

**5 GCA GOVERNMENT OPERATIONS
CH. 68 PROCUREMENT OF LOCAL PRODUCTS**

**CHAPTER 68
PROCUREMENT OF LOCAL PRODUCTS**

- § 68101. Procurement of Local Produce from Local Farmers and Fish from Local Fishermen.
- § 68102. Budgeting & Payment System Required.
- § 68103. Farmers' and Fishermen's Preferences.

SOURCE: This entire Chapter was added by P.L. 23-18:2 (5/30/95).

§ 68101. Procurement of Local Produce from Local Farmers and Fish from Local Fishermen.

The Department of Agriculture shall, on a continuing basis, make every effort to ensure that the crops of the farmers and the fish products of the fishermen of Guam are first procured by agencies of the government, such as Department of Education, Department of Youth Affairs, Department of Corrections, the Guam Memorial Hospital, and the Government House, unless the farmer or fisherman has made previous arrangements for sale to other users.

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

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.

2009 NOTE: P.L. 28-045:10 (June 6, 2005) changed the name of the Department of Education to the Guam Public School System. P.L. 30-050:2 (July 14, 2009) reverted the name of the Guam Public School System to the Department of Education.

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§ 68102. Budgeting & Payment System Required.

All Government of Guam Agencies mentioned in § 68101 above, will include in their budget request a plan for purchase of farm and fish products from local farmers and fishermen. No funds shall be expended for off island purchases of farm or fish products unless preference is first given to local farmers and fishermen. All participating agencies are mandated to establish a system where payment for these products will be made in an expeditious manner with a minimum delay of no longer than two working days. The Department of Agriculture shall establish and maintain a computerized match making system which would provide the farmers and the fishermen with a listing of prospective buyers, the products, and the amount needed. The Department shall also provide a listing of all farmers and fishermen to prospective buyers indicating the types of produce and fish available, the quantity, and when the produce and fish can be made available.

§ 68103. Farmers' and Fishermen's Preferences.

Local farmers and fishermen shall be exempt from the requirement of the Government of Guam local preference laws which would disqualify them in the procurement process. In addition, all local laws which outline the methods of procurement of local farm and fish products shall be reviewed and amended to provide methods for the purchase of local produce commodities.
