



Office of the Governor of Guam

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2009 JUN 25 PM 4:59

Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

25 JUN 2009

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina' Trenta Na Liheslaturan Guåhan
155 Hessler Place
Hagåtña, Guam 96910

30-09-0746
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 6/25/09
Time
Received by 3115P

Dear Speaker Won Pat:

Please find attached Bill No. 94 (COR), "AN ACT ADD A NEW SUBSECTION(f) TO §75101, AND TO ADD A NEW §75121 TO TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE DESIGNATION OF LANDS FOR THE CULTIVATION OF TRADITIONAL HERBAL MEDICINAL PLANTS AND THE ESTABLISHMENT OF THE 'HATDIN AMOT CHAMORRO,'" which I have signed into law as Public Law 30-32.

I support the preservation of our cultural heritage and the traditional art of the suruhanus and suruhanas and their use of native plants for healing. Most potent herbal plants for medicinal purposes can only be grown in their natural environment, and may not easily be cultivated in gardens or farms. Several plant species are found in swamp lands and areas of high humidity and moisture content in the soil.

While the Chamorro Land Trust may have lands in their inventory that might be ecologically conducive for traditional herbal medicinal plants, the Department of Land Management requires a half acre for agricultural subdivisions. Bill No. 94 provides for a quarter acre for the purpose of cultivating herbal plants. As such, the legislation conflicts with existing law and would need to be amended in order to be implemented as intended.

Sinseru yan Magåhet,

[Handwritten signature]

MICHAEL W. CRUZ, M.D.
I Maga'låhen Guåhan, para pa'go
Acting Governor of Guam

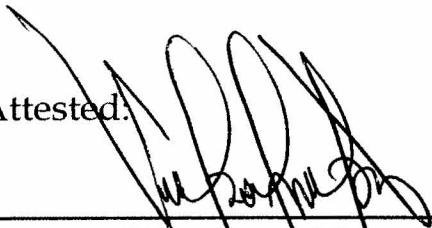
cc: All Senators

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Bill No. 94 (COR), "AN ACT TO ADD A NEW SUBSECTION (f) TO §75101, AND TO ADD A NEW §75121 TO TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE DESIGNATION OF LANDS FOR THE CULTIVATION OF TRADITIONAL HERBAL MEDICINAL PLANTS AND THE ESTABLISHMENT OF THE 'HATDIN ÅMOT CHAMORRO'," was on the 29th day of May 2009, duly and regularly passed.

Attested:

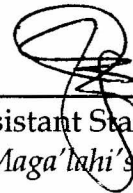


Tina Rose Muña Barnes
Legislative Secretary



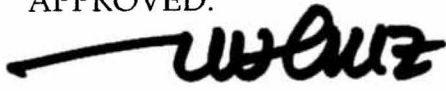
Judith T. Won Pat, Ed. D.
Speaker

This Act was received by *I Maga'lahaen Guåhan* this 4 day of June, 2009, at
955 o'clock A.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:



MIKE W. CRUZ, MD
GOVERNOR OF GUAM ACTING

Date: 16 JUN 2009

Public Law No. 30-32

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

Bill No. 94 (COR)
As amended on the Floor.

Introduced by:

v. c. pangelinan
Judith T. Won Pat, Ed. D.
T. R. Muña Barnes
Ray Tenorio
Telo Taitague
T. C. Ada
F. B. Aguon, Jr.
F. F. Blas, Jr.
B. J.F. Cruz
E. J.B. Calvo
J. V. Espaldon
Judith P. Guthertz, DPA
Adolpho B. Palacios, Sr.
M. J. Rector
R. J. Respicio

AN ACT TO *ADD* A NEW SUBSECTION (f) TO §75101, AND TO *ADD* A NEW §75121, ALL OF CHAPTER 75 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE DESIGNATION OF LANDS FOR THE CULTIVATION OF TRADITIONAL HERBAL MEDICINAL PLANTS AND THE ESTABLISHMENT OF THE “*HATDIN ÅMOT CHAMORRO*”.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 development has continually eroded the native habitat of plants which are used by
4 our *Suruhanas* and *Suruhanus* for the production of the medicines in the practice of
5 their healing art. Without intervention, these increasingly rare plants will

1 eventually become extinct and along with it, the most treasured formulas of native
2 *Chamorro* medicines.

3 *I Liheslaturan Guåhan* further finds one must devote many years
4 apprenticing under a traditional *Suruhana* or *Suruhanu* learning different varieties
5 of plants and their medicinal properties. During their training, they must acquire
6 the knowledge of the seasons and the location where each variety of herbs
7 germinates.

8 *I Liheslaturan Guåhan* intends to reserve suitable land and make it available
9 to interested individuals or organizations for the cultivation of plants used by
10 *Suruhanu*'s in the production of their herbal medicines. One (1) parcel shall be
11 made available in the northern part of the island and a second parcel to be located
12 in the southern part of the island, which are suitable for cultivation. These parcels
13 shall be designated as "*Hatdin Ámot Chamorro*".

14 **Section 2.** A new subsection (f) of §75101, Chapter 75, Title 21, Guam
15 Code Annotated, is hereby *added* to read:

16 "(f) The term *Suruhana* or *Suruhanu* means a publicly recognized
17 individual who heals through massage and the use of traditional *Chamorro*
18 remedies that include the use of roots, leaves, bark, plants, and grass and
19 incorporates the cultural healing process."

20 **Section 3.** A new §75121 of Chapter 75, Title 21, Guam Code Annotated,
21 is hereby *added* to read:

22 "**§75121. The Establishment of '*Hatdin Ámot Chamorro*':** (a) The
23 *Chamorro* Land Trust Commission, in consultation with the Department of
24 Agriculture and the UOG Cooperative Extension Service, shall identify
25 suitable land; and the *Chamorro* Land Trust Commission shall designate and
26 make available two (2) tracts of land of approximately four thousand (4000)
27 square meters each, one (1) in the northern part of the island, and one (1) in

1 the southern part of the island, for the purpose of cultivating herbal plants
2 and establishing a *Hatdin Ámot Chamorro*. The *Chamorro* Land Trust
3 Commission *shall* divide the designated tracts into four (4) parcels *or* into
4 parcels of one hundred (100) feet by one hundred (100) feet, with access to
5 each lot, for the establishment of the '*Hatdin Ámot Chamorro*'.

6 (b) The *Chamorro* Land Trust Commission is hereby directed to
7 establish the criteria, application, and operational procedures of the *Hatdin*
8 *Ámot Chamorro*. An applicant must submit a proposal for the usage of the
9 parceled lot and a list of plants to be cultivated. To qualify to use a parcel of
10 the *Hatdin Ámot Chamorro*, the applicant must be an individual eligible for
11 residential lease of *Chamorro* Land Trust land, and either:

12 (1) A member *or* officer of a non-profit organization
13 registered with the Department of Revenue and Taxation, whose
14 Charter includes the advancement of *Chamorro* traditional healing *or*
15 medicine, *or* the advancement of *Chamorro* heritage and culture; *or*

16 (2) Must be a *Suruhana or Suruhanu*, or an apprentice, *or*
17 student of traditional *Chamorro* medicines.

18 Preference *shall* be given to an applicant who meets more than one (1)
19 of the qualifications above.”

20 **Section 4. Rules and Regulations.** Upon enactment of this Act, the
21 *Chamorro* Land Trust Commission *shall* have one hundred eighty (180) days to
22 promulgate rules and regulations for the “*Hatdin Ámot Chamorro*” pursuant to the
23 Administrative Adjudication Law. The CLTC *shall* form a task force consisting, at
24 a minimum, of representatives from the Department of Agriculture, the
25 Department of *Chamorro* Affairs, and the UOG Cooperative Extension Service to
26 develop the rules and regulations.

27 **Section 5. Severability.** *If* any of the provisions of this Act or the

1 application thereof to any person or circumstance is held invalid, such invalidity
2 shall *not* affect any other provision or application of this Act which can be given
3 effect without the invalid provision or application, and to this end the provisions of
4 this Act are severable.