

Honolulu, Hawaii

MAR - 3 2006

RE: S.B. No. 2750  
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. 2750 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 field testing, propagating, cultivating, growing, and raising genetically engineered coffee.

The Conservation Council for Hawaii; Kanalani Ohana Farm; LavaRock Farm; Kapaa Poi Factory; KAHEA, the Hawaiian-Environmental Alliance; the Schafer Foundation; and fifty-three individuals submitted testimony in support of this measure. The Department of Health; the Department of Business, Economic Development and Tourism; the Hawaii Farm Bureau; the Hawaiian Alliance for Responsible Technology and Science; the Hawaii Crop Improvement Association; C & H Farms; the Hawaii Coffee Association; Tropical Hawaiian Products; Integrated Coffee Technologies, Inc.; Hawaii Biotech, Inc.; Hawaii Science & Technology Council; and eighteen individuals submitted testimony in opposition.

Your Committees find that many questions exist regarding the possible health, environmental, economic, and cultural impacts of genetically modified coffee. 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 coffee and non-genetically modified or conventional coffee. Genetically modified coffee experiments that take place in the open-air pose a contamination risk to non-genetically modified or conventional coffee through cross-pollination.

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 to the measure;
- (2) Making the measure sunset on June 30, 2011;
- (3) Permitting genetically modified coffee to be tested, propagated, cultivated, raised, or grown in environmentally secure facilities;
- (4) 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 coffee and non-genetically modified or conventional coffee;
- (5) Prohibiting open-field testing and growing;
- (6) 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
- (7) Making technical, non-substantive changes for clarity and style.

It is the understanding of your Committees that the Hawaii Coffee Association is in accord with these amendments and supports the measure in its revised form.

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. 2750, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2750, 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,

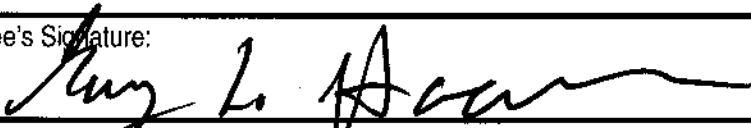
  
RUSSELL S. KOKUBUN, Chair

  
J. KALANI ENGLISH, Chair



The Senate  
Twenty-Third Legislature  
State of Hawaii

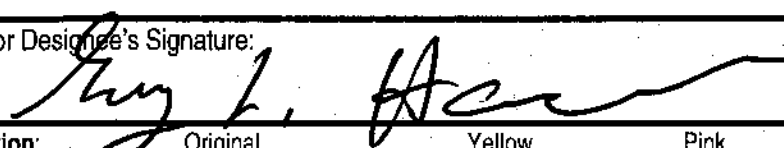
Record of Votes of the  
Committee on Energy, Environment and International Affairs  
(Bills and Resolutions)

Measure:* <b>SB 2750</b>	Committee Referral: <b>EIA/WLA</b>	Date: <b>March 1, 2006</b>		
<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
ENGLISH, J. Kalani (C)	✓			
KOKUBUN, Russell S. (VC)		✓		
HANABUSA, Colleen	✓			
HOOSER, Gary L.	✓			
HEMMINGS, Fred				✓
TOTAL	3	1 <del>2</del>		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.

The Senate  
 Twenty-Third Legislature  
 State of Hawaii

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

Measure:* <i>SB275D</i>	Committee Referral: <i>EIA/WLA</i>	Date: <i>3/1/06</i>		
<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)		✓		
HOOSER, Gary L. (VC)	✓			
ENGLISH, J. Kalani	✓			
FUKUNAGA, Carol	✓			
HEMMINGS, Fred				✓
TOTAL	<i>3</i>	<i>1</i>	<i>15</i>	<i>1</i>
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

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