

*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 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.	2/19/21 1:39 p.m.	2/23/21	Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts			Request: 2/23/21  3/3/21	



Vice Speaker

**TINA ROSE MUÑA BARNES**

**CHAIRPERSON, COMMITTEE ON RULES**

*I Mina'trentai Sais Na Liheslaturan Guåhan*

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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**

<b>Dept./Agency Affected:</b> Department of Agriculture (DOAg)	<b>Dept./Agency Head:</b> Chelsa Muna-Brecht, Director
<b>Department's General Fund (GF) appropriation(s) to date:</b>	<b>\$2,897,297</b>
<b>Department's Other Fund appropriation(s) to date:</b> 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)	<b>\$893,717</b>
<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: <u>Raymond Rieta, BMA II</u>	Date: <u>3/3/2021</u>	Director: <u>Lester L. Carlson, Jr., Director</u>	Date: <u>MAR 03 2021</u>
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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.