

STAND. COM. REP. NO.

1059

Honolulu, Hawaii

MAR 27 2009

RE: H.B. No. 1663
H.D. 1
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Energy and Environment, to which was referred H.B. No. 1663, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TARO SECURITY,"

begs leave to report as follows:

The purpose of this measure is to protect:

- (1) The cultural integrity of taro as part of the heritage of the Hawaiian people and the State;
- (2) The genetic biodiversity and integrity of Hawaiian taro varieties in the State as part of the sacred trust between the State and the indigenous peoples of Hawaii; and
- (3) Hawaii taro farmers' raw taro, poi, luau, and value-added markets,

by establishing a ban on developing, testing, propagating, releasing, importing, planting, and growing of genetically modified Hawaiian taro in the State of Hawaii.

Testimony in support of this measure was submitted by two state departments or agencies, nine private organizations, and sixteen individuals. Testimony in support of the measure, with amendments, was submitted by one state department, four private organizations, and thirty-five individuals. Testimony in support



of the intent of the measure, with comments or amendments, was submitted by one state department and one individual, in addition to a petition in support, with requested amendments, signed by 1,230 individuals. Testimony in opposition to the measure was submitted by two state departments and one private organization. Comments were submitted by one state department. Written testimony presented to your Committee may be reviewed on the Legislature's website.

Your Committee finds that the taro plant holds great cultural significance within the Native Hawaiian culture and to our State. While this measure protects Hawaiian varieties of taro from genetic modification by restricting genetic modification of non-Hawaiian taro only to enclosed laboratories where access is denied to the general public and prohibits outdoor field testing or release of genetically modified taro within the State, your Committee nevertheless has concerns regarding all genetically modified varieties of taro.

Accordingly, your Committee has amended this measure by:

- (1) Replacing its contents with the contents of S.B. No. 709, S.D. 2, which prohibits genetic testing all varieties of taro in Hawaii;
- (2) Adding language clarifying that the University of Hawaii is not prohibited from conducting field testing and commercial propagation of successful new varieties of taro outside of the State, excluding Hawaiian taro; and
- (3) Changing its effective date from July 1, 2050, to July 1, 2009.

As affirmed by the record of votes of the members of your Committee on Energy and Environment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1663, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1663, H.D. 1, S.D. 1, and be referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.



Respectfully submitted on
behalf of the members of the
Committee on Energy and
Environment,



MIKE GABBARD, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Energy and Environment
ENE

Bill / Resolution No.:*	Committee Referral:	Date:		
<i>HB 1663 HD1</i>	<i>ENE, WTL</i>	<i>3/24/09</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 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
GABBARD, Mike (C)	✓			
ENGLISH, J. Kalani (VC)				✓
GREEN, M.D., Josh	✓			
HOOSER, Gary L.				✓
IHARA, Jr., Les	✓			
KOKUBUN, Russell S.	✓	✓		
HEMMINGS, Fred			✓	
TOTAL	3	1	1	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<i>[Signature]</i>				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes