

Honolulu, Hawaii

FEB 06 2007

RE: S.B. No. 958  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2007  
State of Hawaii

Madam:

Your Committee on Water, Land, Agriculture, and Hawaiian  
Affairs, to which was referred S.B. No. 958 entitled:

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

begs leave to report as follows:

The purpose of this measure is to create a ten-year  
moratorium on testing, propagating, cultivating, raising, and  
growing of genetically modified taro in Hawaii.

Testimony in support of the measure was submitted by a  
Councilmember, Kauai County Council; Hawaii Organic Farmers  
Association; KAHEA: The Hawaiian-Environmental Alliance; Kauai  
Taro Growers Association; Kako'o Oiwi; over fifty-five private  
individuals; a petition from Maui with sixty-seven signatures; and  
a petition from Kauai with over eight hundred signatures.  
Testimony in opposition to the measure was submitted by the  
Department of Health; University of Hawaii; College of Tropical  
Agriculture and Human Resources, University of Hawaii; Hawaii  
Coffee Association; Hawaii Science and Technology Council; Hawaii  
Crop Improvement Association; Hawaii Papaya Industry Association;  
and four private individuals. The Department of Agriculture  
submitted comments.

Taro is sacred to Native Hawaiians and is an integral part of  
the Native Hawaiian culture. Taro is a culturally significant  
plant to the kanaka maoli, Hawaii's indigenous people. According  
to the kumulipo, the Hawaiian creation chant, Hawaiian genealogy



emerges from the kalo plant. Taro holds great cultural, religious, and historic meaning to Native Hawaiians and is highly respected and revered.

Your Committee heard overwhelming testimony from farmers, interest groups, and private individuals who were all against genetically modified taro due to their concerns that genetically modified taro will destroy the genetic strains of native taro species, and is disrespectful of the cultural foundation taro holds for Native Hawaiians, their culture, and their religious practices. Furthermore, questions exist regarding the possible health, environmental, economic, and cultural impacts of genetically modified taro. Thus, your Committee finds that creating a ten-year moratorium on testing, cultivating, and growing genetically modified taro in Hawaii will provide sufficient time to address the numerous concerns raised by genetically modified taro experiments.

Your Committee, however, recognizes that there are many lethal insects and diseases of taro that occur in the Pacific that can cause wide spread agricultural and financial losses for taro farmers. The Department of Agriculture (Department) testified that due to the Plant Protection Act of 2000, the Department is no longer able to inspect taro from Asia and the Pacific that may carry pests and diseases, which may cause infestation or disease in Hawaii taro patches. Furthermore, the Department points out that Customs and Border Protection under the Department of Homeland Security replaced the United States Department of Agriculture agents and now conducts inspections of plant products from foreign countries, thus, leaving the passenger and baggage pathway more vulnerable to unwanted plant pests and diseases. Your Committee notes that the Hawaii Farm Bureau Federation has submitted a draft report regarding genetically modified organisms to the Department of Agriculture for finalization and is looking forward to the report's findings and recommendations for further guidance on this issue.

Your Committee has amended this measure by:

- (1) Deleting section 1 of the measure and replacing it with specific language to emphasize the cultural significance that taro holds in Native Hawaiian culture, religion, and history; and



- (2) Including "developing" as one of the actions that is prohibited during the ten-year moratorium.

Your Committee believes that the amended measure will address the overwhelming Native Hawaiian cultural concerns that genetically modified taro poses. While genetic engineering may arguably serve as a tool to improve or protect agricultural crops, it is still prudent to respect and preserve the integrity and purity of the various varieties of taro grown in Hawaii.

As affirmed by the record of votes of the members of your Committee on Water, Land, Agriculture, and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 958, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 958, S.D. 1, and be placed on the calendar for Third Reading.

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




RUSSELL S. KOKUBUN, Chair



The Senate  
Twenty-Fourth Legislature  
State of Hawaii

**Record of Votes**  
**Committee on Water, Land, Agriculture and Hawaiian Affairs**  
**WAH**

Bill / Resolution No.:* <i>SB 958</i>	Committee Referral: <i>WAH</i>	Date: <i>1/29/07</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:				
<input checked="" 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
KOKUBUN, Russell S. (C)	<i>X</i>			
TOKUDA, Jill N. (VC)	<i>X</i>			
FUKUNAGA, Carol				<i>X</i>
HEE, Clayton	<i>X</i>			
SLOM, Sam			<i>X</i>	
<b>TOTAL</b>	<i>3</i>		<i>1</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	

\*Only one measure per Record of Votes