

Honolulu, Hawaii

MAR - 3 2006

RE: S.B. No. 2749
S.D. 1

Honorable Robert Bunda
President of the Senate
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committees on Energy, Environment, and International Affairs and Water, Land, and Agriculture, to which was referred S.B. No. 2749 entitled:

"A BILL FOR AN ACT RELATING TO GENETICALLY MODIFIED ORGANISMS,"

beg leave to report as follows:

The purpose of this measure is to provide a ten-year moratorium on testing, propagating, cultivating, growing, and raising genetically engineered taro.

KAHEA: the Hawaiian-Environmental Alliance, the Conservation Council for Hawaii, The Schafer Foundation, EarthJustice, the Hawaii Organic Farmers Association, the Kauai Taro Growers Association, the Waikiki Hawaiian Civic Club, the Sierra Club Hawaii Chapter, Limahuli Garden and Preserve, Kapaa Poi Factory Inc., Kona Biodynamic Farm, Waipa Foundation, Malu 'Aina Farm, Kanalani Ohana Farm, and ninety individuals submitted testimony in support of this measure.

The Department of Health, the Department of Business, Economic Development, and Tourism, the Department of Agriculture, the University of Hawaii, C & H Farms, Hawaii Biotech, Inc., Tropical Hawaiian Products, the Hawaii Science and Technology Council, Integrated Coffee Technologies, Inc., the Hawaii Farm Bureau, the Hawaiian Alliance for Responsible Technology and Science, the Maui County Farm Bureau, Kamiya Farm, Inc., the Hawaii Agriculture Research Center, the Hawaii Crop Improvement



Association, and nineteen individuals submitted testimony in opposition.

One person testified that she gathered signatures from four hundred and seventy concerned citizens and thirty-eight taro farmers in support of this measure.

Your Committees find that many questions exist regarding the possible health, environmental, economic, and cultural impacts of genetically modified taro. While genetic engineering may arguably serve as a tool to improve or protect agricultural crops, it is still prudent to prevent the inadvertent exchange of genetic material between genetically modified taro and non-genetically modified or conventional taro. Genetically modified taro experiments that take place in the open-air pose a contamination risk to non-genetically modified or conventional taro through cross-pollination.

Taro is sacred to native Hawaiians and is an integral part of Hawaiian culture. According to Hawaiian tradition, Hawaiian genealogy emerges from the kalo plant. Many Hawaiians eat taro as poi, serving the poi in a common dish to strengthen the 'ohana. The integrity and purity of Hawaiian varieties of taro should be preserved.

Upon further consideration, your Committees amended this measure by:

- (1) Deleting any reference to a moratorium and rewording the purpose section to reflect the changes in the measure;
- (2) Making the measure sunset on June 30, 2011;
- (3) Maintaining the prohibition against any genetically modified Hawaiian variety of taro;
- (4) Permitting only an existing genetically modified non-Hawaiian varieties of taro to be tested, propagated, cultivated, raised, or grown in environmentally secure facilities;
- (5) Defining an "environmentally secure facility" as an enclosed facility, such as a laboratory or greenhouse, in which precautions exist to prevent the exchange of

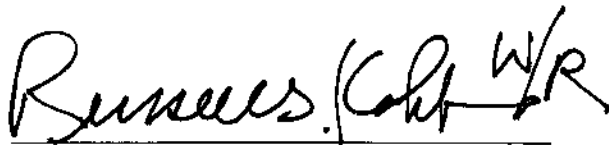


genetic material between genetically modified taro and non-genetically modified or conventional taro;

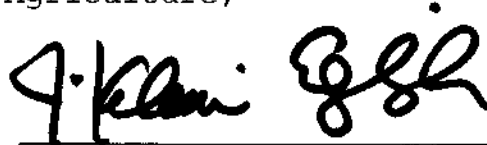
- (6) Prohibiting open-field testing and growing;
- (7) Requiring the Department of Health to report the effects of the measure to the Legislature prior to the convening of the regular session of 2011; and
- (8) Making technical, non-substantive changes for clarity and style.

As affirmed by the records of votes of the members of your Committees on Energy, Environment, and International Affairs and Water, Land, and Agriculture that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2749, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2749, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on behalf of the members of the Committees on Energy, Environment, and International Affairs and Water, Land, and Agriculture,



RUSSELL S. KOKUBUN, Chair

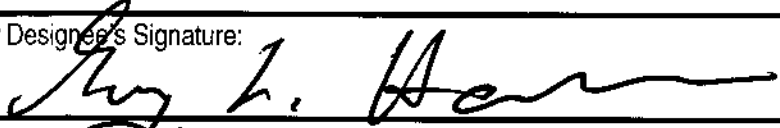


J. KALANI ENGLISH, Chair



The Senate
Twenty-Third Legislature
State of Hawaii

Record of Votes of the
Committee on Water, Land and Agriculture
(Bills and Resolutions)

Measure:* SB2749	Committee Referral: EIA/WCA	Date: 3/1/06		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is to: <input type="checkbox"/> Pass, unamended (2312) <input checked="" type="checkbox"/> Pass, with amendments (2311) <input type="checkbox"/> Hold (2310) <input type="checkbox"/> Recommit (2313)				
Members	Ayes	Ayes(WR)	Nays	Excused
KOKUBUN, Russell S. (C)		✓		
HOOPER, Gary L. (VC)	✓			
ENGLISH, J. Kalani	✓			
FUKUNAGA, Carol	✓			
HEMMINGS, Fred				✓
TOTAL	3	1		1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Do not list more than one measure per Record of Votes.