 31, 2021**

Håfa adai Mr. San Nicolas:

This is to notify you that the Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts has scheduled a virtual public hearing on [Bill No. 63-36 \(LS\)](#) - Clynton E. Ridgell, Tina Rose Muña Barnes – An Act to *Amend* § 68101 of Chapter 68, Title 5, Guam Code Annotated, Relative to Requiring Farmers to be Certified as Bona Fide Farmers to Sell Locally Grown Produce or Aquaculture Products and to Suspend or Revoke Business Licenses from Companies Found in Violation.

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If you have any questions or concerns, please call our office at 475-4983 or send email to [egrajek@guamlegislature.org](mailto:egrajek@guamlegislature.org).

Si Yu'os ma'åse',

Clynton E. Ridgell



Erin M. Grajek <egrajek@guamlegislature.org>

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## A Letter from Senator Clynton E. Ridgell

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Erin M. Grajek <egrajek@guamlegislature.org>

Tue, Mar 23, 2021 at 10:28 AM

To: "Benny P. San Nicolas" [REDACTED]

Håfa adai:

Please see the attached notice from Senator Clynton E. Ridgell. A copy of Bill No. 63-36 (LS) has been attached for your reference. Kindly confirm receipt of this email.

--

Si Yu'os ma'åse',

**Erin Marie Grajek - Office Manager**  
The Office of Senator Clynton E. Ridgell  
238 Archbishop Flores St.  
Suite 906  
Hagåtña, GU 96910  
671-475-4983

*I Mina trentai Sais na Liheslaturan Guåhan*

Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts

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### 2 attachments



**Bill No. 63-36 (LS).pdf**  
390K



**2020-03-23 San Nicolas, Benny - Notice of Public Hearing.pdf**  
205K



Erin M. Grajek <egrajek@guamlegislature.org>

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## A Letter from Senator Clynton E. Ridgell

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Erin M. Grajek <egrajek@guamlegislature.org>

Tue, Mar 23, 2021 at 10:28 AM

To: [REDACTED]

Håfa adai:

Please see the attached notice from Senator Clynton E. Ridgell. A copy of Bill No. 63-36 (LS) has been attached for your reference. Kindly confirm receipt of this email.

--

Si Yu'os ma'åse',

**Erin Marie Grajek - Office Manager**  
The Office of Senator Clynton E. Ridgell  
238 Archbishop Flores St.  
Suite 906  
Hagåtña, GU 96910  
671-475-4983

*I Mina trentai Sais na Liheslaturan Guåhan*

Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts

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### 2 attachments



**2020-03-23 Taimanglo, Joaquin - Notice of Public Hearing.pdf**  
199K



**Bill No. 63-36 (LS).pdf**  
390K



**Clynton E. Ridgell**

Senator – 36<sup>th</sup> Guam Legislature

*Committee on Economic Development, Agriculture, Power and Energy Utilities,  
and the Arts*

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March 23, 2021

**Transmitted via electronic mail**

[REDACTED]

**Re: Notice of Virtual Public Hearing on Bill No. 63-36 (LS): March 31, 2021**

Håfa adai Mr. Taimanglo:

This is to notify you that the Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts has scheduled a virtual public hearing on [Bill No. 63-36 \(LS\)](#) - Clynton E. Ridgell, Tina Rose Muña Barnes – An Act to *Amend* § 68101 of Chapter 68, Title 5, Guam Code Annotated, Relative to Requiring Farmers to be Certified as Bona Fide Farmers to Sell Locally Grown Produce or Aquaculture Products and to Suspend or Revoke Business Licenses from Companies Found in Violation.

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If you have any questions or concerns, please call our office at 475-4983 or send email to [egrajek@guamlegislature.org](mailto:egrajek@guamlegislature.org).

Si Yu'os ma'åse',

Clynton E. Ridgell



Erin M. Grajek <egrajek@guamlegislature.org>

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## A Letter from Senator Clynton E. Ridgell

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Erin M. Grajek <egrajek@guamlegislature.org>

Tue, Mar 23, 2021 at 10:13 AM

To: [REDACTED]

Håfa adai:

Please see the attached notice from Senator Clynton E. Ridgell. A copy of Bill No. 63-36 (LS) has been attached for your reference. Kindly confirm receipt of this email.

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Si Yu'os ma'åse',

**Erin Marie Grajek - Office Manager**  
The Office of Senator Clynton E. Ridgell  
238 Archbishop Flores St.  
Suite 906  
Hagåtña, GU 96910  
671-475-4983

*I Mina trentai Sais na Liheslaturan Guåhan*

Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts

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### 2 attachments



**2020-03-22 Wusstig, Ernie- Notice of Public Hearing.pdf**  
243K



**Bill No. 63-36 (LS).pdf**  
390K



**Clynton E. Ridgell**

Senator – 36<sup>th</sup> Guam Legislature

*Committee on Economic Development, Agriculture, Power and Energy Utilities,  
and the Arts*

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March 23, 2021

**Transmitted via electronic mail**

[REDACTED]

**Re: Notice of Virtual Public Hearing on Bill No. 63-36 (LS): March 31, 2021**

Håfa adai Mr. Wusstig:

This is to notify you that the Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts has scheduled a virtual public hearing on [Bill No. 63-36 \(LS\)](#) - Clynton E. Ridgell, Tina Rose Muña Barnes – An Act to *Amend* § 68101 of Chapter 68, Title 5, Guam Code Annotated, Relative to Requiring Farmers to be Certified as Bona Fide Farmers to Sell Locally Grown Produce or Aquaculture Products and to Suspend or Revoke Business Licenses from Companies Found in Violation.

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Statements may be submitted via email at [egrajek@guamlegislature.org](mailto:egrajek@guamlegislature.org) . Please submit written statements at least two days prior to the date of the hearing.

If you have any questions or concerns, please call our office at 475-4983 or send email to [egrajek@guamlegislature.org](mailto:egrajek@guamlegislature.org).

Si Yu'os ma'åse',

Clynton E. Ridgell



**Clynton E. Ridgell**

Senator – 36<sup>th</sup> Guam Legislature

*Committee on Economic Development, Agriculture, Power and Energy Utilities,  
and the Arts*

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**Virtual Public Hearing – via Zoom Video Conference  
Wednesday, March 31, 2021  
2:00 pm**

The Committee will hear and accept testimony on the items listed in the Agenda below.

**AGENDA**

**9:00 am**

**Bill No. 63-36 (LS)** Clynton E. Ridgell/Tina Rose Muña Barnes – An Act to Amend § 68101 of Chapter 68, Title 5, Guam Code Annotated, Relative to Requiring Farmers to be Certified as Bona Fide Farmers to Sell Locally Grown Produce or Aquaculture Products and to Suspend or Revoke Business Licenses from Companies Found in Violation.

**Bill No. 48-36 (COR)** V. Anthony Ada – An Act to Amend § 58110(d) of Chapter 58, Title 12 Guam Code Annotated Relative to Expansion of the Public Investments Options for Qualifying Certificate Holders to Include Municipal Programs and Projects.

**2:00 pm – Resolution No. 46-36 (LS)** Clynton E. Ridgell – Relative to urging the National Marine Fisheries Service to delay the proposed coral critical habitat designation process until such time that the 5-year coral status review and coral recovery plan can be completed, as well as urging the Department of Agriculture to work in coordination with NMFS to identify appropriate coral critical habitat for Guam using Best Scientific Information Available.

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Individuals who wish to participate in the virtual public hearing to provide testimony should contact Ms. Erin M. Grajek at the Office of Senator Clynton E. Ridgell via email at [egrajek@guamlegislature.org](mailto:egrajek@guamlegislature.org) or at (671) 475-4983 for further information and guidance. Written testimonies may be submitted via email to [egrajek@guamlegislature.org](mailto:egrajek@guamlegislature.org); mailed to our office at 238 Archbishop Flores Street, Suite 906, Hagåtña, Guam 96910; or sent by fax at (671) 475-4768.

The Public Hearing will broadcast LIVE on local television (GTA Channel 21, Docomo Channel 112.4) and stream online via [i Liheslaturan Guåhan's YouTube live feed](#).

All government activities, programs, and services are accessible for people with disabilities in compliance with Title II of the Americans with Disabilities Act (ADA). Should you or interested parties require assistance or special accommodations to fully participate in this public hearing, please contact Ms. Erin M. Grajek at the Office of Senator Clynton E. Ridgell at (671) 475-4983 or via email at [egrajek@guamlegislature.org](mailto:egrajek@guamlegislature.org).



Written Testimony on Bill No. 63-36 (LS)  
Bob Barber and Jesse Bamba

We are following up our verbal testimony on this bill as University of Guam (UOG), Cooperative Extension & Outreach (CE&O) faculty with decades of experience, in working with Guam farmers and the broader agriculture community, on agricultural production and marketing issues. We have long served as UOG advisers to the Farmers' Cooperative Association of Guam (FCAG), Guam Soil and Water Conservation Northern and Southern Districts (GSWCD) and are knowledgeable of the underlying issues they face in trying to break into Guam's agricultural market channels dominated by imports, and relative absence of Government of Guam procurement of local produce despite agencies weekly utilizing and purchasing vast quantities of fruits and vegetables as imports.

First, we wish to applaud the legislative intent to help Guam farmers and the previous anti-theft of agricultural products bill. We write in the spirit of hoped for collaboration in improving this bill to update and improve on Public Law 22-64 on "Rules for Compensation to Farmers for Crop Damage" which in its definitions provides the current definition of Bona "Fide Farmers" worth noting it also mandates that the Department of Agriculture (DoAG) Agriculture Development Services (ADS), "is responsible for verifying and sketching a detailed description of the farm, setting forth the type of operation, acreage and other information..." This is the core issue we feel that this legislation can update and address.

We also particularly welcome the opportunity to help address, in separate legislation, an issue mentioned in this bill but not significantly addressed i.e. Title 5 Chapter 68 Procurement of Local Products, which we have significant professional interest in. Other issues are mentioned in the bill and/or oral testimony, also not adequately addressed, and we feel are best covered in separate legislation (pesticide use, CLTC Ag. Lease violations, Agriculture Board of Commissioners, etc.) We recommend focusing on the core issue of DoAG's Bona Fide Farmer program; both DoAG's roles and responsibilities, and farmer's role and benefits.

To the primary issues of the bill, first we must note (to the best of our knowledge) that, no state or territory in the United States of America requires that farmers register with their state or territorial Department of Agriculture to Market their produce! We see no reason for Guam to mandate this when there are easier and less extreme alternatives that may be tried first. Farmer registration is usually required to enter programs that benefit farmers for the Guam Bona Fide Farmer these include: **Agriculture Water Rates** thru the Guam Water Authority and the **Compensation To Farmers For Crop Damages** administered by the DoAG (the initial reason for the Bona Fide Farmer registry.) We note that the original legislation mandated that the DoAG conducts verification, anecdotally we hear from farmers that this has not been done in a systematic manner for literally decades now. We feel that any data collection effort is worthless without regular systematic validation of its data. We strongly suggest that before we mandate (i.e. put the burden totally on the farmers for this system) that DoAG conduct comprehensive review and "boots on the ground visit and verification" of each currently listed "Bona Fide" farmer.

The current wording of the Bill makes some, we feel, incorrect assumptions.

*In PL (63-36) "I Liheslaturan Guåhan finds that a robust registry of local farmers will give the Department of Agriculture the best opportunity to provide these producers with the resources they need. By mandating this registry for all farmers, we ensure the best chance of matching local government agencies to the producers they need as mandated under Public Law 23- 18. This means the government would finally be taking the steps to be a driving force in creating demand for local produce."*

This does not recognize the most significant barriers to farmers selling to government agencies (the exclusive long term contractual sourcing through prime vendors and local wholesalers.) The current laws on the books date back to days when the government agencies purchased directly from the local farmer. We feel this "justification" should be removed and this issue addressed in separate legislation.

Historically in the 1980's and 1990's government procurement of local produce was a significant portion of Guam's agricultural markets. But, in the period from 2001-2005 this changed the government shifted from direct purchase from farmer to procurement exclusively from wholesalers and "prime vendors" who have effectively shifted to imports and canned goods instead of fresh local produce. In response to this drastic market share loss, farmers reduced production, many stopped farming. The remaining farmer community with the help of agricultural outreach professionals have initiated many programs including forming the Farmers' Cooperative Association of Guam (FCAG), reached out to Micronesian Chefs Association (MCA) to initiate a "Farmer/Chef" program, direct marketing efforts and outreach to the rare receptive wholesale operations. These efforts' success has relied on showing the benefits others gain from purchasing local produce. We fear that setting punitive/restrictive legislation (put at risk their business license) to those rare businesses that are supporting local agriculture will have a chilling impact on this budding market penetration. We fear the businesspeople will just say it is easier to "buy imports".

While there is a definite need for a comprehensive Guam Agriculture producer listing, mandating farmers to register at the Guam Department of Agriculture (GDoAG) to sell their products may not be the only way to establish the listing.

Instead of mandating farmers to register with the GDoAG, why not promote the "Bona Fide Farmer" program as a voluntary listing of farmers who want to participate in the selling of their products to agencies of the government of Guam, private companies, and private citizens (PL 23-18) and mandate that the prime vendors purchase local. DoAG should more aggressively promote their incentives to Agriculture producers to entice them to be part of the agriculture program the GDoAG is required to update and maintain in PL 23-18 "The Director shall adopt operational procedures relative to establishing a list of qualified local farmers and fishermen and to assist those qualified local farmers and fishermen in establishment of pricing, variety, quantity, quality, availability, and other related logistics to facilitate acquisition of local produce and fish by other Government Agencies consistent with the needs of those agencies". And develop separate legislation to update these laws to the modern context.

We recognize the importance of a program that identifies and brands local produce like the “Bona Fide Farmer” program. But, in our professional opinion, it should be purely voluntary with many noted “carrots” attached to it rather than “sticks” that have serious possibility of disrupting Guam farmer’s limited access to current agricultural markets dominated by wholesalers bringing imported fresh produce. In many need assessments over the past few decades conducted by agricultural support agencies Guam farmers (with land) have noted that their most limiting factor in production, is not their ability to produce, but their ability to sell.

The Farmers’ COOP has an established list of agriculture products produced by local farmers (63 COOP members). The Farmers COOP with UOG Cooperative Extension and Outreach’s (UOG CE&O) technical support has been expanding their markets to include Wednesday curbside produce bags, A Farmers’ market which is opened on MWF 12:00 pm – 6:00 pm and Saturday 12:00 pm – 3:00 pm. In the past year, the Farmers’ COOP with UOG CE&O assistance and coordination collaborated with the Department of Public Health and Social Services (DPHSS)/Division of Senior Citizens (DCS). In September 2020, the Farmers COOP provided DPHSS/DCS a total of 5,400 fresh vegetable and fruit bags for their seniors and/or caregivers in their programs to enhance their daily meals and to support local farmers who were impacted as the hotel industry which is one Guam’s top industry for locally produced agriculture products was decimated due to COVID-19. With the help of UOG CE&O and if DOAG wishes to participate, the DPHSS/DCS 2020 pilot program can be expanded to other Government of Guam agencies (PL 23-18).

In PL 63-36 (LS) “I Liheslaturan Guåhan further finds that this registry will be helpful in a variety of ways beyond the government procurement of local products. This additional oversight by the Department provides the government another tool to prevent agricultural theft. By mandating a registry, we create a barrier for thieves to steal agricultural products and getting rid of the evidence through sale. This prevents stolen goods from entering Guam’s local agricultural market.”

We suggest that adopting similar legislation from Hawaii that directly addresses the never-ending problem of agriculture theft – From Hawaii Department of Agriculture HDoAG.

In Hawaii farmers are required to provide proof of ownership which is an Ownership and Movement Certificate No government agency, doing or not doing, their job impacts a farmers’ sales.

Chapter 145, Part II, Hawaii Revised Statutes Ownership and Movement of Agricultural Commodities REQUIRES PROOF OF OWNERSHIP, through a “certificate” that is basically a receipt with ownership tracing information. If you sell any amount of an agricultural commodity that is to be marketed for commercial purposes; or transport agricultural commodities weighing more than 200 pounds or the value is \$100.00 or more, an OWNERSHIP AND MOVEMENT CERTIFICATE (for us a true receipt with phone, address etc) is required.

WHAT IS REQUIRED ON THE OWNERSHIP AND MOVEMENT CERTIFICATE? An Invoice, Receipt, Bill of Lading or similar document can serve the purpose of the certificate, provided that it contains the following information:



1. The name, resident address and telephone number of the seller, and the license plate number of the vehicle used to deliver the agricultural commodity to the buyer
2. The name of the farm owner and address of origin.
3. The name of the buyer or consignee and destination
4. Signature of the seller and, upon sale, the signature of the buyer or consignee

This simplification of Bona fide farmer definition itself has many flaws and will under this bill prevent many small producers from participating in Guam's market. Possibly it discriminates against non-US citizens owning land in Guam (Chinese, Micronesia, Japanese, Korean, Filipino, Australian, European, etc). For example, it will not allow foreign investors as individuals to engage in aquaculture until they have lived on the island for 5 years. But it will allow foreign corporations to do so. Is this the intent, allow large corporate foreign farms on our island but not individuals in our community to farm?

Suggested New Proposed Bona fide Farmer Categories - UOG CE&O and local farmers groups have maintained that the bona fide farmer definitions need to be redefined for many years now. Consider these categories if legislation should be revised UOG CE&O and FCAG would welcome the opportunity to develop criteria for the following.

1. Subsistence farmer – Assign acreage (1/8 acre - 1 acre) or \$ amount
2. Market gardener - Assign acreage (1-3 acres) or \$ amount
3. Commercial Farmer - Assign acreage (3 acres and more) or \$ amount

Attached are documents from the Hawaii Department of Agriculture HDoAG.

1. Agriculture Theft Flyer/Hawaii public law
2. Certificate of ownership and movement

We welcome the opportunity to work with you on revising this legislation and developing new legislation to improve Guam's agricultural industry.

Sincerely,



L. Robert Barber, Jr.

Extension Specialist, Ag. Economics & Sustainable Ag.

UOG/CNAS/CE&O

Mangilao, Guam 96923

[bbarber@triton.uog.edu](mailto:bbarber@triton.uog.edu)



Jesse Bamba

Agent II, Tropical Ag. Production

UOG/CNAS/CE&O

Mangilao, Guam 96923

[jbamba@triton.uog.edu](mailto:jbamba@triton.uog.edu)





# HELP DETER AGRICULTURAL THEFT



Chapter 145, Part II, Hawaii Revised Statutes  
Ownership and Movement of Agricultural Commodities

**REQUIRES PROOF OF OWNERSHIP – It's the LAW!** (see reverse side)

If you sell any amount of an agricultural commodity that is to be marketed for commercial purposes; or transport agricultural commodities weighing more than 200 pounds or the value is \$100.00 or more, an OWNERSHIP AND MOVEMENT CERTIFICATE is required.

## WHAT IS REQUIRED ON THE OWNERSHIP AND MOVEMENT CERTIFICATE?

An Invoice, Receipt, Bill of Lading or similar document can serve the purpose of the certificate, provided that it contains the following information:

1. The name, resident address and telephone number of the seller, and the license plate number of the vehicle used to deliver the agricultural commodity to the buyer
2. The name of the farm owner and address of origin
3. The name of the buyer or consignee and destination
4. Signature of the seller and, upon sale, the signature of the buyer or consignee

The buyer or consignee must verify the seller's identity by having the seller present a valid government issued photo identification card or license. If the commodity is valued at \$300.00 or more, the seller shall also provide the buyer with a photocopy of the identification card or license.

No prospective buyer or consignee shall purchase an agricultural commodity if the seller does not provide a copy of the Ownership and Movement Certificate and verification as required, and shall report an attempted sale which does not meet the above requirements to the police.

Two copies of the certificate must accompany the shipment and one copy is to be retained by the person completing the certificate.

The Ownership and Movement Certification requirements DO NOT apply to the retail sale of an agricultural commodity to the final consumer.

## WHY IS THIS REQUIRED?

Proof of ownership is the first step in establishing a paper trail to help deter agricultural theft. If an inspector or law enforcement officer has probable cause to believe agricultural commodities are in unlawful possession, the inspector or law enforcement officer may request proof of ownership of the commodities, which could lead to the seizure of agricultural commodities and criminal penalties.

**PROTECT YOURSELF**

For more information, contact the Hawaii Department of Agriculture  
Dealer Licensing Unit at (808) 832-0700 or FAX at (808) 832-0683



**CHAPTER 145**  
**REGULATION OF FARM PRODUCE**  
**PART I. REGULATION OF DEALERS**  
**PART II. OWNERSHIP AND MOVEMENT OF AGRICULTURAL COMMODITIES**

**§145-21 Definitions.** For the purposes of this part:

“Agricultural commodity” means any fruit, nut or vegetable that is the food product of any tree, vine, or plant, or any aquacultural, horticultural, silvicultural or floricultural product.

“Person” means any individual, firm, corporation, partnership, or association.

**§145-22 Agricultural commodities; ownership and movement certification.** (a) Every person, upon sale of any agricultural commodity or upon transportation of lots of any agricultural commodity of more than two hundred pounds or with a value of at least \$100 that is marketed for commercial purposes, shall complete a certificate describing the commodity, the amount and value of the commodity, and shall include:

- (1) The seller’s name, residence address, telephone number, and license plate number of any vehicle used by the seller to deliver the commodity to the place of purchase;
- (2) The name of the farm owner and address of origin;
- (3) The name of the buyer or consignee, and destination; and
- (4) The signature of the seller and, upon sale, the signature of the buyer or consignee.

(b) Prior to completing the certificate, the buyer or consignee shall also require the seller to verify the seller’s identity by having the seller present a valid photo identification card or license issued to the seller by a federal or state government agency. If the commodity being offered for sale has a value of \$300 or more, the seller shall also provide the buyer with a photocopy of the identification card or license of the seller.

(c) No prospective buyer or consignee shall purchase an agricultural commodity from a seller if the seller does not provide a copy of the ownership and movement certification and verification as required by subsections (a) and (b). Every prospective buyer or consignee shall report an attempted sale that does not meet the requirements of subsections (a) and (b) to the police.

(d) Two copies of the certificate shall accompany the shipment and one copy each shall be retained by the seller and the buyer or consignee. One of the copies of the certificate shall be presented upon request to a state or county law enforcement officer or other officer, employee, or any other person authorized and designated by the board of agriculture to investigate and enforce this chapter and all rules adopted by the department pursuant thereto.

(e) This section shall not apply to the retail sale of an agricultural commodity to the final consumer.

**§145-23 Lack of proof of ownership as a violation.** The failure of any person who sells, transports, or possesses after sale or transport, agricultural commodities to maintain a certificate of ownership or other written proof of ownership of the agricultural commodity, as described in section 145-22, is a violation of this part and also prima facie evidence of an offense under section 708-831(1)(e).

**§145-24 Authorization to inspect.** Every law enforcement officer or other officer or employee as described in section 145-25 having probable cause to believe that the possession, sale, or transportation of agricultural commodities is unlawful, may take reasonable steps to detain the person having possession, selling or transporting the agricultural commodities and request from the person being detained proof of ownership of the commodities.

**§145-25 Enforcement; criminal penalties.** Violations of this part or any rule adopted pursuant thereto shall be criminal offenses as follows:

- (1) A violation in which the value of the agricultural commodity exceeds \$100 shall be a class c felony; and
- (2) A violation in which the value of the agricultural commodity is \$100 or less shall be a misdemeanor.

**§145-27 Authorization to seize and hold commodities; disposition.** (a) Upon reasonable belief that a person is in unlawful possession of agricultural commodities a law enforcement officer or other officer or employee shall be authorized to hold the agricultural commodity for not longer than forty-eight hours to investigate and ascertain the ownership of the agricultural commodity. If the lawful owner is determined and located, the agricultural, aquacultural, or horticultural commodity shall be released to the lawful owner.

(b) If for any reason the agricultural commodity is not released to the lawful owner after being in the custody of the law enforcement officer or other officer or employee for forty-eight hours, or less in the case of highly perishable commodities, the commodity may be sold at fair market value to any retailer, wholesaler, or packer of the commodity. All of the proceeds derived from the sale shall be held by the law enforcement officer or other officer or employee for not longer than six months, during which time the lawful owner of the commodity may submit satisfactory proof of ownership and obtain possession of the proceeds. The owner may be held responsible for any costs and expenses that may be incurred by the law enforcement officer or other officer or employee. Any proceeds of sale not recovered within six months for lack of a claim or for insufficient proof shall be treated as unclaimed property of the State.

(c) Any commodity that remains unsold after being offered for sale pursuant to this section may be donated to a nonprofit charitable organization or destroyed at the discretion of the law enforcement officer or other officer or employee.

(d) For the purposes of this section, “officer or employee” means any officer or employee of the department of agriculture or any other person authorized and designated by the board of agriculture to investigate and enforce this chapter and all rules adopted by the department pursuant thereto.

April 8, 2021

The Honorable Clynton E. Ridgell  
Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts

*Ref: University of Guam Cooperative Extension and Outreach Submits Testimony on Bill 63-36 (LS)*

Hafa Adai Senator Clynton E. Ridgell,

Thank you for this opportunity to discuss our role and support for Guam's agricultural development. As an Assistant Professor of Agricultural Economics at the University of Guam Cooperative Extension and Outreach (CE&O), the CE&O continues to participate in a wide range of agricultural development discussions and has provided input on the many issues and opportunities facing agricultural development in Guam and the region. My statement today reviews the proposed provisions and offers technical points addressing agricultural workforce development challenges related to Bill 63-36 mandating farmer registration with the Department of Agriculture. For small island economies in Guam, size and geographic location are the main reasons for the lack of economies of scale, manpower, expertise, and business acumen. Food production is often overlooked in these islands due to reliance on imported items and the typical labor-intensive nature of farm production operations. The need for agricultural workforce development strategies has the potential to contribute to developing and reinforcing a sustainable island food system to ensure food safety and security.

In keeping with the national USDA agenda on addressing the urgent needs in agriculture specific to Guam and the region, our CE&O initiatives and programs represent ongoing investment strategies around big data and strengthening the agriculture reporting infrastructure. CE&O continues to support Big Data programming to capture **the various aspects of data issues specific to** usefulness of the data sources to support the research objectives for a specific ag issue or challenge. Related to these data interests includes the federal mandates around fair and equitable treatment of all USDA customers and employees providing programming around civil rights compliance.

### **Harness Big Data**

Changing population through in migration, accurate data gathering and analysis for future decisions is critical. In the following year, sophisticated data gathering and infrastructure maintenance for data analysis is the main focus. Outreach efforts directed at data users (decision-makers) will help them make the best use of information technology to empower agricultural communities in making more informed decisions to improve the social and economic well-being of Guam residents at large.

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Mailing Address: 303 University Drive UOG Station Mangilao, Guam 96913

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Senior College and University Commission and is an equal opportunity provider and employer.*



To improve data quality, there is a pressing need for comprehensive farmer listing to promote and ensure the safety and security of our food supply chain. The University of Guam could provide technical assistance to government agencies providing agricultural supportive services to farmers. This would be the first priority to develop an official Ag program participation listing. Working alongside the Guam Department of Agriculture (GDoAG) in creating and developing appropriate registration criteria that aligns with the U.S. Agriculture Census requirements and guidelines for the use of official data series related to accessibility, availability and reusing the data series, collection, official use and maintenance of that database. Modernizing the ag system database allows for expanded use of mapping and geographic information systems (GIS). All information collected across different entities will be kept confidential and safeguarded in a secure database.

### **Civil Rights (Diversity, Equity, and Inclusion) & Ethics Review**

Agriculture is widely known as a high-stress occupation. There are many stressors faced by farmers in Guam and Micronesia's fragile insular systems, such as unstable finances (high debt loads) and changing commodity markets that comes with the pressure of multigenerational farm lineage, complex regulation and policy, adverse weather and climate change, and the recent COVID-19 related stressors. Migrant farmworkers are of no exception. While the specific stressors may vary, the impact of extreme stress in agriculture reveals itself in the high occupational suicide rates of farmers and farm workers.

In this complex and rapidly changing world, we should foster an inclusive and secure environment grounded in trust and respect. It aims to promote free speech and open dialogue within a safe environment, to not only ensure all farming populations throughout the region as deemed appropriate, including principal farm operators, multi-generational, new and beginning farmers, ethnic minority farmers and agricultural workers (including Chinese, Micronesia, Vietnamese, Filipino, Japanese, Korean, etc.), aging and veteran farmers, farmers and farmworkers with disabilities and 4-H youth. Therefore, the Bona Fide farmer definition (PL 23-18 - Bill 592) should seriously consider including migrant farmers, for the purpose of diversity of inclusion, to have access to subsistence food supply.

#### **Ethics Review**

The University of Guam currently oversees the review of human subjects research projects and studies. Incorporating the human subjects research criteria to the various ag data sources allows for proper access to data and assurances that the data meets privacy, security, and confidentiality under the guideline from the UOG Institutional Review Board (IRB) committee.

We appreciate the opportunities from the committee to provide our feedback on Bill 63-36 and your efforts to revise our food system policies specifically addressing the needs of agricultural production. The sustainability of the local agriculture system is essential to provide stable food supply for the local communities and improve the livelihood of local farmers. Adapting to the changing agricultural sector conditions allows us to build a relevant supportive system for this sector, smoothing out food supply interruptions and staple price volatilities. The University of Guam CE&O welcome conversations

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and collaborative works on agricultural and food system development to identify innovative solutions that address a variety of farm issues. For access to those "local" knowledge sources outside of UOG, we at UOG have the expertise and credibility to make a committed contribution to our environment, fostering collaboration with the GDoAG in making solid progress in achieving our shared goals.

Sincerely,

*Kuan-Ju Chen*

Kuan-Ju Chen, Ph.D.

Assistant Professor, Agricultural Economics

University of Guam Cooperative Extension & Outreach

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# Guahan Sustainable Culture

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180 Golondrina Ave  
Barrigada, GU 96913  
(671) 687-6491  
gusustainable@gmail.com

Mr. Chairman and members of the Committee, thank you for allowing me the opportunity to provide comments on Bill No. 63-36, AN ACT TO *AMEND* § 68101 OF CHAPTER 68, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING FARMERS TO BE CERTIFIED AS BONA FIDE FARMERS TO SELL LOCALLY GROWN PRODUCE OR AQUACULTURE PRODUCTS AND TO SUSPEND OR REVOKE BUSINESS LICENSES FROM COMPANIES FOUND IN VIOLATION.

My name is Michelle Crisotomo and I am the President and Co-founder of Guahan Sustainable Culture, a non-profit organization dedicated to the furtherance of food security and sustainability, promoting all forms and levels of both agriculture and aquaculture.

GSC would like to commend both the main author and cosponsor of this legislation, Senator Ridgell and Vice Speaker Muna-Barnes, for proposing Bill 63-36 and for their steadfast support of our island's farming community.

In short, GSC is in favor of legislation which seeks to protect and promote farming. We believe that there is a lot of room for both the commercial and backyard farmer to participate and offset some of the produce imported to our island.

We believe that Bill 63-36 serves to advance promoting and protecting our farmers and consumers. Registering with the Department of Agriculture as a farmer is a beginning step for farmers towards qualifying for farm loans, disaster assistance, grants, crop insurance and other incentives.

Registering our farmers also helps to provide a census with accurate data on the number of farmers, which can translate into more resources to support farms on Guam.

It will also help to ensure that farmers are aware of and compliant in the use of approved pesticides, which protects consumers and our environment.

For these reasons, GSC is happy to lend its support for passage by the Guam Legislature.

We would like to point out, however, some practical concerns for both the author and co-sponsor of the bill which we believe warrants some further consideration but in no way should prevent the passage of this bill; because any proposals which intend to help our farmers are better than none at all.

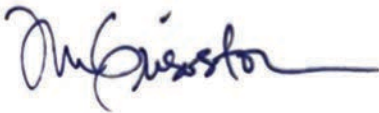
In addition to 63-36 protecting farmers, their operations, and their yield, we hope that the legislation could capture existing and emerging backyard farmers who currently would not meet the minimum size requirements required by the Department of Agriculture to become bona fide farmers but may still want to sell their surplus harvest to eating establishments.

As an example, during the COVID-19 pandemic, GSC worked with many backyard and subsistence farmers who had a surplus they needed to sell, but their plot sizes may not have met the requirements to be a bona-fide farmer. They relied on selling their extra produce to make extra income during these uncertain times, and we were able to, in turn, donate that produce to families who were in need.

Bill 63-36 may not capture these farmers, and therefore not extend any protections or give them further incentive to grow their operations.

Again, however, GSC is appreciative of the efforts of Senator Ridgell and Vice Speaker Muna-Barnes and we are happy to work with you to improve the legislation and work towards its passage.

Si Yu'os ma'ase.

A handwritten signature in blue ink, appearing to read "Michelle Crisostomo", with a long horizontal flourish extending to the right.

Michelle Crisostomo



Erin M. Grajek <egrajek@guamlegislature.org>

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## Testimony on Bill No. 63-36(LS)

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Nanette Flores

Wed, Apr 7, 2021 at 12:05 PM

To: "Erin M. Grajek" <egrajek@guamlegislature.org>

Hi ,

I ,Nanette Flores agree that any individual that doing farming activity either sole proprietorship or corporate business must obtained a farmer's certification. A farmer must be a bonafied farmer from agriculture. In such case agriculture have a record of all the farmers . And the other agency such as USDA and EPA can easily get information if they needed to from the department of agriculture. I also experienced thieves invading my farm several times or many times before. It's hard to control them, but if there's no place for them to sell the produce because it required that you have to be a bonafied farmer in order for you to sell your produce. Then the thieves will have a hard time selling the stolen vegetables. If this bill will pass and it should be ! I hope . Other issues that a lot of farmer's are concern about is the use of pesticide in the plant. There's is a lot of farmer's in Guam that their are not registered in agriculture , not a bonafied farmers but have a big farm . To be a farmer in business you also required to be under EPA regulation. So this bill is not just a concerned about thieves it also will help the EPA agency to monitor the people doing farming and selling in the businesses but not obtaining an EPA requirement. It's for the safety of people eating the vegetables their buying as well. A lot of agency that connected to agricultural or farming activity should work together in helping the farmer's in educating them. The growing population of farmers in Guam is getting bigger. A lot of Different nationality .But whether your a Chamorro, Pilipino , Chinese , Korean or others nationality we should be treated fairly. Some of this farmers don't really speak English or don't understand what rules or regulation they have to follow. A lot of farmers need to be inform and educate . So there's gonna be a lot of work for the agriculture. Anyway good luck . Be safe ! I support this Bill.

Nanette

[Sent from Yahoo Mail for iPhone](#)

[Quoted text hidden]



# *Kumision Inangokkon Tano' Chamoru*

## *(CHamoru Land Trust Commission)*

P.O. Box 2950 Hagåtña, Guåhan 96932

Phone: 649-5263 Ext. 815

### *Sent via Electronic Mail*

31 March 2021

*Lourdes A. Leon Guerrero*  
Governor

*Joshua F. Tenorio*  
Lieutenant Governor

#### *Commission Members*

*John F. Reyes, Jr.*  
Chairman

*Austin J. Duenas*  
Commissioner

*Arlene P. Bordallo*  
Commissioner

*Angela T. Santos*  
Commissioner

*Vacant*  
Commissioner

*Jack E. Hattig, III*  
Administrative Director

TO: Sen. Clynton E. Ridgell

Chairman, Committee on Economic Development, Agriculture, Power and Energy  
Utilities, and the Arts  
36<sup>th</sup> Guam Legislature

RE: Testimony on Bill No. 63-36 (LS)

Hafa Adai!

The CHamoru Land Trust Commission (CLTC) stands in support of the legislation proffered in Bill No. 63-36 (LS) for the following reasons:

1) A registry will ensure that local agricultural and aquacultural producers get the best opportunity to provide consumers with produce effectively and efficiently and to provide a demand for the supply of produce grown and sold legitimately.

2) A registry also helps to prevent agricultural thieves from selling stolen produce making money off hardworking legitimate local agricultural and aquacultural producers.

3) A registry would be beneficial for use by the CLTC to assist its agricultural lessees in providing policy updates, training opportunities, grant information, compliance requirements, as well as other important information.

4) This legislation goes hand-in-hand with the CLTC's goal to ensure that all its agricultural lessees become bona fide farmers and follow the law in terms of growing and selling their agricultural or aquacultural produce legitimately. This legislation would aid the CLTC in the prevention of farming of unauthorized individuals on CLTC property and thus the sale of any produce grown under these circumstances.

For more information, please contact Mr. Joseph B. "Joey" Cruz, Jr., Program Coordinator III at 649-5263 Ext. 430 or at [joey.cruz@cltc.guam.gov](mailto:joey.cruz@cltc.guam.gov).



----- Forwarded message -----

From: **Bill McDonald** [REDACTED]

Date: Thursday, April 1, 2021

Subject: Zoom Link for March 31 - Virtual Public Hearing on Bill Nos. 63-36 (LS) and 48-36 (COR)

To: "Erin M. Grajek" <[egrajek@guamlegislature.org](mailto:egrajek@guamlegislature.org)>

Buenas Erin,

I am Bill C McDonald, farmer from Agana Heights. I support Bill 63- 36 for Farmers/growers to register at Dept of Agriculture in order to sell their produce. This Bill moves our Island into improving our food security, preventing/limiting theft, and Island Sustainability.

1. I do like to suggest that Dept of Agriculture revisit the requirements of a Bona-Fide Farmers, to include the back yard growers that supplies are consumers occasionally.

2. Make it mandatory to have receipts(between producers and buyers) present at all times for sellers/vendors to sell to consumers.

3. Enforcements will be done by Dept of Agriculture

Thank you for giving me this opportunity to try and improve our Island's ability to maintain our culture and sustainability. And please remember that "there will be no culture without Agriculture"

Si yu os ma ase

Bill McDonald  
[REDACTED]

## **Bill No. 63 – 36 (LS)**

Hafa Adai Senator Clynton Ridgell and Senator Tina Muna-Barnes:

As I had stated during the Virtual Public Hearing, regarding Bill No. 63 – 36 (LS), on March 31, 2021, I oppose this bill, as written. I support the intent of the bill to stop/prevent people from stealing/selling stolen produce from farmers. However, I will support this bill's passage, if the following proposed amendment is incorporated into the bill:

Bonafide farmers who raise livestock, such as cows and carabaos, and aquaculture products, should only be required to register at the Department of Agriculture, once, as long as they are continuously farming. Farmers shall inform the Department of Agriculture, when they are no longer farming/in operation, as Bonafide Farmers. I can understand the re-registering requirement for vegetable growers, who are raising seasonal crops. But, cows and carabaos are not seasonal products, nor monthly or quarterly products, but. Instead, are usually raised for many years. For example my family has been raising cows and carabaos for over 50 years.

I hope that you will consider my proposed amendment to your bill. Thank you for your continuous efforts in trying to help the farmers of Guam!

Sincerely,

Benny P. San Nicolas





Selina Onedera-Salas <[sonedera-salas@guamlegislature.org](mailto:sonedera-salas@guamlegislature.org)>

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## Bill for farmers

1 message

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**Theodore Nelson** [REDACTED]

Thu, Apr 1, 2021 at 2:40 AM

To: Clynt Ridgell <[clyntridgell@guamlegislature.org](mailto:clyntridgell@guamlegislature.org)>

[REDACTED] But i do support this bill and any future amendments or improvements added can be done . Im a certified bonefide farmer and registered certified commerical farmer with the department of rev. & tax.  
Ted Nelson



**Clynton E. Ridgell**

Senator – 36<sup>th</sup> Guam Legislature

*Committee on Economic Development, Agriculture, Power and Energy Utilities,  
and the Arts*

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## COMMITTEE REPORT DIGEST

### I. OVERVIEW

Bill No. 63-36 (LS) was introduced on **February 19, 2021** by **Senator Clynton E. Ridgell and Vice Speaker Tina Rose Muña Barnes** and was subsequently referred by the Committee on Rules to the Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts on **February 23, 2021**.

The Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts convened a virtual public hearing on Bill No. 63-36 (LS) on **Wednesday, March 31, 2021** at **9:00 am** via Zoom Video Conference.

#### **Public Notice Requirements**

Public Hearing notices were disseminated via email to all senators and all main media broadcasting outlets on **Wednesday, March 24, 2021** (5-Day Notice) and again on **Monday, March 29, 2021** (48-Hour Notice).

#### **Senators Present**

Senator Clynton E. Ridgell, Chairperson  
Vice Speaker Tina Rose Muña Barnes, Vice Chairperson  
Senator Mary Camacho Torres, Committee Member  
Senator V. Anthony “Tony” Ada, Committee Member  
Senator Telo. T. Taitague  
Senator Joanne M. Brown

#### **Written Testimonies and Communications Received from the Following Stakeholders:**

Barber, L. Robert “Bob,” Jr. & Jesse Bamba – University of Guam College of Natural and Applied Sciences, Cooperative Extension & Outreach  
Chen, Kuan- Ju, Ph.D., Assistant Professor of Agricultural Economics – University of Guam College of Natural and Applied Sciences, Cooperative Extension & Outreach  
Crisostomo, Michelle (Guåhan Sustainable Culture) – Support  
Flores, Nanette – Support  
Hattig, Jack E., Administrative Director (CHamoru Land Trust Commission) – Support  
McDonald, Bill – Support  
Nelson, Theodore “Ted” – Support  
San Nicolas, Benny P. – Support with suggested amendments  
San Nicolas, Joseph and Monique – Support via Phone Call  
Santos, Candelaria – Support via Phone Call  
Takai, Glenn – Support via Phone Call

### II. SUMMARY OF TESTIMONY & DISCUSSION

The public hearing was Called to Order at **9:02 am**.

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238 Archbishop Flores St · Suite 906 · DNA Building · Hagåtña GU 96910

Phone: (671) 475-4983 · Fax: (671) 475-4768

[sen.cridgell@teleguam.net](mailto:sen.cridgell@teleguam.net)

**Senator Clynton E. Ridgell, Chairman – Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts:** All Right. *Håfa Adai* and good morning. This virtual public hearing conducted by the Committee on Economic Development, Agriculture, Power and Energy Utilities and the Arts is called to order. It is 9:02 a.m. Notice of the hearing was disseminated to all local media outlets on March 24th of 2021 with the second notice provided on March 29th of 2021. Notice of the hearing was also made known on the Guam Legislature's website. This morning, the Committee will hear testimony on Bill No. 63-36 (LS) - An Act to Amend §68101 of Chapter 68, Title 5, Guam Code Annotated, Relative to Requiring Farmers to be Certified as Bona Fide Farmers to Sell Locally Grown Produce or Aquaculture Products and to Suspend or Revoke Business Licenses from Companies Found in Violation, a bill that I introduced and was co-sponsored by Vice Speaker Tina Muña Barnes. Upon conclusion of Discussing Bill 63, we will take a five-minute recess before we then hear testimony on Bill No. 48-36 (COR) - An Act to Amend §58110(d) of Chapter 58, Title 12, Guam Code Annotated, Relative to Expansion of the Public Investments Option for Qualifying Certificate Holders to Include Municipal Programs and Projects, introduced by Senator V. Anthony “Tony” Ada. After discussions on Bill 48 conclude, we will recess until two o'clock this afternoon to hear and accept testimonies on Resolution No. 46-36 (LS) - Relative to Urging the National Marine Fisheries Service to delay the Proposed Coral Critical Habitat Designation Process Until Such Time that the Five-Year Coral Status Review and Coral Recovery Plan Can Be Completed as well as Urging The Department of Agriculture to Work in Coordination With NMFS to Identify Appropriate Coral Critical Habitats for Guam using the Best Scientific Information Available as introduced by myself. Before we proceed with hearing testimonies, let me begin by providing the panel participants with some general rules of conduct for this virtual public hearing. All participants must abide by the rules of conduct and quality assurance standards including: the chair will invite individuals who have signed up to testify; individuals testifying shall first be recognized by the chair and shall state their name and organization for recording purposes. Please ensure that you are unmuted and that you are speaking clearly into your microphone. For group settings where more than one individual is present, please state your name before providing comment. From among the panel of senators, each member will be allowed to pose one question to an individual testifying for one round and be provided another round if necessary. Questions and testimony shall be confined to the substance or nature of the agenda. Personal inference as to the character or motive of any senator or any individual testifying is not permitted. Any violations of this rule of conduct will result in removal from the meeting by the host. I would like to begin by welcoming my colleagues who have joined us this morning from the 36th Guam Legislature, Senator Tony Ada, good morning.

**Senator V. Anthony “Tony” Ada:** Good morning, Mr. Chair, thank you.

**Chairman Ridgell:** Senator Telo Taitague, Good morning.

**Senator Telo T. Taitague:** Good morning.

**Chairman Ridgell:** And Senator Mary Torres. Senator Joanne Brown, Good morning.

**Senator Joanne M. Brown:** Good morning.

**Chairman Ridgell:** All right, we'll now proceed with the discussions on Bill No. 63-36 (LS). I will begin with my opening statements on the measure. Bill 63-36 (LS) is the companion bill to Bill No. 62-36 (LS) in approaching the issue of agricultural theft. One moment. Both pieces of legislation work together to address agricultural theft. The first bill, which our legislature passed just last week, makes it crystal clear that agricultural theft is theft of property. It requires thieves to pay farmers the market value of the produce they stole plus the cost of production and would allow authorities to confiscate any vehicles or equipment used in the theft of produce. Many people said the first bill wouldn't be enough to prevent theft of produce so the second bill, or the bill we're discussing today, seeks to prevent stolen produce from being sold by eliminating the market for stolen agricultural product. Our office has been told by numerous farmers that produce is often stolen in order to be sold for cash. This bill mandates that any business who buys local produce must ensure that the farmer who sold them the local produce is registered as a bona fide farmer with the Department of Agriculture. This should help to prevent thieves from selling stolen produce which, in turn, would deter them from stealing a product they're unable to sell for cash. Bill No. 62-36 (LS) proposes that any business found buying produce from anyone that is not a bona fide farmer would be subject to possible suspension or even revocation of their business license. We often hear concerns from farmers that the thieves are stealing crops not for sustenance but to profit off of someone else's work. All the money thieves make from reselling this product is stolen profits and there's no evidence of the crime after the point of sale because the product is then consumed. This is why we need to address agricultural theft in multiple ways. Through this bill, we create a barrier to selling stolen agricultural products because the grocery stores or restaurants or other businesses would have to be verifying certification. No certification, no selling the product which takes away much of the motivation to steal the product in the first place. There are several other benefits to this bill, having more members in the bona fide registry eases government agencies' ability to provide resources to farmers. We also give more opportunity for farmers to sell their crops to the local government by adding them to the registry. GovGuam agencies like GDOE, GMH and DOC are already required by Guam law to purchase a certain amount of local produce. However, farmers have told us that this is often not the case. This is why we are working with the department of agriculture to build a strong database of farmers so the Department of Agriculture can then work with these GovGuam agencies to ensure that they are buying local produce. A robust list of bona fide farmers can also help Guam to get more grant funding for agricultural programs. Through this bill, we require businesses to check bona fide farmer certifications, enabling the businesses as well as the Department of Agriculture to differentiate between the legitimate farmers and the thieves. The Department of Agriculture, the business community, and the community at large all have a role to play in preventing agricultural theft and this bill helps to clarify those roles and we believe provides another tool in preventing agricultural theft. I will begin now by calling on the participants who've signed up to testify in order as shown on

the sign in sheet. I will begin first with Chelsa Muña-Brecht, Director of the Department of Agriculture.

**Ms. Chelsa Muña-Brecht, Director - Guam Department of Agriculture:** *Håfa Adai*, Senator Ridgell, Speaker, I mean, Senator Tina Muña Barnes, Senator Mary Torres, Senator Joanne Brown, Senator Telo Taitague, and Senator Tony Ada. Thank you for holding this public hearing today and allowing us to give our comments regarding Bill 63-36. It was quite simple for us, really. The first and initial reason the Department of Agriculture worked with Senator Ridgell on crafting this legislation was because we had bona fide farmers coming to us --- members of the co-op, even --- who asked that we provide some assistance for them with regard to how they were selling their produce. They had contracted customers who would buy their produce only to show up and find that an unregistered farmer had come before them, offered their produce at a fraction of the price that the bona fide farmer was selling their produce for, and so the consumer bought that produce. When we inquired further, the bona fide farmers specified that to their knowledge, this was a black-market farmer, not registered with any agency who would come and undercut some of their sales. The second reason we worked with Senator's office on this bill is because members of the community had concerns about produce that is sold and identifying who the farmers were that were selling the produce, when they were available and questioning what pesticides or fertilizers were used and if they were using it properly. Short of having a laboratory locally that can test for pesticide residue on produce, this is one small first step that we can do or that we can take to help with this process, is knowing our farmers, having bona fide certificates for our farmers and this comes at no cost to the farmer to have a bona fide certificate. The third reason we worked with the senator on this bill is to protect legitimate farmers in a market where they are competing with farmers who may illegally be farming on Chamorro Land Trust land. Through conversations and as part of investigations conducted, the agency has found that there are some Chamorro Land Trust lessees holding leases to agricultural land but then who are not the farmers farming the land and they are not in a partnership with the person who is farming the land but rather illegally subleasing that land. We've been working with Chamorro Land Trust in identifying these farmers and lessees and this is part of the process, being able to identify and legitimately register those who are agriculturally farming within the parameters of their requirements. What we are taking to do at the agency is also, we will be working with the senator to create a subcategory of the bona fide certification. As written now, a bona fide certification is required for those who are commercially selling agricultural products for a profit, we would like to work with the senator to add a subcategory for subsistence farmers. This would encompass backyard farmers, urban farmers, peri-urban farmers, new beginning farmers who are not yet commercially engaged and the requirements would be the same with the exception of reporting any commercial profits. It is our belief that this will not push away backyard or small farmers. The bona fide certification already includes any farmer of any size who will engage commercially. There are no size requirements for the bona fide certification. The requirements for the bona fide certification are that the applicant must be a U.S. citizen, a permanent resident alien or who has been a resident of Guam immediately preceding five years or a corporation or partnership license to do business in Guam. The applicant must be 18 years old. The applicant must submit a valid

authorization letter from Chamorro Land Trust Commission, or applicants' proof of ownership, title deed, or a notarized letter stating a landowner's agreement with applicant to farm on the property. The area must be cleared and properly managed prior to the farm inspection and on a continuing basis, the applicant must be willing to comply with Department of Agriculture's instruction or recommendations, relative to improving his or her farming. The applicant must agree to report to the Department of Agriculture within six months and every six months thereafter. This is called the farm report, and the applicant must keep financial records of farmland production and marketing for information or statistical purposes of the Guam Department of Agriculture. Those are the only requirements required to become a bona fide farmer. At this time, I would also like to ask Mr. John Borja, if he would like to provide any additional information on behalf of the agency, if that's all right with you, Senator Ridgell.

**Chairman Ridgell:** Yes, absolutely. In fact, John Borja is the next person on the sign-in sheet, anyway, so we can go ahead and go to Mr. John Borja, Chief of the Agricultural Development Services of the Department of Agriculture. Mr. Borja?

**Mr. John Borja, Agricultural Development Chief – Guam Department of Agriculture:** Yes, thank you, Senator. Good morning, Senator and thank you for having me at this time to give me the opportunity to a little bit further express my concerns and needs for a certified bona fide farmer registry. Good morning also, fellow senators. For the record, my name is John C. Borja. I'm the chief of the Agricultural Development Services Agency. Through the years, I've worked with the farming community, I find it very hard to capture the farmers that are out there that are actually producing and selling local produce to the markets. I'm more concerned about the accountability of who these farmers are, how much they're producing, so we can gauge as to how our growth of the industry is. Without that industry registry or the registry of bona fide farmers, we cannot account for who is farming, who's using lands, what is being produced what has been applied to the produce and whether or not it's safe enough for the consumption of the local population. We are very, very worried about our food security and that's the main concern I have. Plus, also accountability for subsistence farmers to be able to grow their food and stuff without having to be impacted by other regulations that would pretty much restrict them into producing subsistence farming operations but we recognize them, as well, because they are --- this is a whole farming community that we like to achieve a lot of our potential to be diversified for one thing, but to move forward with the industry and with a registry of bona fide farmers as prior to the Bill No. 62. 63, it complements that because that is a need. We need to recognize, account, and also safeguard what is happening in the farming community as it is right now. In respect to that, I'm in full support of this bill and I will also dedicate my staff and my resources to ensure that we have 100% accountability of what we have in regards to the farming community. Thank you, again, Senator and it's my pleasure to be here again in support of the bill.

**Chairman Ridgell:** Thank you, Mr. Borja. Chelsa, does that complete your testimony for your agency?

**Director Muña-Brecht:** Senator, I would also like to add that I understand that in prior years our Agricultural Development services has been challenged with having the personnel to conduct inspections or to conduct outreach in the farming community. However, under this current administration, for the first time in 21 years, we have been able to add personnel to the ADS section. We have recently hired three professional level staffers meaning that they are above the technician level for the jobs that they do, and we are working on picking up an additional three more staff. This section, like I said for the first time in 21 years since 1990 or 20 years since 1991 is now being adequately prepared and sufficiently prepared to perform the services that we provide to our community, and to do so at a much better, with much better capacity. Thank you, Senator.

**Chairman Ridgell:** Okay, thank you, Chelsa. Next on the sign in sheet is Mr. Roland Santos, Farm to Table Guam. Roland, please make sure your microphone is on and your video as well.

**Mr. Roland Santos, Farm to Table Guam:** All right, thank you all, good morning everyone. My name is Roland Santos. I am a big advocate for local farms and locally grown food. I'm here today to really show my full support to this bill. I do feel that if a farmer is to sell their food to a business they should be registered and bona fide through the Department of Agriculture in order to provide some type of accountability for where our food actually comes from. Not only will it help deter a lot of the theft that's actually been happening lately, it'll also ensure that our food that our community is eating will be grown using best practices and really safer consumption. Not only does it provide for accountability, but it also opens up financial assistance to a lot of our farmers. This can actually open up several options whether it be USDA loans or even grant opportunities to expand their operation, grow more food for our island. Yeah no, honestly, I really feel that this bill would be great for the agriculture industry, ensuring the safety for our community, for our farmers and for our economy. That's really all I have, thank you all for your time.

**Chairman Ridgell:** Thank you, Roland, for your testimony. Next on the sign in sheet is Michelle Crisostomo, Co-Founder and President of Guåhan Sustainable Culture.

**Michelle Crisostomo, Co-Founder and President – Guåhan Sustainable Culture:** Good, morning everyone. [Written testimony submitted orally.]

**Chairman Ridgell:** Thank you, Michelle, for your testimony and just for the record, we absolutely want to be sure that we allow for smaller farmers on smaller lots, the gardeners, etc. and what even they refer to often in the states; it's called urban farming. I think we could refer to that here, too, in certain urban areas, we absolutely want to allow for that to happen. We'll ensure that that's allowable and in fact we do have some piece of legislation to address that. Specifically, to ensure that we allow for urban farming even urban agriculture so we can make sure that this current bill doesn't preclude them from signing up as bona fide farmers but I also have other legislation we're working on that we hope will encourage those types of farmers, so thank you, Michelle, for your testimony. Next is

Roland Quitugua, Extension Agent III from the Cooperative Extension and Outreach program of the University of Guam.

**Mr. Roland Quitugua, Extension Agent III - Cooperative Extension and Outreach Program – University of Guam:** Thank you, Senator Ridgell. Would it be possible for me to defer my slot and put Jesse Bamba before me only because of some of the coordinated testimony that we have and so that Jesse Bamba, then Bob Barber, and then myself.

**Chairman Ridgell:** Thank you. No problem, no problem. Jesse Bamba, M.S., Extension Associate III, Cooperative Extension and Outreach at the University of Guam.

**Mr. Jesse Bamba, Extension Agent III, Cooperative Extension and Outreach Program – University of Guam:** Thank you, Senator. I'd ask, I'd actually like to go after Bob. Bob wants to go before me. We kind of all have the same points that we want to accomplish before this committee but I'll refer to Bob than me.

**Chairman Ridgell:** Sure, we can do that. So, we'll go with Dr. Barber first, then Jesse Bamba, then Roland Quitugua, all of which are with the University of Guam. So, Dr. Barber.

**Dr. L. Robert “Bob” Barber, Ph.D., Extension Specialist/Professor of Agricultural Economic and Sustainable Agriculture - Cooperative Extension and Outreach Program – University of Guam:** Greetings. First, I would like to apologize should my internet go bad and break up, I'll cut off the video if I have to, just let me know if I break up. I want to commend you on the intent, and I want to commend you on the first bill, I totally support the first bill. Unfortunately, good intent should pave the pathway to a lot of undesirable locations. I'm afraid I see more undesirable coming out of this bill as currently written. While the intent is excellent and I would like to work and for all of us at UOG and the Farmer's Co-op and the Soil and Water District members to assist, because I think it needs a little bit broader input so that we can make you aware. Let me speak to some past issues on this. One, I think in terms of guiding Department of Ag --- and I should note I want to cast no shade on the current administration or the current Department of Ag, which is growing and which we see --- but we do have to look at things within a historical context, as well. One of the first things you might ask is why do we need legislation to mandate that farmers register if it's such a good thing? Farmers should want to be registered for bona fide farmers. So, I believe we should totally focus on the carrot rather than the stick. This legislation very heavily focuses as it is now on the stick. The bona fide, I've promoted it all along I was also delighted to hear changes because the last time they shared the description, the bona fide farmer did have production minimums for example just to give you one of the many different ways you could go, you had to have at least 50 fruit trees, 25 of one kind, 25 another, or a certain size aquaculture tank. If that's removed, that's good news. We've been discussing both with Department of Ag and our partners for quite a while, looking at defining multiple levels of farmers, whether we follow USDA's; subsistence, small farm, large farm, or whether we go with a subsistence and then a market



gardener and then a commercial farmer. These are various things we can look at and should be discussed but I do believe that a key --- there's current legislation that is no longer relevant to the current situation. I refer specifically to the Public Law 22-64 where this definition of bona fide farmer comes in. There's some major flaws just in with that. I'll just point one out to you. The intent in some cases is to identify people who are U.S. citizens or who have been on Guam for a set amount of time and, unfortunately, this now blocks out the markets. What if you had a Japanese who wants to come here as an individual and has a house and wants to farm and engage in commercial. If they're not here five years, this law would prevent it. Now they can operate and not be bona fide farmers so it wasn't a problem. But mandating in order to sell, they'd be bona fide farmers, now that man or woman can no longer sell at the flea market or anywhere else. Or a Micronesian who comes here and wants to not go on food stamps by selling some material they grow in their half acre lot in order to be able to buy pork or chicken and so you block them out also because they're neither U.S. citizens nor they've been on Guam for five years. Yet, at the same time you allow a major Korean corporation to come in and within one year, not live in our community and be part of our community but come in and then possibly bring Korean or Chinese or Filipino, they can all do the same but if they're not individuals, they're a corporation that comes in it will compete very heavily with our local farmers. In the initial P.L. 22-64, there's some issues that I believe we could address and we're happy to help you look with that issue. In terms of the theft and this is a classic where we cut off our nose to spite our face. Theft is a major problem but register with Department of Ag --- and Jesse will offer an alternative form of legislation out of Hawaii that requires no government agency to become involved, it just sets up a basic contact tracing through the whole thing --- but I have to note here. In need assessment after need assessment after need assessment over the past 20 years, the number one issue our farmers say is, "I don't have any problem growing the product, you know, my problem is in selling it." The markets don't take so much. I am constrained by what I can sell, not by what I can produce. You'll have any commercial farmer tell you this that many of them could double their production but it's the markets. Our markets are dominated by imported wholesalers. It used to be up to about 2001 to 2003 that a major source for these people were able to sell to government agencies, but that changed. Now, virtually no farmer sells to a government agency despite the fact -- and no making a bona fide farmer is going to change the situation, because we're dealing, now, with prime vendors that have contracts going out two to three years that even if the farmers and department of Ag and UOG and I've watched multiple senators go to hearing after hearing and working group after working group and we if we take the biggest one, DOE, we have not been able to break into it. Now, you've got less than five schools that actually have cafeterias and you have a prime vendor that's making the meals and, again, under a contractual basis. This registry is not going to address that issue. I'd like to speak briefly about Title 5, Chapter 68, Procurement of Local Products. The basic flaw with this legislation is it mandated how Department of Ag and back in the days when it actually worked, they worked in cooperation with UOG in terms of helping and negotiating these prices each year. Back in the pre-2000, one, two, three period, the farmer sold directly to it. This law was written in that age when the agencies were buying directly from farmers. It does not recognize, and this law doesn't either, recognize the fact that no government agency except with one exception in the past year is buying directly from farmers. There

may be a special initiative, I know GEDA has had some success with one or two to do smoothies or salad, but this, and I believe Department of Ag and Farm to Table have, actually, but these are not the tens of thousands of pounds a day of produce that's going into the school menus. This is... it's not happening. It's going through a prime vendor and so you have to recognize that when you dictate price, the beneficiary of these price and the negotiations and the Department of Ag providing a price list, is not the farmer. It's the wholesalers that are maybe buying from the farmers at a fraction of that price, so the price, the law does not guarantee that the price that you think they should be getting because of the law and Department of Ag negotiations. that price isn't making it to the farmers. They're under the thumb of the wholesaler. Now, so given this dominance of the wholesale, the market, I fear this law will put and we're struggling to break into it. We've been working with uh the UOG and the Co-op have been working with the Micronesian Chefs' Association for a decade now with our farm to chef initiative and maybe this guy has ten Calamansi trees, or this woman has a bunch of mulberry trees and they're providing this one shift. They're small. They may have no desire, but now if the if you're going to force these restaurants to actually verify that it is you know and have Department of Ag registration within there, they'll just say it's easy I'll just buy it, I'll do like I did before. I'll buy off island because why risk my license to do business if I'm not certified that just has an alternative. Where it can be a farmer to the person accountability tracing, much like you see in other best management practices of foreign tracing. It doesn't need to be this level, if there is and I think we should be focusing. Chapter 68 needs definite work. UOG has been studying this issue with the Co-op for over a decade. We have a lot to offer. We would hope to be at the table in these discussions and I need to note, I think at this point in time, it's well worth, it's high time we got an Ag Board of Commissioners there to help the department because I think some feedback will come of this. When I say it, I'm talking of large farmers, small farmers but also maybe as non-voting members, but at least advisors from some of the key partners of NRCS, and FSA and UOG, to Department of Ag. I think that could help form better as we go forward and would serve and be of great use to you, senators, as you try to do it now. I also have to note that the whole issue came to light of the massive amount of farmers who are subleasing to other non-CHamorus. That came out in a study UOG did which, actually, Senator Brown was a partner in this and an employee of UOG in the districts at the time it was done. She could comment later as well if you have further hearings on it. It came out and many efforts were tried, and the real issue is that Chamorro Land Trust has to enforce its rules and this law isn't going to ensure that in and of itself. I think that's a whole different issue that should be addressed. As we go forward, I would like to recommend also under 5 GCA §5008.1 as a model of how some of the legislation might be better worded because you have to recognize no one agency has the expertise. The ADS Staff, Chelsa notes, is decimated to compare to the staffing pattern and the vehicles they had at their disposal back in 1993 to 1997 when they were aggressive and going out and partnered with UOG where we had vehicles and staff that partnered with them and went to the 80 to 120 largest commercial farms and monitored their production on a monthly basis. They don't have that and they're down to a fraction of the staff they had then and the nursery staff and the Dededo Breeding Station staff at the same time UOG Cooperative Extension and Agriculture Experiment Station literally now has 50 percent of the faculty we had in 1994 and because of budget. That's the University, Department of Ag

face cuts UOG in terms of Ag support. This might be something I would recommend as you go forward but back in those days, on 5 GCA §5008.1, policy in favor of native or growing Guam horticultural products has some language in it that can maybe help guide this. It says in section b, DOAg shall, in cooperation --- now they use CALS, which would now be CSCE and Cooperative Extension Outreach of UOG --- but in cooperation with UOG, who has a lot of the data and a lot of expertise that can help in this, shall then come up and they designate a whole list of things that they should do. I think the legislation does need to be more specific if you're going to give something to Ag and if UOG is going to help or not in terms of it, but it notes the definition of what grown in Guam means and coming up with uh establish a and regular update a list of growers and I like this list of growers which it's optional and it's there and it's available for use, but again it's putting the it's putting the carrot forward not the stick and listing the plants that qualified under this thing. This is the kind of thing that we have the expertise, we've been working in a long time that can complement what Department of Ag is doing. Plus, we have a lot of institutional memory within our organization and so I think the legislation might really want to look at some of that. I've spoken a lot. I just want to note that, really, this law, I would think it would be great if we could table it or at least postpone the hearing, you know, and go back and bring a larger group in. Let's look at fixing three different sets of legislation, the original Public Law 22-64, that set up the bona fide farmer, and possibly some of what Director Muña-Brecht brought in, has some of that actually in the law that specifies it or at least have orders of implementation. Chapter 68, Procurement of Local Products, this definitely needs the Farmer's Co-op and some of the other coalitions that are working towards developing and promoting local produce and possibly even some of the target groups for this. Then, coming in again and looking at just the overall thing of the relationship, the Soil and Water District and the Farmer's Co-op in this. I do believe these should be players in the legislation going and then just to close out, and say we have to figure out how to make wholesalers on this island want to buy local. We cannot make them more scared of buying local and we have to figure out the Chamorro Land Trust requires a different set of hearings in Legislature and I don't think this bill will have a chance. In fact, I would that would have suggested that when you confiscate the vehicles, they also be given to the farmer but that's a whole different matter. I'll stop here. We're willing to write more detailed, if you wish, testimony. I do have to note today I am speaking as Bob Barber, a Professor and Extension Specialist in Ag Economics and Sustainable Agriculture. I only found out of this bill a week ago and so I haven't had a chance to go and clear my testimony with UOG so I don't necessarily represent UOG's opinion, but I am more than happy in the coming week with Jesse Bamba and Roland to formulate a position that could be the university stance. I'm speaking from 27 years of experience, primarily working in Sustainable Ag issues in Guam agriculture markets, and so I share this. In conclusion, as the bill's written, I can't support but I would love to work with you on making it better.

**Chairman Ridgell:** Hello, thank you. Dr. Barber. You were kind of cutting in and out there at least on my end but I think we got the gist of your testimony. Just to be clear, I want to ask a question. So, are you opposed to requiring that people be bona fide farmers in order to sell their produce?

**Dr. Barber:** Absolutely. I think it's putting a legislative mandate. If the bona fide farmer should be (inaudible) the benefit to farmers --- if it's a benefit to a disaster program, the uninsured crop, I mean, the FSA's crop insurance program is a benefit. You have something like 30 --- I don't know the exact numbers --- 30 or 40 of our largest commercial farmers that are in it because they see the economic benefit of paying the money in and getting that out. You have people who are in the bona fide farmer maybe because they see the water rate benefit maybe because other, but to make a requirement and further make it so that there's penalties if someone buys from someone that is not a bona fide farmer, this will have a chilling effect on Guam agriculture's markets which are already our farmer's most difficult issue.

**Chairman Ridgell:** Okay thank you Dr. Barber. Jesse Bamba?

**Mr. Bamba:** Buenas Senator. I second what Bob says about mandating, that's the last thing that I think our farmers want to see is having the government mandate them to register. Maybe we could-- if the Department of Ag can start a list of people who want to sell specifically to government agencies then they'll sign up.

Like Bob said back in the 70s 80s and 90s our farmers were doing probably I'd say 30% to 40% of the produce that was grown and sold on Guam was going to DOE. 30 to 40% that's a huge amount, and that was before they were mandated to register as a bonafide farmer. So maybe asking them and having them volunteered to do that would be a better idea.

Bob went over a lot of points that we want to touch on and we will be getting back to you Senator if you allow us to help you with the bill to make it better. I think collectively as a unit at least ANR, the Agricultural Natural Resources, for the extension and outreach service here at the University, we can put our heads together and we can help you with this legislation.

The one thing I do want to go over, and the bill touches, is ag theft. Now for years we've had to deal with ag theft. Any farmer can tell you the worst pest is a two-legged pest, that's the worst pest to have.

Years ago, I'd say back in the early 2000's, one of our older farmers Gabby Guerrero was arrested for protecting his crop. I don't know if you guys remember this but he had a farm. He recently passed away last year, one of our oldest farmers here. He had a farm in Harmon and he was probably losing-- I think he lost a truckload or two truckloads of papaya and that that equates to almost two, three, four thousand dollars. Depending on the price that you can get. So his wife and him were camping out at his farm and just so happened the thief came back and Gabby shot his gun towards the vehicle and it ricocheted. The bullet hit the person and the person went to the hospital and of course if you have a bullet wound the doctor's gonna ask you how the hell did you get shot and he said that he got shot at a farm in Harmon and the cops came and arrested him. Even though he was protecting his crop. So at that time you know at the University-- in fact I think he pled, I think he had to

pay a fine and he pled to probation but even at that time we had problems with ag theft and when we were thinking about what to do at the University we actually came up with the idea of maybe we should register these farmers as mandating to register as a bonafide or a farmer whatever classification but we kind of-- we said no because the last thing that and this is the reason why we said no is a lot of the farmers that I talked to said you know don't have law mandate me to do anything. I can do it myself, and that then we left it at that. And then when this bill came up it was kind of like the same idea I don't know the same intent - actually the same intent but I went back to what we thought about 15 years ago. You know the hesitation of local farmers to come up and follow his mandate and I looked at a law in Hawaii, an ag theft law and I just found it yesterday Senator and I'd love to just to send it to you and your staff but it's actually called an Ownership and Movement Certificate.

So this certificate is based out of the farm. The farmer has two copies. The farmer said someone comes like someone from Payless comes and buys his produce, he has a copy of what he sold, his address, his license, probably his government license, and he gives that same copy to the seller.

So what happens is there's a paper trail without the added mandating of a farmer to join a list and it's a lengthy bill but I'll be more than happy to share with you Senator and maybe we could talk about how we can improve what you have right now.

**Chairman Ridgell:** Thank you Jesse, yes please any recommendations that anyone has testifying today for potential amendments to the bill or anything is open. That's what the public hearing is for, to allow everyone to add any recommendations they have if they have recommendations. So please submit that testimony to us and we can include it in our committee report, excuse me, submit Jesse that legislation and any other recommendation for amendments or as you or Dr. Barber said any other recommendations you may have for what you feel would strengthen or improve the bill or fix the bill or whatever. You're more than welcome to send those and they'll be included in the committee report and they'll be something for the committee to consider.

**Mr. Bamba:** Thank you.

**Chairman Ridgell:** Mr Roland Quitugua, Extension Agent III Cooperative Extension & Outreach University of Guam.

**Mr. Quitugua:** Thank you very much Senator. First off I'd just like to reiterate that the intention of the University is to take a look at this public law and with looking at its intent and it's genuine. Looking at the genuine intent we thought it was really good and our purpose here is not to tear anything down but what we want to do is find a way to strengthen this bill because you know we do have the ear of the farmers and they do come to us and so you know how can we help and service these farmers that are ultimately providing sustenance to you and I? A couple of things that have come about are there are a lot of things that are just all over the table. What Dr. Bob said and Jesse said this, we've thrown

this back and forth at us you know for the past couple of days and what there is is a number of different options. Should we register? Should we mandate registration? Should we make registration voluntary? These are all things to consider, all with positive and negative effects that come along with them. So one of the ideas that came up in discussions was why should a farmer register and would--- and like what Jesse was saying some of them were like well you know we really don't want to have another hurdle to have to deal with but if the Committee and if this bill were to pass and it was to either require registration or make registration voluntary, another option that has floated is one that they do not register at the Department of Agriculture but register with their village mayors.

The logic behind that is that the mayors have a good idea of who their farmers are and as was discussed earlier we also have these small operators or people who are just starting these backyard farmers and the mayors are more in tune with that demographic within their village. The mayors also like the idea that if they have a farmer registry within their village, if other businesses come to them they might be able to link because there is this movement and people want to support the businesses and the micro businesses within their villages. And I don't see why we couldn't work together and all that needs to happen is that those mayors could then forward that listing to the Department of Agriculture. So once again whether or not it's voluntary, whether it's mandated that needs to be discussed.

The second thing is there was the mention of pesticide certification and ensuring that the fruits and vegetables are going to be safe for consumption. The concern that I have here is that when it comes to pesticide use that's under the purview of Guam EPA. And so we need to get Guam EPA at the table when it comes to this component. That is their wheelhouse and currently there are steps to ramp up that training to ensure-- and it's once again this is being driven by the farmers themselves. Bob, Jesse and I get beat up every time we're on the street because the farmers want that training and so we're working with Guam EPA to ensure that we can service the farmers and ensure safe nutritious food to our public. And the one thing that we believe is that the intent of this bill is good but there are a lot of things that still need to be worked out. So what we would also like to propose is that a work group be put together. We need to bring Guam EPA, we need to bring the university of Guam to the table as well as the Farmer's Co-op. Your office Senator and the Department of Agriculture. If anything it'll strengthen this bill and be able for us to identify gaps and find ways to close those gaps. Ultimately, securing our food source and making sure that our food is safe and available and hopefully even more locally produced. Thank you very much Senator.

**Chairman Ridgell:** Thank you Roland and I'm glad that you brought up Guam EPA which I think is one reason why we felt the need for a bona fide farmer registry, otherwise how can Guam EPA regulate backyard farmers if they don't know. If they have a registry, they simply go to the bonafide registry and then go inspect all of their farms but if it's just some guy whose name is not anywhere on any registry it's a little more difficult for them; Guam EPA. But if there's a bona fide farmer registry, the Department of Agriculture can then submit that registry to EPA, then Guam EPA can go out and inspect all those farms and make sure that they're using the proper pesticides. That's some of the reasoning behind this

measure but I do agree with you that it behooves us to work with all of the parties involved including University of Guam and the farmers co-op. So I do intend to work with everyone to see how we can strengthen and improve not just this bill but agriculture overall in general on Guam. So thank you for that Roland.

**Mr. Quitugua:** And if I might add we might want to also bring Public Health into the discussion and the reason why is in the past when Guam EPA has tested for pesticide residue there was a legal issue or more importantly a gap that was identified and that is Guam EPA can regulate what pesticide is being applied onto the crops but once it leaves the vine they then do not have any jurisdiction? And where does Public Health's jurisdiction start? When it reaches the shelf. So there is a gap and we need to close that gap and we need public health at the table for us to figure out how we can once again close that gap to ensure the safety of our fruits and vegetables. Thank you very much Senator.

**Chairman Ridgell:** Thank you Roland I believe John Borja from the Department of Agriculture did want to add something in as it relates to something said by University of Guam so I'm gonna allow Mr Borja. Mr Borja did you have something you wanted to clarify with regards to testimony from UOG?

**Mr. Borja:** Yes Senator I would like to just add on that we are doing a good report with the University of Guam. We work closely with them on several agriculture issues and just to draw the fine line. I'm talking on behalf of the Department of Agriculture as a regulatory agency and with that I basically try to make everything in order for the purpose of accountability. Like I said earlier in my testimony. So we'll work the issues out and see what we can meet halfway and make sure that we ensure that it's gonna benefit the farming community overall thank you Senator.

**Chairman Ridgell:** Thank you John. All right next on the list to provide testimony is Mr Benny San Nicolas.

**Benny San Nicolas, Farmer:** Good morning.

**Chairman Ridgell:** Good morning.

**Mr. San Nicolas:** Thank you Senator for bringing this bill for hearing and I would like to also recognize the other Senators that are present especially Joanne Brown if she's still present because I know that she is very well-versed now with the farmer's issues. I've had the opportunity and the privilege to work with the Southern and Northern Soil and Water Board up at the University of Guam and I would also like to recognize my good people from the University of Guam Bob Barber, Jesse and Roland. I've worked with those good gentlemen for a long time and I have appreciated their good services to the farmers and especially to the Soil and Water Board when I was chairing the board.

So I appreciated all the good help that they're doing and I especially appreciated Bob Barber's comments today. He is speaking, I believe in my opinion, for the best interest for

the farmers of Guam and Senator thank you for bringing this issue to the public and addressing some of the farmer's issues. As you know I've been speaking with you lobbying, with you for over a year to address the Guam farmers issue and I have spoken with you and how we can improve and be better able and you especially as a Senator to be able to pass legislation, to be able for the farmers to be able to be more productive, more sustainable, food security.

So I was addressing all these issues to you. The number one issue that I brought to you was the budget for the Department of Agriculture. It needs to have the appropriate, adequate budget that it needs to function properly because for many years that's a major problem. They are always getting a very insufficient budget that is needed to help the farmers of Guam. That's the one biggest issue.

The other biggest issue which is you know the Department of Agriculture is supposed to be our right arm and so I mentioned to you that one way to really help the farmers is we need to do legislation to create an Agricultural Board similar to the Airport Board, Commercial Board in that level or a caliber and the other thing is which is also going to get into the technical assistance with Bob Barber was mentioned. We used to have what is called technical assistance, we have scientists, we have people from Department of Agriculture, people from the University of Guam, used to be called the Department of Commerce were working now they were really working with the farmers and I appreciate those three gentlemen from the University, what they're saying.

So my take on this legislation is that right now I'm seeing it as a detriment to the farmers. So I will be opposed to this bill because I do not want any legislation policy that is gonna not motivate the farmers to do more work on the field. What it is doing is that's gonna be creating more administrative problems for the farmers you know, So the real problem is the people stealing from the farmers. So now we are going to be requiring the farmers to do these things and are not gonna help the farmers, okay. It's just gonna add more problems to them so the real problem again is I call them resellers that are stealing from the farmers. So we need to look into that and address it right there on the flea market or wherever they're selling it that they have to have those certificate.

Where did they get this? Get it from Benny San Nicolas, come and check did you sell this to Joe? Yes I did or no. But the real issue that needs to be addressed here is how can we really help the farmers? How can we really protect the farms rights? For those that do not know me, one of the things that we did to help the farmer was to form and create what is now known as the Guam Farmers Cooperative to address marketing issues.

So that is being done. The other thing that we did to also help the local farmers is what is called I mentioned before is the Guam Resource Conservation and Development Council and all these organizations were created by the Guam Soil and Water Conservation District Boards. Because all farmers, we're all unified in seeing how we can help the farmers in one way or another.



So please Senator regarding Bob Barber's recommendation I support that recommendation very much and we need to see how we can be more helpful to the farmer and not give them more requirements. And again the reason for the bona fide farmer that Bob made thoughts on earlier was the main reason the bonafide farmer came about because of-- back after typhoons farmer we lobbied the legislature to appropriate money so that the farmers could have at least seen monies for their lost crops. So back then they were given something like a few hundred dollars or so and five hundred thousand was not enough or because there's so many farmers that came in claiming to be farmers. So they said okay you need to be a qualified farmer to receive compensation for after the disaster.

Then the other reason is for water rates. Those are incentives to help the farmers but this one is not going to help the farmer the way it's written. So I am opposed to it but the intent is good. Farmers should be bonafide, they should be registered as bonafide farmers. I'd like to also recommend that--- I'm a bonafide farmer you know, I should not have to be required to re-register every year you know. Just like teachers, professors are teaching every year but they're not required to register that they're a school teacher every year. I retire as a school teacher and I was not required to register as a school teacher every year but now as a farmer I have to register here that I'm bonafide for what I would like to recommend in that and the bonafide farming issue is that once I'm certified as a bonafide farmer I will continue to have that modified farmer identity and until I say I retired as a farmer or the agency proves to me or anybody that I'm no longer actively farming. So that will be my recommendation and let's help the farmer be more productive and spend more time on the field.

I'm fortunate I'm here to speak like this. This is taking time away from the field but this is very important and very few of us have this opportunity. I'm privileged to sit before you and agencies to deal with this legislative issue is very important. I was also very fortunate to have had the opportunity to be a board member with the Southern Soil Water Conservation District Board. I spent many years doing that with the intent and helping the farmers be able to be more productive protecting the soil and water. It's a very good organization and very good people in there so please Senator I would like for you to really spend more time with us and deliberating on this and with Bob Barber, Jesse, John Borja these are very good people that are in there that are really I believe they have the interest or the best interest for the farmers of Guam. So with that senator that's all I will say for now and thank you for the opportunity.

**Chairman Ridgell:** Thank you Mr. San Nicolas for your testimony and yes I do look forward to working with you more as we continue to work on agricultural issues just for the record I know you mentioned you brought up one of your issues of concern is a board for the Department of Agriculture or Commission for the Department of Agriculture my understanding is that currently exists in Guam law if I'm not mistaken that's already an existing law that requires it so it's now just a matter of having that board filled by people so I believe there is an existing law that requires it I think it's just probably never been filled for a while so I will be reaching out to the governor's office because I believe the

positions are appointed by the governor so I'll be reaching out to her and whoever else may be involved with the appointing positions to the board to ensure that the that the law is met.

**Mr. San Nicolas:** Senator I'm aware of that Agricultural Board of Commissioners but in my opinion that is just an advisory board it's not a board so that's why I'm saying earlier that it has to have the same caliber or the same authority as any other good boards like the airport, commercial board they need to have that authority not an advisory board to the director.

**Chairman Ridgell:** I see okay. Thank you Mr. San Nicolas.

**Mr. San Nicolas:** Thank you too.

**Chairman Ridgell:** Next on the list for testimony is Jessica Nangauta. I'm not sure if I see Jessica online. I don't believe Jessica if you are there please chime in but I don't think I see you in the gallery here so I will move on now to Mr Ernie Wusstig if you are there. I also do not see Mr Ernie Wusstig but if you are there please chime in. I don't see you in the gallery here so I'll move on to the next person we have on the list and that is Ursula Herrera.

Hello Ursula I can't I don't hear you right now could you make sure that your volume is turned up hello Ursula I am still not hearing you right now all right Ursula will go on to the next person while you figure out the issues you're having the technical issues oh there okay.

**Ursula Herrera:** *Hafa adai*, sorry about that can you hear me okay?

**Chairman Ridgell:** Yes I can hear you now.

**Ms. Herrera:** Okay *Hafa Adai Si Yu'us Må'ase* Senator for introducing this bill and Madam Vice Speaker and *Hafa Adai Todus Hamyo Manana si Yu'us* 36th Guam Legislature. I would like to start by saying that I am an employee of the Department of Agriculture but I will be speaking as a private citizen. I am, for the record, my name is Ursula Herrera and I am a traditional medicinal apprentice. I am also the owner of a farm to face brand company called Cham Glam Botanica. I harvest and I pick medicine and produce *achote* around our jungles around our island.

Some areas that I do pick from are near farms right and I'm very conscious of the farming practices that they may employ and conscious of the downdraft drift or possible runoff or pesticide use. So I'm always mindful of what I gather and where I gather it from because I am afraid of the legal uses of pesticide and other farming practices that might taint the plants and the medicine that I use. We entrust our regulatory agencies to oversee ensuring that our farmers are compliant in their use of pesticides like this bill is proposing. We entrust our regulatory agencies to ensure that we have safe produce and that our farmers have knowledge of responsible pesticide use and thus contributing to our island's economy with their produce sales and we want to ensure that legitimate farming operations are

registered so that we can entrust our island's health and environmental safeguards and practices are in place. This is going to make sure that not only our foods are safe but our surrounding homes and the surrounding amot is very safe and important to us. In our interactions and the farmers that graciously invite me to pick on their land I feel secure about their farming practices. I feel confident because I know that they are bonafide. In these interactions I also hear so much about how they were stolen from and how distraught and heartbreaking it is and the culprit is never caught. And this is their life as a farmer today. It's heartbreaking to hear that this is their hard work and it's being resold for cheaper prices, right, by a person that didn't do the hard work involved in this growth and we see in this and what we see in our markets daily.

Our farmers are losing money from these thefts but they're also competing with unrealistic low prices created by it. I'm speaking in support of public Bill 63-36 (LS). These new amendments are going to require modified farmers licenses in order to sell any produce that may greatly reduce our island's theft problem since these thieves won't be able to obtain these licenses that are only for certified farmers. This bill will stop the thieves but it also will stop vendors from purchasing stolen goods and looking through these proposed amendments this is very important to me because these are hardworking--- they are working so hard to feed our community and we have to do something to protect their livelihoods. Thank you so much *Si Yu'us Mā'ase Para i Tiempon-Miyu*.

**Chairman Ridgell:** Thank you Ursula. Just to clarify, are you providing testimony as an employee of the Department of Agriculture?

**Ms. Herrera:** As a private citizen.

**Chairman Ridgell:** Okay thank you. Next on the list is Chen Kuan-Ju Assistant, excuse me if I mispronounce your name I apologize, Assistant Professor of Agricultural Economics at the Cooperative Extension and Outreach Division of the University of Guam or program of the university of Guam.

**Chen Kuan-Ju, Assistant Professor of Agricultural Economics - Cooperative Extension and Outreach, University of Guam:** Thank you Senator so this is Kuan, Chen from UOG. I'm the Assistant Professor of Agricultural Economics. So basically I just second my college Dr. Bob Barber, Jesse Bamba and Roland for their points and also just there for myself I am speaking for my minority group. So also try to just share for inclusive parts the island still-- we still have some-- for our farmers group so I just say the those are bonafide farmer bonafide certificate also the pesticide training will be really helpful and beyond the UOG we try to help best including the other groups as well. Thank you Senator.

**Chairman Ridgell:** Thank you and the only other person I see on our sign-in sheet currently is Gina Campos but I don't see her online right now unless she did join us recently. I don't see her online so instead I'd like to ask is anyone else here to testify on Bill 63?

**Marcus Cepeda, Farmer - Bohemian Grove Garden:** I would like to.

**Chairman Ridgell:** Hafa adai Mr. Cepeda.

**Mr. Cepeda:** Good morning, John Borja invited me to the Zoom meeting late afternoon yesterday ---

**Chairman Ridgell:** Excuse me, but could you please give us your name for the record before you begin your testimony. Thank you.

**Mr. Cepeda:** Sure my name is Marcus Cepeda and I represent Bohemian Grove Garden. I'm an urban farmer in the heart of the city of Harmon Dededo. I'm setting up a grove for people to come and relax, more like a garden similar to different concepts in southeast Asia. There's many. This is just a small area but I think this could draw a lot of cultivators that are interested in sharing their ideas similar to the chefs association. I would relate it to-- I was also a Vice President of GHRA, we would meet and share ideas, share different systems and concepts.

Well anyways that's a little bit about what I'm doing currently. My background is I'm a food and beverage professional, hospitality. Just got into agriculture cultivation a little bit over a year ago. I've been doing the cultivation of tropical plants, ornamental plants, specialty crops. So several comments that I have about the bill just going to be brief is the security and the certification of the bill, listening to testimonies and what also what Mr Borja explained to me that's what I want to make a few comments.

One is does this cover the security does it cover for ornamental plant cultivators? Would be covered as somebody steals my crop? I have about 700 plants. It's taken me three four months to cultivate from a clipping, from a seedling. Would I be protected under this bill because they are not crops, they're not edible crops?

Second the security along with certification being a food and beverage professional, we would have to abide by public health standards, ABC standards which we have to follow certain regulations. For example meat has to be USDA certified. With crops that are being sold is there any type of certification that the bill would require, such as a farmer having a wash area, like staging areas, a drying area, refrigeration, proper storage containers, to deliver to the customers?

So I think that I would have questions about being a food and beverage professional. What am I getting? Is there a label that is going to be placed on the container or the transportation box that the products are being boxed in? On that label what is it required for that label to have? Was it pesticides? What type of soil was it grown in?

Just in case you may have something going wrong just like in the food and beverage business when you serve a bad meal, let's say for example chicken where we may have botulism where it gets people sick, public health comes in they investigate, they find the source of the problem and they you know they can kind of backtrack and see you know

what happened how it happened. So that would be one of the comments I would have, several of the comments I would have.

Security, I believe Jesse mentioned something about the farmer he was protecting his assets, again in the food and beverage industry we always have to protect our assets security is very important. Now what would happen if for example that if you are making--- apprehending somebody that is breaking into your farm, your grove, and you apprehend them and there is physical force? Just curious I mean I had several mopeds stolen from my guest house in Tumon and the perpetrators came back to steal more and I could have apprehended them but I wasn't sure whether if I did--- because I'm a much bigger man than these two that were trying to steal my mopeds you know if I would have hurt him I didn't want to be in trouble but it's kind of a gray area there when I did call the police the police came later and I asked them to go well you know we don't want you apprehending anybody because you could be arrested and that didn't make any sense so just wanted to make a comment about that.

In addition to my testimony just something real simple real quick I'm using off-grid systems like for example I don't have utilities, I don't have municipal water I bring in my own water, I capture rainwater, I water my plants. I think this would be something that perhaps the agriculture department would consider offering grants for because we don't have utilities everywhere in Guam and if in--- and bringing in utilities infrastructure is very expensive I also do business development and it takes time, takes a lot of money to do.

So what if we come up or the authorities, the professionals come up with a system where you capture water in reservoirs and then you have a transportation system, whether it's trucks, and you transport it to different reservoirs where the farmers can use for water. And this is very common in in southeast Asia and Thailand and china places that I visit and I've seen it for myself and that way you're actually saving money than paying municipal water which has a lot of additives chlorine and other chemicals in it here you're capturing water, natural rainwater and storing it and then transporting it to other facilities, which perhaps there could be some grant money for setting up these type of systems. I've looked into them and using solar power and other types of equipment that doesn't really cost a lot of money to have water available between a thousand, two thousand gallons so that's all I have. Thank you.

**Chairman Ridgell:** Thank you, Mr. Cepeda. Just I'd like to note something, for the record. Roland Santos who testified earlier. I did mention that he was from Farm to Table Guam but he would like to clarify that he was speaking as a private citizen and not necessarily on behalf of the organization. And then, with that, if I could get the one final clarification from Mr. Cepeda, who just completed his testimony. Just to be clear, for the record, are you in support of the measure or are you --- what is your testimony on the measure?

**Mr. Cepeda:** Yeah, I am in support, definitely.

**Chairman Ridgell:** Okay, thank you, Mr. Cepeda.

**Mr. Cepeda:** You're welcome.

**Chairman Ridgell:** All right. Is anyone else here to testify on Bill 63? I'm looking around. I don't have anyone else on my sign-in sheet but I am looking around the gallery for if I see anyone else, here. Please speak up if you're here. Okay, I see Chris Rosario. Are you here to testify on Bill 63?

**Mr. Chris Rosario:** Yes, I can testify. Or at least put a little bit of some comments to it. So, just on the record, my name is Christopher Rosario. Thank you for having me, today. I would like to testify in support in hopes that we could actually strengthen this bill. Even as a beekeeper or part of the Guam Beekeepers Association, we would like the support in the bill so that we can --- in hopes that we can strengthen the bill moving forward. Because we also want to be part of helping the farmers, as well. These are kind of --- in this whole aspect of farming, especially there's urban aquaculture, like was mentioned earlier, or urban farming but there's also urban beekeeping and we also want to be able to, again, be part of this. We would serve as a huge component, again, and so that's kind of all the comments that I have for this bill.

**Chairman Ridgell:** Okay, thank you. So are you in favor of the measure?

**Mr. Rosario:** Yes, in hopes that we could actually do strengthen this bill.

**Chairman Ridgell:** Okay. Please provide if you have any specific comments or recommendations for how to strengthen it. If you could provide that to us, you still have opportunity to submit that in writing if it's easier to put it together in writing. Submit that to the Committee, in writing. any recommendations.

**Mr. Rosario:** Yes, actually I would like to do that in writing. Thank you.

**Chairman Ridgell:** Okay, no problem. I see Mr. Dennis Larson. Are you also here to testify on the bill? Please take your device off of mute. There should be a microphone symbol, the left-hand portion somewhere of your screen.

**Mr. Dennis Larson, Owner and Operator – Raw 671 Honey Farms:** How about now? Can you hear me now?

**Chairman Ridgell:** I can hear you now. Thank you. Go ahead and proceed, Mr. Larson, and please introduce yourself and if you're representing any organization or if you're representing yourself as a private citizen, for the record.

**Mr. Larson:** My name is Dennis R. Larson. I'm the owner and operator of Raw 671 Honey Farms here in Barrigada. I'm actually standing in my farm. Give you a little bit of a view of some of the different beehives that we have, here, and what we got going on in Barrigada. I think Mr. Rosario pretty much covered --- I'd like to testify on behalf as a businessman. I actually have a bona fide farmer certificate. I own and operate over 21 different beehives

around the island. So very much in support of the measure. I think protecting the farmers is very important. But I think there also has to be some stipulations in this bill regarding beekeepers because of, you know, the way our product comes out, the fact that it doesn't spoil, you know, there's different things. There's a lot of up-and-coming beekeepers on island but there are also a lot of established beekeepers on island who already have the amount of hives that it requires to be an actual apiary and then we are also working in the industry. I sell my honey right alongside of Ernie Wusstig on Route 16. He trades me honey for corn. Ernie doesn't have to label every single piece of corn that he sells. You see what I'm getting at? So yeah, there's some ways, I think, this thing can be tweaked to help the beekeepers but also the beekeepers' association. I'm also on the board of that organization with Mr. Rosario and some other fine people and the mission is strong. The statement is strong and I would hope that you would allow us some interjection of some different things that need to be tweaked on this particular bill to help the farmers. We're actually an up-and-coming part of the farming industry here in Guam and without these little characters, right here, none of it's going to happen at all. No crops. Nothing. So take care of your beekeepers. And that's it. Thank you for your time, today.

**Chairman Ridgell:** Thank you, Mr. Larson. I appreciate the testimony. And yes, again, if you and Mr. Rosario have specific things you'd like to recommend to the committee, you'll have time to submit that in writing. At the end of the hearing, I will mention how many days we allow for testimony to be submitted in writing after today's hearing.

**Mr. Larson:** Thank you for your good work. On all of the farming. Very good. Thank you.

**Chairman Ridgell:** I appreciate it. And just also, for the record, I'd like to note that I am working on some honey legislation that I think may address some of the issues you just sort of mentioned but I will meet with you guys. That's a separate piece of legislation that I'd like to meet with you guys about at another time. But, yes, I am working on some honey legislation.

**Mr. Larson:** Without these bees, we would have been crushed during this pandemic. My wife and I. Our business was at zero. It was the bees that kept us going. So that's something to think about.

**Chairman Ridgell:** That's good to hear. That's good to know. Thank you, Mr. Larson. I see a Rod G. Are you here to testify on the measure? If you are, please turn on your camera and turn on your microphone. Mr. Rod G. If not, I will move on. Is anyone else here to testify on Bill 63? Please chime in if you're here to testify on Bill 63. Going once. Going twice. Sold. All right. So we're going to move on. I'm going to allow members of --- my colleagues the opportunity to ask any questions they may have and I will begin. First, I'm just going to go down how I see everyone sort of lined up in my gallery view, here. So, I'll begin with Senator Tony. Sorry. Let me allow my Vice Chair, forgive me, Vice Speaker Tina Rose Muña Barnes.

**Vice Speaker Tina Rose Muña-Barnes:** Si Yu'os ma'åse', Mr. Chair. Thank you for allowing me to be the co-sponsor with you on this Bill 63-36 and I want to thank all the farms and the University and all of you, my colleagues for being here this morning, as I see that it's important. If I may, Mr. Chair, just based on a lot of the presentations, I have a couple of questions to ask and maybe I'll ask it in a three-part and then I'd like to give a comment to you, Mr. Chair, as you and I had the opportunity to visit Taiwan, last term. So if I may, I think this first question I'd like to ask the Department of Agriculture. Are farmers to determine by size and restrictions?

**Director Muña-Brecht:** To be a bone fide farmer, there are no size restrictions. The size restriction or size requirements or plant number of plant requirements is for the purpose of the agricultural water rate program but the requirements for a bona fide certificate do not mandate any size or production requirements.

**Vice Speaker Muña-Barnes:** As you talk about that being there's no restrictions there and you talk about that public law, maybe Public Law 22-64 or 5 GCA §5008.1 procurement law can that be amended in a separate from this law based on the presentation?

**Director Muña-Brecht:** Yes. So Dr. Barber brought up the 22-64 for the residency requirements or US citizen requirements and I think that could be amended at the same time as adding the section for a bona fide subsistence farmer. Because you can tackle it at one time. I do agree with Dr. Barber that the procurement section requires some updating and overhauling and we'd be happy to do that with them in conjunction with the legislature. But I still think that we could do that separate from this bill. I think there's a misunderstanding that to be a bona fide farmer requires some lengthy reporting and all of that but it's the application that you fill out when you want to become a farmer. It's one form. Well, it's a couple of pages but it's where you specify what you're growing and if you're growing nothing, you can kind of specify that, too. When I first started raising chickens, I filled out that application and I had no trees to put, no other crops. I wasn't seeking an agricultural water rate. So I didn't have to identify all of that. And the reporting that's required for the bona fide certificate is every six months. You report to the Department of Agriculture what you're doing, what your crops have been, that also helps in the purposes of theft. So if someone is saying that they grew 2,200 lbs. of bananas and it's never been identified on their bona fide reporting that they were growing bananas, then how did you come into these bananas? And if you're not a bona fide farmer, then that's the same question. How did you come into these bananas? At the same time, as a regulatory agency, we wouldn't really have the authority to further that investigation if someone isn't bona fide, basically we can't see them. We can't identify them. That's what allows businesses to operate under the radar, under the regulatory mandates of Department of Agriculture and EPA. And it's actually with EPA. We did speak with them about this and they are in support of it. But I'm not testifying to that on their behalf. Today is a funeral of the person who actually conducts these regulatory inspections --- Mr. Betwin Alokoo --- and he regularly would go out with John. They'd conduct surprise inspections on farms. But EPA does that with us because they can't identify the farms, otherwise.



**Vice Speaker Muña-Barnes:** I really appreciate that presentation, Mr. Chair. Maybe I can ask the Department of Ag another questions. Can farmers receive crop-loss compensation if they're not registered as a bona fide farmer?

**Director Muña-Brecht:** No, they cannot. They need to be registered as a bona fide farmer before the natural act occurs in order to receive crop compensation and they also have to retain their financial records and receipts in order to validate their losses. But that would be the same requirement for USDA reporting.

**Vice Speaker Muña-Barnes:** So how can we verify that farmers are operating legally and in a healthy manner if they're not bona fide and maybe I know that working closely with the oversight chair, one of the reasons why this bill was introduced, at least from my perspective, was because we wanted to make sure that we continue to hear the farmers. We continue to hear their issues and concerns but wanted to make sure that if there was anything out there, especially as it related to crops that are lost. And if they're not registered, how do you do that verification process? I needed to ask this question because that was one of the reasons why I felt compelled to work closely with you and be your co-sponsor on this measure. Because I wanted to make sure that if there was an opportunity for us to move forward and then also, I know that when it comes to grant funding, that that data is everything. And if we have an opportunity to work closely with the farmers to look at their crops, compiled what is being sold, what is being grown, what is really being transacted, then there's an opportunity for us to look at a bigger scale and I must say that when you and I visited Taipei to look at the agriculture industry, that was one of the main things that you and I asked for. The farmers there are associated with what they call a co-op and they were able to pull together their crops to meet the growing demand of now just the Taiwan market but a bigger international market. And that the reporting and tracking of the agricultural crops were so sophisticated in Taiwan that they construct the quality and the farm where products came from to ensure things like organic practices. So, I wanted to share with the farmers here that farmers can benefit from research to increase the yields and develop the highest quality produce possible. So I share this with you, Mr. Chair, and to everybody here because it's really important that if we can compile this. We have seen great success in an island nation that we visited last term and we said if Guam could emulate something close to this --- and I know there was like four or five of us that had gone --- that we could probably literally track and look for bigger opportunities to even have that kind of collaboration. Because that's something that was missing and Taiwan had shared with us that data was really, really important. And making sure that the listing of farmers so that they can tell what products they had if they needed something. If they wanted to share something and something that we can work with. Also, on the bigger scale with our Micronesian brothers and sisters or anyone in the Blue Continent that, Mr. Chair, you and I are working for. So I know I'm long-winded but I think this is really important and that's why I asked based on what's already in public law that's existing. I asked Department of Agriculture to see if there was anything that we could do separate from what this bill is doing. And then literally half the farmers look at something because I don't want to have an objection and know that the intent wasn't where it was going to go. And I know that UOG shares these concerns about this bill and I'm wanting the farmers to see that

bigger picture of where, at least, my perspective was and how I thought that if we at least had a list. We didn't ask for payments because I know BBMR brought that up in the fiscal note about is there going to be a registry, is there going to be a fee, is there going to be a recording and then that can be all worked out. Mr. Chair but I thought that this was really valid to make sure that if we move forward or when we move forward, that we address everything and this was part of the concern and the bigger picture of me being co-sponsor with you on this. So thank you, Mr. Chair, and thank you, Department of Agriculture and for sharing your answers to me but, more importantly, to all the farmers out there, thank you for staying close. Our doors are always open and I'm really glad that the chair has given me the opportunity to work closely with him. As we see the need for all the farmers to be geared up to the level that they need to be because the resources are needed. The money is needed. But in order for us to ascertain resources, we need data and that's what's something I think we don't have automatically or in detail. Thank you, Mr. Chair.

**Chairman Ridgell:** Thank you, Vice Speaker. Chelsa, did you have something you wanted to add? I saw you raise your hand.

**Director Muña-Brecht:** Yes, thank you, sir. I wanted to add that I do agree about incentives. We definitely want to incentivize the process. I do believe that we have several hundred farmers on island who are already registered bona fide. So this is not an impediment to those, especially the larger commercial once who are operating. If anything, once we advertise the grant opportunity that we're offering through our agency, we had a run on people coming to register as bona fide farmers. The purpose of this bill, which I stated earlier in my testimony, is as a regulatory agency, we had people coming in complaining about being undercut by those who are operating in a sort of underground market or underground farming opportunity and also those who were concerned about knowing what people are putting onto their produce. And if they're not bona fide, we have no authority to go and inspect them and this helps us operate in conjunction with the US EPA or with Guam EPA to do that. But, yes, incentives absolutely work and we want to create like a bona fide certificate and like a sticker that says, you know, this farmer is they're bona fide and then create that sort of branding and labelling like the buy local and so that it incentivizes farmers to want to participate if that's what's being recognized commercially. But, again, this bill is for the purposes of us as a regulatory agency. It'll allow us to have more enforcement

**Chairman Ridgell:** Thank you, Chelsa. Senator Tony Ada?

**Senator Ada:** Thank you, Mr. Chairman. I probably just have one question for Director Muña-Brecht. Good morning, Chelsea. How are you doing?

**Director Muña-Brecht:** Good morning, Senator Ada.

**Senator Ada:** Do you see Bill 63 applying as well to cannabis farmers?

**Director Muña-Brecht:** Yes, I believe that's part of the cannabis laws that cannabis farmers are required to register with the Department of Agriculture.

**Senator Ada:** And then they'll also be coming or signing up as a bona fide farmer, grower.

**Director Muña-Brecht:** Yes, although their record --- their reporting requirements are a little bit stricter than every six months.

**Senator Ada:** I just wanted to clarify that and thank you, Mr. Chair. That's the only question I had.

**Chairman Ridgell:** Yes, I might add that the regulations for cannabis cultivation are a lot more strict than any other form of produce. There's been regulations as to the pesticides and even the types of things they can --- fertilizers, they can use to grow it, etc. So yes, it's definitely going to be well-regulated. Thank you, Senator Ada.

**Senator Ada:** Thank you, sir.

**Chairman Ridgell:** Senator Taitague?

**Senator Telo T. Taitague:** Si Yu'os ma'åse', Mr. Chair, for the opportunity and I'd like to thank you for continuing on with your endeavor on helping our farmers. They've been calling out for assistance from us for many years, now, and I think the delay on bureaucracy is probably an issue. And I understand what the University of Guam is saying but I just think that we need to do something now and not wait for another task force or another board meeting or another conference that needs to be made. These individuals, these farmers need help now and today. So Mr. Bamba, you mentioned earlier in your testimony that you'd spoken to farmers and you kind of mentioned it was a while ago. You know, a while back, times have changed quite substantially. There are more crimes being committed not just for farmers but all around you. In an epidemic, a drug epidemic, that are now moving more toward farmers these days. So how long ago was it that you've had a group of farmers get together to discuss this legislation?

**Mr. Bamba:** I talked --- to give you some background, we just started talking about this legislation maybe a week and a half ago. But to give you some background, also, we just recently did a survey of about 12 farmers this year. Me and Dr. Quan. We also did a survey before the pandemic and during the 2020 pandemic. We saw a spoke of theft in the ag products and that's probably you know, it didn't shock us but that was one of the con --- that was a top two concern. The second concern that the 12 farmers had addressed the year before, that it was pretty much the same top three problems that we have in farming. One is AG labor, marketing and also institutional knowledge which would be like agencies being able to help our farmers. As far as theft goes, I talked to about four farmers, was about a week and a half ago and it was directly for --- I didn't even read the bill. I just read the bill like a week ago. So they discussed their concerns with what they thought was wrong with the bill and how they could make it better.

**Senator Taitague:** I appreciate that, Jesse. And some of the comments that you made earlier. I, too, believe that there are some parts in this legislation that could be added to some amendments like to include what Mr. Cepeda was talking about on plants and flowers. I know, Mr. Chair, you're looking at incorporating the bees, as well, but maybe we can even make it stronger and put the farmers that farm honey for bees in this legislation in the definition on that. I'd like to thank Mr. San Nicolas, Benny, for being a bona fide farmer for being a part of this regulatory --- it's been a bit of a nightmare for agriculture. Even EPA or Public Health, to be able to monitor these farmers and to ensure that it's safe on the products they're using on their plants. It's important to monitor them and it begins, first, with registering and that's the main goal. So its twofold, here, in being bona fide farmers on the registration, on the safety and protection of the plan as well as the. Okay, that caught me off guard, lost my train of thought. But as well as the protection of the farmers' crops, so it's twofold. So I really appreciate it, Benny, that you are and I hope it encourages all farmers to be bona fide farmers and register. So, Chelsa, my question is on the registration, to be a registered farmer, I know you noted it's every six months where they check in but is the registration fee a one-time assessment or is it an annual requirement?

**Director Muña-Brecht:** Senator Taitague. Thank you for the question. And before I forget, I wanted to thank you for the statements you made during the public hearing for 62 --- I mean for the session on Public Bill 62-36. I just watched it and I just wanted to thank you for the comments you made. It reminded me when I saw you, right now. But there's no fee attached to this registration. There's no fee for the reporting. There's no fee at all to the farmer.

**Senator Taitague:** Excellent. That's very good to hear. I appreciate that, too, and I was thinking of putting that in the bill but since there's no fee. Everything we can do to support them. So other than that, Mr. Chair, I think I really don't have any more questions. I truly support this legislation. It goes in hand with the first bill that was introduced and I'm sure there's a third one following suit. I think we need to do this, right now. We can't sit around and have, like I said, conferences or board meetings. This is very simple. If you want to sell your produce, if you want to sell your product, whether it's plants, flowers, honey, bananas, whatever you want to sell, then like everybody who sells anything, they have to file their taxes and have to file for a business license. This simply allows this process to take place so that vendors who do sell your products will also know that they're purchasing this from a bona fide farmer. I think everybody in this community wants to see our farmers grown and continue that legacy of farming on this island. Also, to Ursula, thank you so much. You're one of a kind and especially when you're looking at medicinal herbs and plants for healing. I encourage you to keep moving forward and please lift the next generation up because the suruhānu are almost gone from this island and these plants are very important. So, again, thank you, Mr. Chair, for the opportunity and thank you, everybody here testifying.

**Chairman Ridgell:** Thank you, Senator Taitague. I would just like to note, again, for the record. Let me go ahead and read into record the definition of bona fide farmer, just so it's clear what the current definition is. A bona fide farmer means a person who is registered with the Department of Agriculture and grows for commercial purposes fruits, vegetables, ornamental plants, livestock, aquacultural products or similar products. So, yes, we could probably add in, perhaps, honey and some other things as we see needed. But it definitely does cover --- currently covers ornamental plants, fruits, vegetables, livestock and aquacultural products. Now, the term "similar products" is a little bit gray, you know. What is a similar product? You could argue it. So where needed, we can add in specific things if it's necessary to strengthen the definition. I'd like to allow for --- let's see who else is on? Senator Mary Torres? Are you still there?

**Senator Mary Camacho Torres:** Yes, I am, Mr. Chair. Sorry. I just wanted to, first of all, thank everyone for this very thorough discussion on the matter. I started out with many questions, many of which were addressed by the various participants, today. But I wanted to note, though, that what impressed me a great deal is the testimony by the University of Guam because with every legislation, there is an effect on broader policy and I think that the mention of Public Law 22-64 and Chapter 68 of Title V was a critical component of that residual part of what these types of policies have on the farmers. But I would like to ask, Mr. Chair, that when you do have your working meetings, that we also have the privilege of, maybe, joining in for the discussion just to understand the breadth of this matter. Because it's quite fascinating and I think it's so practical and relevant and the better we are at getting it right, the better we will be for our farmers. So I think that the discussion is great and I mostly look forward to the further discussion with the University of Guam, with EPA and with Agriculture on this bill but I don't have any specific questions. Because I actually have a million questions. But thank you, so much, to everyone for your participation, today.

**Chairman Ridgell:** Thank you, Senator Torres. Let me see. I'm just scanning the gallery to see if any of my other colleagues are on. I believe that does it for the senators. So I will wrap this up with my questions, now. I do have a question for Mr. Borja if you are still there. Mr. John Borja?

**Mr. Borja:** Yes, I am, Senator.

**Chairman Ridgell:** Mr. John Borja. You currently work with a lot of farmers, correct? You go out and --- I've been told, by farmers, that you do go out and talk to some of the farmers and talk to some of the farmer and especially the ones who are bona fide. Can you tell me, have you spoken to any of the farmers that you deal with about this bill? And what are their thoughts on the bill? What kind of feedback have you received, personally?

**Mr. Borja:** Oh, yes, sir. Yes, Mr. Chairman. Yes, I am, in fact, a 24-hour liaison to farmers. I speak with them after hours at different locations, different events, and they always pull my ear to hear about their situation and how we can help them out. With this bill, itself, I did speak to 14 farmers and they were all in agreement regarding to have the commercial

farmers to be registered as bona fide farmers. One part of it because of the competitive arena that they're in, not knowing who's the other farmers supplying the markets and whatnot. But the main concern is the safety of the produce going to the markets and that the largest scale farmers are out doing the smaller scale farmers so there's a lot of concerns. Now, they're looking at other stuff to do. Maybe going to possibly other farm ventures or partnership with others to get a bigger farm impact or a footprint on their part of their business as farmers. But, yes, Senator, I do have a list with the contact numbers and I'll forward that to your office and you can confirm with them that I personally spoke with them and they relayed their concerns regarding this bill --- in favor of the bill. So I'm there for the farmers, there for them 24-hours a day, 365 days a year.

**Chairman Ridgell:** Please submit that list to the Committee and then we can contact them and ask them for their testimony to officially get testimony from them on the bill and then we can add it --- include it in the committee report and include it in the record. Thank you, Mr. Borja.

**Mr. Borja:** You're welcome.

**Chairman Ridgell:** All right. This concludes our discussion on Bill No. 63-36. We will now recess for five minutes before we proceed with discussions on Bill No. 48-36. But first please allow me to thank everyone for your participation: The Department of Agriculture; the members of the University of Guam Cooperative Extension Program; all of the farmers who showed up to testify, all the organizations who showed up to testify, today. I really appreciate it. All of your feedback matters. All of your feedback helps us to craft a better bill and helps us to craft a better bill and helps us. Ultimately, I think we all have the same goals, here, and that is to improve the agricultural industry on Guam. So thank you, everyone, for your participation, today. With that, we will recess for five minutes and then we will resume with discussions on Bill No. 48-36. Thank you.

...

That will conclude this portion of this morning's public hearing. The Committee will continue to accept written statements on today's hearing within ten business days from today, written testimony may be mailed to my office at 238 Archbishop Flores Street, Suite 906 at the DNA Building in Hagåtña. You may also send your statements to us at [clyntridgell@guamlegislature.org](mailto:clyntridgell@guamlegislature.org), or you can send it by fax to 475-4768. Thank you all for your participation this morning.

The public hearing was adjourned at **10:58 am**.

### III. FINDINGS & RECOMMENDATIONS

The Committee finds that while the intent of the bill is to regulate the sales of produce to private entities, similar to the current statute for procurement by government entities to be restricted to farmers who are registered with the Department of Agriculture as bona fide farmers who are engaged in commercial activity, as defined in statute (Ref: § 63801(b), Article 8, Chapter 63, Title 5 GCA), farmers are not necessarily opposed to the intent of

Bill No. 63-36 (LS) but with particular provisions of the current rules and regulations governing the bona fide registration process.

The Committee further finds that most stakeholders who have submitted written testimony, presented oral testimony, or made direct contact by phone support passage of the bill.

The Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts hereby reports out Bill No. 63-36 (LS) with the recommendation **TO DO PASS**.

***I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN***  
**2021 (FIRST) Regular Session**

**Bill No. 63-36 (LS)**

Introduced by:

Clynton E. Ridgell  
Tina Rose Muña Barnes



**AN ACT TO AMEND § 68101 OF CHAPTER 68, TITLE 5,  
GUAM CODE ANNOTATED, RELATIVE TO  
REQUIRING FARMERS TO BE CERTIFIED AS BONA  
FIDE FARMERS TO SELL LOCALLY GROWN  
PRODUCE OR AQUACULTURE PRODUCTS AND TO  
SUSPEND OR REVOKE BUSINESS LICENSES FROM  
COMPANIES FOUND IN VIOLATION.**

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

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that a robust registry of local farmers will give the Department of Agriculture the best opportunity to provide these producers with the resources they need. By mandating this registry for all farmers, we ensure the best chance of matching local government agencies to the producers they need as mandated under Public Law 23-18. This means the government would finally be taking the steps to be a driving force in creating demand for local produce.

*I Liheslaturan Guåhan* further finds that this registry will be helpful in a variety of ways beyond the government procurement of local products. This additional oversight by the Department provides the government another tool to prevent agricultural theft. By mandating a registry, we create a barrier for thieves to



1 steal agricultural products and getting rid of the evidence through sale. This prevents  
2 stolen goods from entering Guam's local agricultural market.

3 Several government agencies, such as Guam's Soil and Water Conservation  
4 Districts and both the local and federal Departments of Agriculture will be able to  
5 use this registry to provide government resources and services to those providing  
6 food to our communities. Trainings, grant funding, and other programs can be  
7 developed and disseminated with the help of a registry of local farmers. Furthermore,  
8 Bona Fide certification ensures that all Guam farmers selling agricultural products  
9 are trained and are bound to pesticide regulations to ensure that farmers have the  
10 tools to provide a quality product that is safe for consumption by the people of Guam.

11 Lastly, registering all local agricultural and aquacultural producers with the  
12 Department of Agriculture allows the Department to handle all necessary oversight  
13 and regulation for both government and private business consumption of local  
14 produce.

15 Therefore, it is the intent of *i Liheslaturan Guåhan* to mandate the registry of  
16 local farmers and develop penalties for those businesses working with unregistered  
17 farmers, leaving more room for opportunity and assistance for these agricultural  
18 producers. With the increased registry, the Department can keep track of the growth  
19 of this industry that is so vital to the food security and the economy of our island  
20 community.

21 **Section 2.** § 68101 of Chapter 68, Title 5, Guam Code Annotated, is *amended*  
22 to read:

23 **“§ 68101. Procurement of Local Produce from Local Farmers and Fish**  
24 **from Local Fishermen.**

25 The Department of Agriculture shall, on a continuing basis, make every effort  
26 to ensure that the crops of the farmers and the fish products of the fishermen of Guam  
27 are first procured by agencies of the government, such as Department of Education,

1 Department of Youth Affairs, Department of Corrections, the Guam Memorial  
2 Hospital, and the Government House, unless the farmer or fisherman has made  
3 previous arrangements for sale to other users.

4 The Department shall facilitate the negotiation of prices, amounts and  
5 availability of local produce and fish with the farmers and fishermen for the sale to  
6 other Government Agencies and shall assist in securing payment from fiscal officers  
7 of the respective Agencies. The Department shall provide the necessary advice and  
8 assistance to ensure that the crops and fishes are delivered to the particular agency  
9 in the best possible condition. All participating Government of Guam Agencies are  
10 mandated to give preference to local farmers and fishermen prior to purchasing from  
11 off island and other markets or fishing industries owned by foreign countries.

12 The Director shall adopt operational procedures relative to establishing a list  
13 of qualified local farmers and fishermen and to assist those qualified local farmers  
14 and fishermen in establishment of pricing, variety, quantity, quality, availability, and  
15 other related logistics to facilitate acquisition of local produce and fish by other  
16 Government Agencies consistent with the needs of those agencies.

17 Farmers intending to sell locally grown produce or aquaculture products to  
18 government agencies, private companies, or private citizens must be registered with  
19 the Department of Agriculture as a certified Bona Fide farmer. Farmers selling  
20 produce or products to private consumers must have the Bona Fide certificate  
21 displayed in a conspicuous location. Government agencies and private companies  
22 shall verify the Bona Fide certification of the seller prior to the purchase. Failure of  
23 farmers to comply with the provisions of this Section will result in the suspension or  
24 delayed certification by the Department of Agriculture.

25 (a) Any eating, drinking, or food establishment as defined in Chapters 23 and  
26 24 of Title 10, Guam Code Annotated, found purchasing local produce or  
27 aquacultural products from a farmer who is not certified by the Department of

1 Agriculture as a Bona Fide farmer will be found in violation of this Chapter and shall  
2 be subject to suspension or revocation of its business license pursuant to the Business  
3 License Law.

4 (b) For the purposes of this section, ‘Bona fide farmer’ shall mean a person  
5 registered with the Department who commercially grows for profit fruits, crops,  
6 ornamental, livestock, including aquaculture or similar products, who furnishes  
7 financial records that substantiate a claim to the Department’s satisfaction and who  
8 is (a) a U. S. citizen, a permanent resident alien or who has been a resident of Guam  
9 for the immediately preceding five (5) years or (b) a corporation or partnership  
10 licensed to do business in Guam.”

11 **Section 3. Effective Date.** This Act shall be effective upon enactment.

12 **Section 4. Severability.** If any provision of this Act or its application to any  
13 person or circumstance is found to be invalid or contrary to law, such invalidity shall  
14 not 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.



Vice Speaker

**TINA ROSE MUÑA BARNES**

**CHAIRPERSON, COMMITTEE ON RULES**

*I Mina'trentai Sais Na Liheslaturan Guåhan*

GUAM CONGRESS BUILDING  
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March 3, 2021

# MEMO

**To:** **Rennae Meno**  
Clerk of the Legislature

**From:** **Vice Speaker Tina Rose Muña Barnes**  
Chairperson, Committee on Rules

**Re:** **Fiscal Note on Bill No. 63-36 (LS)**

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*Buenas yan Håfa adai.*

Attached, please find the fiscal note for the following bill:

**Bill No. 63-36 (LS)**

Please forward the same to Management Information Services (MIS) for posting on our website.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.



**Bureau of Budget & Management Research**  
**Fiscal Note of Bill No. 63-36 (LS)**

**AN ACT TO AMEND § 68101 OF CHAPTER 68, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING FARMERS TO BE CERTIFIED AS BONA FIDE FARMERS TO SELL LOCALLY GROWN PRODUCE OR AQUACULTURE PRODUCTS AND TO SUSPEND OR REVOKE BUSINESS LICENSES FROM COMPANIES FOUND IN VIOLATION.**

**Department/Agency Appropriation Information**

Dept./Agency Affected: Department of Agriculture (DOAg)	Dept./Agency Head: Chelsa Muna-Brecht, Director
Department's General Fund (GF) appropriation(s) to date:	\$2,897,297
Department's Other Fund appropriation(s) to date: Guam Invasive Species Inspection Fee Fund (\$610,190); Guam Plant Inspection and Permit Fund (\$98,208); Rabies Prevention Fund (\$44,610); and Tourist Attraction Fund (\$140,709)	\$893,717
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$3,791,014</b>

**Fund Source Information of Proposed Appropriation**

	General Fund:	Special Fund:	Total:
FY 2020 Unreserved Fund Balance	\$0	\$0	\$0
FY 2021 Adopted Revenues	\$0	0	0
FY 2021 Appro. (P.L. 35-99)	\$0	0	0
Sub-total:	\$0	0	0
Less appropriation in Bill	\$0	0	0
<b>Total:</b>	<b>\$0</b>	<b>0</b>	<b>0</b>

**Estimated Fiscal Impact of Bill**

	One Full Fiscal Year	For Remainder of FY 2021 (if applicable)	FY 2022	FY 2023	FY 2024	FY 2025
General Fund	1/	\$0	\$0	\$0	\$0	\$0
Special Fund	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>1/</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

- Does the bill contain "revenue generating" provisions? / / Yes / X/ No  
If Yes, see attachment
- Is amount appropriated adequate to fund the intent of the appropriation? /X/ N/A / / Yes / / No  
If no, what is the additional amount required? \$ /X/ N/A
- Does the Bill establish a new program/agency? / / Yes / X/ No  
If yes, will the program duplicate existing programs/agencies? /X/ N/A / / Yes  
Is there a federal mandate to establish the program/agency? / / Yes / X/ No
- Will the enactment of this Bill require new physical facilities? / / Yes / X/ No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: /X/ Yes / / No  
/X/ Requested agency comments not received by due date: DOAg / / Other:

Analyst:  Raymond Rieta, BMA II	Date:  MAR 03 2021	Director:  Lester L. Carlson, Jr., Director	Date:  MAR 03 2021
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Notes:  
 1/: See attached Comments.

BUREAU OF BUDGET AND MANAGEMENT RESEARCH  
COMMENTS ON BILL NO. 63-36 (LS)

The proposed legislation intends to require farmers who intend to sell locally grown produce or aquaculture products to government agencies, private companies, or private citizens to be registered as a certified Bona Fide Farmer with the Department of Agriculture (DOAg). Further, the legislation states that any eating, drinking, or food establishment, as defined in Chapters 23 and 24 of Title 10, Guam Code Annotated, found purchasing local produce or aquacultural products from a farmer who is not registered as a certified Bona Fide Farmer with DOAg shall be subject to suspension or revocation of its business license pursuant to Business License Law.

Absent information from DOAg, the Bureau is unable to determine if registration as a certified Bona Fide Farmer will require a fee to be remitted by the farmer to DOAg. Should a fee be required, the Bureau is unable to determine the fund source to which such fees will be deposited. In addition, should an establishment be subject to suspension or revocation of its business license as noted above, the Bureau notes there is a potential reduction of revenues in the form of business license fees to be deposited into the General Fund from that establishment. As such, the Bureau is unable to determine an approximate financial impact at this time.



**Clynton E. Ridgell**


Senator – 36<sup>th</sup> Guam Legislature

*Committee on Economic Development, Agriculture, Power and Energy Utilities,  
and the Arts*

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**COMMITTEE VOTE SHEET**

**Bill No. 63-36 (LS)** – introduced by Clynton E. Ridgell and Tina Rose Muña Barnes - An Act to Amend § 68101 of Chapter 68, Title 5, Guam Code Annotated, Relative to Requiring Farmers to be Certified as Bona Fide Farmers to Sell Locally Grown Produce or Aquaculture Products and to Suspend or Revoke Business Licenses from Companies Found in Violation.

	SIGNATURE/ DATE OF SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
<b>Senator Clynton E. Ridgell</b> Chairperson	 04/12/2021	✓				
<b>Vice Speaker Tina Rose Muña Barnes</b> Vice Chairperson	e-Vote 04/12/2021	✓				
<b>Senator Sabina E. Flores Perez</b> Member						
<b>Senator Joe S. San Agustin</b> Member	e-Vote 04/13/2021	✓				
<b>Senator Jose “Pedro” Terlaje</b> Member	e-Vote 04/13/2021	✓				
<b>Senator V. Anthony Ada</b> Member	e-Vote 04/13/2021			✓		
<b>Senator Mary C. Torres</b> Member						





Clynt Ridgell &lt;clyntridgell@guamlegislature.org&gt;

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## Request for e-Vote: Bill No. 63-36 (LS)

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**Senator Pedo Terlaje** <senatorpedo@senatorjpterlaje.com>  
To: Clynt Ridgell <clyntridgell@guamlegislature.org>

Tue, Apr 13, 2021 at 12:03 PM

To do Pass

On Mon, Apr 12, 2021 at 3:25 PM Clynt Ridgell &lt;clyntridgell@guamlegislature.org&gt; wrote:

Håfa adai Committee Members:

Please see the attached [Committee Report for Bill No. 63-36 \(LS\)](#) - An Act to Amend § 68101 of Chapter 68, Title 5, Guam Code Annotated, Relative to Requiring Farmers to be Certified as Bona Fide Farmers to Sell Locally Grown Produce or Aquaculture Products and to Suspend or Revoke Business Licenses from Companies Found in Violation, introduced by Clynton E. Ridgell and Tina Rose Muña Barnes.

Please indicate your preferred action based on the following options:

- ☐ TO DO PASS
- ☐ TO NOT PASS
- ☐ TO REPORT OUT ONLY
- ☐ TO ABSTAIN
- ☐ TO PLACE IN INACTIVE FILE

Please submit your response on or before **4:30 pm, Tuesday, April 13, 2021** which will be logged in to the Committee Vote Sheet and filed with the Committee on Rules.

 [Committee Report for Voting - Bill No 63-36 \(LS...](#)

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### The Office of Senator Jose “Pedo” Terlaje

Committee on Public Safety, Emergency Response,  
Military and Veterans Affairs, Mayors’ Council, and Public Transit

36th Guam Legislature

*I Mina’trentai Sais na Liheslaturan Guåhan*

777 Route 4, MVP Center - Units 101/ 102, Sinajana, GU 96910

Tel: (671) 989-5301/ 3218

Email: [senatorpedo@senatorjpterlaje.com](mailto:senatorpedo@senatorjpterlaje.com)





Clynt Ridgell &lt;clyntridgell@guamlegislature.org&gt;

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## Request for e-Vote: Bill No. 63-36 (LS)

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**Senator V. Anthony Ada** <senatorvanthonyada@gmail.com>

Tue, Apr 13, 2021 at 10:55 AM

To: "Joe S. San Agustin" &lt;senatorjoessanagustin@gmail.com&gt;

Cc: Clynt Ridgell &lt;clyntridgell@guamlegislature.org&gt;, Senator Jose Terlaje &lt;senatorpedo@senatorjpterlaje.com&gt;, "Senator Mary C. Torres" &lt;senatormary@guamlegislature.org&gt;, Senator Sabina Flores Perez &lt;office@senatorperez.org&gt;, Vice Speaker Tina Rose Muña Barnes &lt;senatormunabarnes@guamlegislature.org&gt;, Selina Onedera-Salas &lt;sonedera-salas@guamlegislature.org&gt;, "Michael D. Carlson" &lt;mcarlson@guamlegislature.org&gt;, Javan William Santos &lt;jws.sencer@gmail.com&gt;

To report out only.

Tony

On Tue, Apr 13, 2021 at 10:48 AM Joe S. San Agustin &lt;senatorjoessanagustin@gmail.com&gt; wrote:

To Do Pass

### The Office of Senator Joe S. San Agustin

Committee on General Government Operations, Appropriations &amp; Housing

*I Mina'trentai Sais na Liheslaturan Guåhan*

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 989-5445 F: (671) 969-6737 E: [senatorjoessanagustin@gmail.com](mailto:senatorjoessanagustin@gmail.com)Website: [www.senatorjoessanagustin.com](http://www.senatorjoessanagustin.com)

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On Mon, 12 Apr 2021 at 15:25, Clynt Ridgell &lt;clyntridgell@guamlegislature.org&gt; wrote:

Håfa adai Committee Members:

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 [Committee Report for Voting - Bill No 63-36 \(LS...](#)



## Office of Senator V. Anthony Ada

36th Guam Legislature

*I Mina'trentai Sais Na Liheslaturan [Guahan](#)*

[204 Hesler Place](#), Ada Plaza Center, Suite 202 & Suite 203

Hagatna, Guam 96910

**Phone:** (671) 969-3555

**Email:** [senatorvanthonyada@gmail.com](mailto:senatorvanthonyada@gmail.com)

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Gumai pribilehu yan konfedensia este siha na mensâhi. Solo espesiâtmente para hâgu ma entsioña pat ma aturisa para unrisibi. Sen prubidu kumu ti un ma aturisa para manribisa, na'setbe, pat mandespâcha. Yanggen lachi rinisibu-mu nu este na mensâhi, put fabot ago' guatu gi I numa'huyong gi as [senatorvanthonyada@gmail.com](mailto:senatorvanthonyada@gmail.com) yan despues destrosa todû siha I kopian mensâhi. Si Yu'os ma'âse'.



Clynt Ridgell &lt;clyntridgell@guamlegislature.org&gt;

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## Request for e-Vote: Bill No. 63-36 (LS)

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**Joe S. San Agustin** <senatorjoessanagustin@gmail.com>

Tue, Apr 13, 2021 at 10:47 AM

To: Clynt Ridgell &lt;clyntridgell@guamlegislature.org&gt;

Cc: Senator Jose Terlaje &lt;senatorpedo@senatorjpterlaje.com&gt;, "Senator Mary C. Torres"

&lt;senatormary@guamlegislature.org&gt;, Senator Sabina Flores Perez &lt;office@senatorperez.org&gt;, "Senator V. Anthony Ada"

&lt;senatorvanthoniyada@gmail.com&gt;, Vice Speaker Tina Rose Muña Barnes &lt;senatormunabarnes@guamlegislature.org&gt;,

Selina Onedera-Salas &lt;sonedera-salas@guamlegislature.org&gt;, "Michael D. Carlson" &lt;mcarlson@guamlegislature.org&gt;,

Javan William Santos &lt;jws.sencer@gmail.com&gt;

To Do Pass

### The Office of Senator Joe S. San Agustin

Committee on General Government Operations, Appropriations &amp; Housing

*I Mina'trentai Sais na Liheslaturan Guåhan*

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 989-5445 F: (671) 969-6737 E: [senatorjoessanagustin@gmail.com](mailto:senatorjoessanagustin@gmail.com)Website: [www.senatorjoessanagustin.com](http://www.senatorjoessanagustin.com)

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Clynt Ridgell &lt;clyntridgell@guamlegislature.org&gt;

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## Request for e-Vote: Bill No. 63-36 (LS)

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**Vice Speaker Tina Rose Muña Barnes** <senatormunabarnes@guamlegislature.org>

Mon, Apr 12, 2021 at 4:23 PM

To: Clynt Ridgell &lt;clyntridgell@guamlegislature.org&gt;

Cc: "Senator Joe S. San Agustin" &lt;senatorjoessanagustin@gmail.com&gt;, Senator Jose Terlaje &lt;senatorpedo@senatorjpterlaje.com&gt;, "Senator Mary C. Torres" &lt;senatormary@guamlegislature.org&gt;, Senator Sabina Flores Perez &lt;office@senatorperez.org&gt;, "Senator V. Anthony Ada" &lt;senatorvanthonyada@gmail.com&gt;, Selina Onedera-Salas &lt;sonedera-salas@guamlegislature.org&gt;, "Michael D. Carlson" &lt;mcarlson@guamlegislature.org&gt;, Javan William Santos &lt;jws.sencer@gmail.com&gt;

to do pass

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