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# A BILL FOR AN ACT

RELATING TO GENETICALLY MODIFIED ORGANISMS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Growth in genetically engineered agricultural  
2 production has been swift and pervasive throughout the nation.  
3 The quick acceptance of the new technology, however, may pose  
4 serious consequences for the health and safety of our citizens.  
5 Further, because an exchange of genetic material between  
6 genetically modified crops and conventional crops, wild plants,  
7 and organisms is known to occur, genetically modified material  
8 and any adverse characteristics it confers or promotes could be  
9 irreversibly dispersed into the wider environment.

10           In Hawaii, the taro-growing industry is widely known around  
11 the world and deeply imbedded in our culture. The legislature  
12 finds that commercially experimenting with the genetic  
13 engineering of this crop without examining and evaluating the  
14 adverse effects of this process is careless and may have  
15 far-reaching, irreversible, and unintended consequences.

16           The purpose of this Act is to outline the conditions under  
17 which testing of an existing genetically modified non-Hawaiian  
18 variety of taro will be permissible for a five-year period.



1 SECTION 2. Chapter 321, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 "§321- Genetically modified taro; limitations. (a) An  
5 existing genetically modified non-Hawaiian variety of taro may  
6 be tested, propagated, cultivated, raised, or grown in an  
7 environmentally secure facility. No open-field testing or  
8 growing shall be permitted.

9 (b) Except as provided in subsection (a), no genetically  
10 modified Hawaiian variety of taro or non-Hawaiian variety of  
11 taro shall be tested, propagated, cultivated, raised, or grown  
12 in the State.

13 (c) As used in this section:

14 "Environmentally secure facility" means an enclosed  
15 facility, such as a laboratory or greenhouse, in which  
16 precautions exist to prevent the exchange of genetic material  
17 between genetically modified taro and non-genetically modified  
18 or conventional taro.

19 "Genetically modified" means alterations to a life form or  
20 its living progeny at the nucleic acid level, using the  
21 techniques collectively referred to as recombinant DNA  
22 technology.



1       "Recombinant DNA technology" means the transfer of genes,  
2 regulatory sequences, or nucleic acid between hosts by the use  
3 of vectors or laboratory manipulations and includes the  
4 insertion, excision, duplication, inactivation, or relocation of  
5 specific genes, regulatory sequences, or sections of nucleic  
6 acid; provided that it shall not apply to material or an  
7 organism developed exclusively through traditional methods of  
8 breeding, hybridization, or nondirected mutagenesis."

9       SECTION 3. The department of health shall submit a report  
10 on the effects of this Act to the legislature no later than  
11 twenty days prior to the convening of the regular session of  
12 2011.

13       SECTION 4. New statutory material is underscored.

14       SECTION 5. This Act shall take effect on July 1, 2006 and  
15 be repealed on June 30, 2011.



**Report Title:**

Genetically Modified Organisms; Taro; Limitations

**Description:**

Permits testing of an existing genetically modified non-Hawaiian variety of taro for a five year period, provided that adequate safeguards exist to prevent pollen from being released.

Requires a report to legislature. Sunsets on June 30, 2011.

(SD1)

