Honolulu, Hawaii

Feng, 2007

RE: H.B. No. 1453 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fourth State Legislature Regular Session of 2007 State of Hawaii

## Sir:

Your Committee on Health, to which was referred H.B. No. 1453 entitled:

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

begs leave to report as follows:

The purpose of this bill is to ensure a strong agricultural future for Hawaii by requiring:

- (1) Prior certification by the Department of Health (DOH) for any activity related to:
  - (A) Research;
  - (B) Testing;
  - (C) Propagation;
  - (D) Cultivation;
  - (E) Growth; or
  - (F) Production;

of any genetically modified organism (GMO) in the state;

- (2) DOH to assess the risks posed by the proposed GMO activity; and
- (3) Persons involved in GMO-related activities to be civilly liable for injury or damage resulting from such activity.

The Center for Food Safety, Hawaii SEED, and several concerned individuals supported this bill. DOH, the Department of Agriculture (DOA), University of Hawaii (UH) System, Hawaii Farm Bureau Federation, the dean of the UH Manoa College of Tropical Agriculture and Human Resources, Hawaii Crop Improvement Association, Hawaii Agriculture Research Center, Hawaii Science and Technology Council, and several concerned individuals opposed this measure. A concerned individual submitted comments on this bill.

Your Committee has amended this bill by:

- (1) Requiring a person conducting activities involving GMOs to inform DOH and DOA for certification;
- (2) Requiring a person conducting activities involving GMOs to inform the sitting chairs of the appropriate committees within the Senate and House of Representatives dealing with health and agriculture;
- (3) Allowing DOH or DOA to rescind certification within 180 days of its issuance;
- (4) Deleting the provision regarding the assessment of risks posed by the proposed GMO activity;
- (5) Deleting the information requirements for certification of approval;
- (6) Deleting the provision making persons involved in GMOrelated activities civilly liable for injury or damage resulting from such activity; and
- (7) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No.

HB1453 HD1 HSCR HLT HMS 2007-1801



1453, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1453, H.D. 1, and be referred to the Committee on Agriculture.

Respectfully submitted on behalf of the members of the Committee on Health,

JOSHUA B. GREEN. M.D., Chair

## State of Hawaii House of Representatives The Twenty-fourth Legislature

## **Record of Votes of the Committee on Health**

Bill/Resolution No.: HB 1453	Date:	2-02	-07	
Committee Referral: HLT, AGR, CP	The committee is reconsidering its previous decision on the measure.			
The recommendation is to:  Pass, unamended				
☐ Hold	<ul> <li>Pass, with amendments, for recommittal for further consideration</li> </ul>			
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. GREEN, Josh, M.D. (C)	V			
2. MIZUNO, John (VC)	V			
3. BELATTI, Della Au		<b>/</b>		
4. BERTRAM, Joe, III				V
5. CABANILLA, Rida T.R.	V			
6. RHOADS, Karl		<b>V</b>		
7. SHIMABUKURO, Maile S. L.				
8. TAKAI, K. Mark		✓		-
9. TOKIOKA, James Kunane				
10. AWANA, Karen Leinani	V			
11. WARD, Gene, Ph.D.			<b>V</b>	
				·
TOTAL	4	4	1	2
The recommendation is: Adopted  Not Adopted				
l Not Adopted				
If joint referral, did not support recommendation.  committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Clerk's Office				