

I MINA TRENTA NA LIHESLATURAN GUÅHAN
2009 (First) Regular Session

Bill No. 94(COR)

Introduced by:

v.c. pangelinan
Judith T. Won Pat, Ed.D.
Tina Rose Muña Barnes

2009 APR - 8 PM 5: 03

AN ACT TO ADD A NEW SUBSECTION (f) TO §75101;
TO ADD A NEW SUBSECTION (c) (3) TO §75107 AND
TO ADD A NEW §75121 OF 21 GCA CHAPTER 75
RELATIVE TO THE DESIGNATION OF LANDS FOR
THE CULTIVATION OF TRADITIONAL HERBAL
MEDICINAL PLANTS.

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guahan* finds
2 development has continually eroded the native habitat of plants which are
3 used by our *suruhanas* and *suruhanus* for the production of the medicines in
4 the practice of their healing art. Without intervention, these increasing rare
5 plants will eventually become extinct and along with it, the most treasured
6 formulas of native Chamorro medicines.

7 *I Liheslaturan Guahan* further finds one must devote many years
8 apprenticing under a traditional *suruhana* or *suruhanu* learning different
9 varieties of plants and their medicinal properties. During their training they

1 must acquire the knowledge of the seasons and location where each variety of
2 herbs germinate.

3 *I Liheslaturan Guahan* intends to reserve suitable land and make it
4 available to interested individuals or organizations for the cultivation of
5 plants use by *suruhanu's* in the production of their herbal medicines. One
6 parcel shall be made available in the northern part of the island and a second
7 parcel located in the southern part, which are suitable for cultivation. These
8 parcels shall be designated as "*Hatdin Ámot Chamorro*".

9 **Section 2. A new subsection (f) of 21 G.C.A. §75101 Chapter 75 is**
10 **hereby added to read:**

11 "(f) The term *Suruhana* or *Suruhanu* means an individual who heals
12 through massage and the use of traditional Chamorro remedies that include
13 the use of root, leaves, bark, plants, and grass and incorporates the cultural
14 healing process."

15 **Section 3. A new subsection (c) (3) of 21 G.C.A. §75107 Chapter 75 is**
16 **hereby added to read:**

17 "(c) (3) The Commission shall designate and make available two parcels
18 of land of approximately 4000 sq. M. each, one in the Northern part of the
19 island and one in the Southern part of the island for the purpose of cultivating
20 herbal plants."

21 **Section 4. A new §75121 of 21 G.C.A. Chapter 75 is hereby added to**
22 **read:**

23 "§75121. The establishment of "*Hatdin Ámot Chamorro*"

1 (a) The Chamorro Land Trust Commission is hereby directed to parcel
2 the designated lots into four parcels *or* into parcels of 100 feet by 100 feet, with
3 access to each lot, for the establishment of the “*Hatdin Āmot Chamorro*.”

4 (b) The Chamorro Land Trust Commission is hereby directed to
5 establish the criteria, application, and operational procedures which should
6 include at least one, but not limited to:

7 1.) Qualification for *Hatdin Āmot Chamorro*, the applicant:

8 (i) Must be an individual eligible for residential lease of Chamorro Land
9 Trust Land; or

10 (ii) A non-profit organization whose charter includes the advancement
11 of Chamorro traditional healing or medicine, or the advancement of
12 Chamorro heritage and culture and registered with the Department of
13 Revenue and Taxation; and

14 (iii) Must be a *Suruhana* or *Suruhanu*, apprentice, or student of
15 traditional Chamorro medicines.

16 Preference shall be given to an applicant who meets more than one of the
17 qualifications above.

18 (2) Requirement for *Hatdin Āmot Chamorro*, the applicant:

19 (i) Must submit a proposal for the usage of parceled lot and a list of
20 plants to be cultivated.”

21 **Section 5. Rules and Regulation.** Upon enactment of this Act, the

1 Chamorro Land Trust Commission shall have one hundred eighty (180) days
2 to promulgate rules and regulations for "*Hatdin Ámot Chamorro*" pursuant to
3 the Adjudication Administrative Law.

4 **Section 6. Severability.** If any of the provisions of this Act or the
5 application thereof to any person or circumstance is held invalid, such
6 invalidity shall not affect any other provision or application of this Act which
7 can be given effect without the invalid provision or application, and to this
8 end the provisions of this Act are severable.