

CHAPTER 12
COMPENSATION TO FARMERS FOR CROP DAMAGES

§12101. Administration.

§12102. Definitions.

§12103. Others.

§12101. Administration. The Agricultural Development Services Division of the Department of Agriculture shall be the responsible body for the Administration of this program.

§12102. Definitions. (a) *Bona fide Farmers* shall mean a person who raises fruits, vegetables, horticultural non-edible plants, livestock, including aquaculture and/or similar products; must be U.S. Citizen or authorized corporation; of legal age; a five (5) year resident of Guam; and has farm income or inventory from crops and/or livestock of at least \$5,000 per annum based on current farm and/or tax records.

(b) *Department and Director of Agriculture* shall include any successor to said Department or Director of Agriculture.

(c) *Natural Disaster* shall be construed to mean typhoons, severe rain storms, floods and drought. An Act occasioned exclusively by violence of nature without interference of any human agency.

§12103. Others. (a) The Director of Agriculture who shall effectuate the administrative and operational implementation of the law shall make a natural disaster determination within seventy-two (72) hours upon evidence that crops and property are damaged by natural disasters such as typhoons, severe rainstorms, floods and droughts and shall designate areas eligible to receive compensation for crop or property damages that have occurred as a result of the natural disaster.

(b) All damage reports would be made in a form approved by the Director; he shall verify crops grown as inspected by assignees and certified by the farmer. All damage reports are received at the Agricultural Development Services Division, Department of Agriculture. A final report must be issued within seven (7) days after deadline of application or submission for crop or property damages. All reports remain as permanent records of the Department.

(c) Applications for crop or property damage compensation must be filed with the Agricultural Development Services Division, Department of Agriculture with two (2) weeks of the date a disaster determination was made by the Director of Agriculture and shall be publicized twice a week over the electronic and printed media.

(d) Compensation shall be based upon production costs availability of funds, not to exceed fifty per cent (50)% of operating costs per acre of crop or livestock and not to exceed one thousand five hundred dollars (\$1,500) per farmer per natural disaster determination. Compensation for property damages incidental to farming operations shall be based upon fifty percent (50)% of costs not to exceed one thousand five hundred dollars (\$1,500) per farmer per natural disaster determination.

Compensation for damages shall be prioritized in the following order:

- (1) Crops
- (2) Livestocks
- (3) Farm Roads
- (4) Building/structures
