

STAND. COM. REP. NO. 2451

Honolulu, Hawaii

FEB 15 2008

RE: S.B. No. 151
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Madam:

Your Committees on Water and Land and Agriculture and
Hawaiian Affairs, to which was referred S.B. No. 151 entitled:

"A BILL FOR AN ACT RELATING TO BIOPROSPECTING,"

beg leave to report as follows:

The purpose of this measure is to establish a Temporary
Advisory Commission on Bioprospecting to address issues relating
to bioprospecting.

Testimony in support of this measure was submitted by the
Temporary Advisory Commission on Bioprospecting. The University
of Hawaii and Hawaii Science & Technology Council submitted
testimony in support of the intent of this measure. The Office of
Hawaiian Affairs submitted testimony in support of the measure
with amendments. Testimony in opposition to this measure was
submitted by the Department of Land and Natural Resources, Waikiki
Hawaiian Civic Club, and twenty-seven individuals.

Your Committees find that prior to the hearing on this matter
a proposed draft of an amended version of this Senate Bill No. 151
was prepared at the request of the Temporary Advisory Commission
on Bioprospecting. The proposed amendment would have established
a permanent Bioprospecting Advisory Commission within the
Department of Land and Natural Resources.

Based upon the amount and nature of testimony submitted in
opposition to the proposed amendment, your Committees conclude
that further work is necessary to adequately complete the work of

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the Temporary Advisory Commission on Bioprospecting. Therefore, your Committees have amended this measure by:

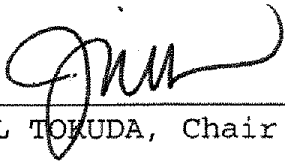
- (1) Establishing, by law, the Temporary Advisory Commission on Bioprospecting within the Legislative Reference Bureau;
- (2) Providing that, in addition to the existing members of the Temporary Advisory Commission on Bioprospecting, that four additional members be added as follows:
 - (a) Two members from the native Hawaiian community;
 - (b) One member from the biotechnical industry; and
 - (c) One member from the University of Hawaii who is conducting research projects primarily related to biotechnical issues;
- (3) Requiring that the Temporary Advisory Commission on Bioprospecting consult stakeholders and conduct community outreach in the preparation of their findings and recommendations;
- (4) Requiring that prior to the preparation of their final report, the Temporary Advisory Commission on Bioprospecting conduct a roundtable to obtain the input of stakeholders and the community. In conducting the roundtable, it is recommended that the Temporary Advisory Commission on Bioprospecting obtain the facilitative services of Alternate Dispute Resolution who, based on its past experience, is qualified to provide such services;
- (5) Providing that the Temporary Advisory Commission on Bioprospecting expire upon adjournment sine die of the 2010 Regular Session of the Legislature; and
- (6) Providing for an appropriation of an unspecified amount for the continued operation of the Temporary Advisory Commission on Bioprospecting for one year.

Your Committees further note that the estimated cost for operating the Temporary Advisory Commission on Bioprospecting for one year is between \$200,000 and \$300,000.



As affirmed by the records of votes of the members of your Committees on Water and Land and Agriculture and Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 151, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 151, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on behalf of the members of the Committees on Water and Land and Agriculture and Hawaiian Affairs,



JILL TOKUDA, Chair




CLAYTON HEE, Chair



The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:* SB151	Committee Referral: WTL/AHW, WAM	Date: 2/13/08		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <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	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	/			
KOKUBUN, Russell S. (VC)	/			
FUKUNAGA, Carol				/
TOKUDA, Jill N.	/			
WHALEN, Paul				/
TOTAL	3			2
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				

*Only one measure per Record of Votes

