

Honolulu, Hawaii

Feb 9, 2006

RE: H.B. No. 3046
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Water, Land, & Ocean Resources, to which was referred H.B. No. 3046 entitled:

"A BILL FOR AN ACT RELATING TO BIOLOGICAL DIVERSITY,"

begs leave to report as follows:

The purpose of this bill is to protect the valuable biological diversity and biological resources of the State by:

- (1) Requiring prior informed consent before obtaining access to genetic resources or biological diversity from public lands;
- (2) Establishing a system of fair and equitable sharing of benefits arising out of the use of genetic resources;
- (3) Creating a temporary advisory committee on biological diversity; and
- (4) Appropriating an unspecified amount to the Department of Land and Natural Resources (DLNR) for the temporary advisory committee to create rules regarding informed consent and benefit sharing.

The Office of Hawaiian Affairs, Sierra Club, Hawai'i Chapter, 'Ahahui Siwila Hawaii O Kapolei, Waikiki Hawaiian Civic Club, Queen Emma Civic Club, King Kamehameha Hawaiian Civic Club, and numerous concerned individuals testified in support of this



measure. The Department of Business, Economic Development, & Tourism, DLNR, University of Hawai'i, and Hawaii Science & Technology Council supported the intent of the measure. The Environmental Center of the University of Hawai'i provided comments.

Your Committee finds that H.B. No. 3046 establishes a temporary commission to develop a public policy to regulate bioprospecting, and H.B. No. 3069 provides a statutory framework for the use of Hawaii's biological resources for research and commercial development. Your Committee believes that these two bills should be considered together in one legislative vehicle.

Accordingly, your Committee has amended this bill by inserting the provisions of H.B. No. 3069 to:

- (1) Require DLNR to create a permitting system for the collection of biological resources from Hawaii;
- (2) Require DLNR to implement an electronic database for the processing and tracking of collection permits;
- (3) Provide for the use of revenues from the licensing of certain biological resources; and
- (4) Appropriate \$250,000 to DLNR to implement the database.

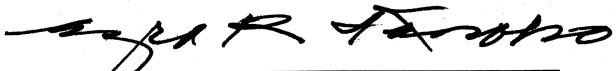
Your Committee has also amended this bill by:

- (1) Increasing the number of members on the temporary commission from 10 to 11, adding the Chairperson of the Board of Regents of the University of Hawaii or the Chairperson's designee;
- (2) Changing the definition of "public lands" to include lands held by the University of Hawaii and the Hawaii Housing Finance and Development Administration; and
- (3) Making technical, nonsubstantive amendments for style, clarity, and consistency.



As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 3046, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 3046, H.D. 1, and be referred to the Committees on Economic Development & Business Concerns and Agriculture.

Respectfully submitted on
behalf of the members of the
Committee on Water, Land, &
Ocean Resources,


EZRA R. KANOHO, Chair



