

Honolulu, Hawaii

MAR 06 2009

RE: S.B. No. 709
S.D. 2

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

Madam:

Your Committee on Water, Land, Agriculture, and Hawaiian
Affairs, to which was referred S.B. No. 709, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO AGRICULTURE,"

begs leave to report as follows:

The purpose of this measure is to prohibit the development,
testing, propagation, release, importation, planting, or growing
of genetically modified taro in the State of Hawaii.

Testimony in support of this measure was submitted by one
state agency, six organizations, and nearly one thousand public
citizens. Testimony in opposition was submitted by three state
agencies, seven organizations, and eleven public citizens.
Written testimony presented to your Committee may be reviewed on
the Legislature's website.

Your Committee finds that taro, or kalo, is integral to the
identity of native Hawaiians, and the State of Hawaii as a whole.
The traditional mo'olelo of Wakea and Papahānaumoku explains that
the first kalo plant, Haloanaka-laukapalili, is the elder brother
of native Hawaiians. As the elder sibling, Haloa provides
sustenance to native Hawaiians, and in return, the younger
siblings care for him and ensure that he flourishes. The bond
that connects native Hawaiians to kalo remains a sacred one, and
kuleana dictates that bond is preserved and protected.

Your Committee understands that taro faces many challenges
including disease, invasive species, and environmental changes.



However, your Committee believes that there are natural alternatives to genetic modification or engineering, such as fallowing lo'i, restoring stream flows, and improving the overall health of the environment. Scientists should work with taro farmers and the native Hawaiian community to conduct a comprehensive examination of traditional and natural methods which are neither intrusive nor offensive to native Hawaiian culture. Research and development of non-Hawaiian taro varieties can be conducted outside of the State, which will ensure that these varieties will not be released into the environment of Hawaii.

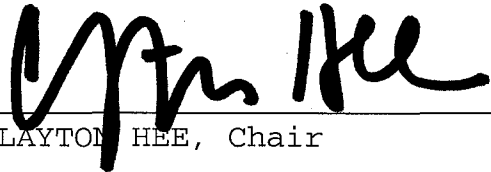
Your Committee has amended this measure by:

- (1) Adopting the recommendation of the University of Hawaii and amending the definition of "genetically modified" to read "genetically engineered" to be more scientifically accurate;
- (2) Amending the purpose section to reflect these changes;
- (3) Amending the purpose clause to clarify that this measure is not intended to prevent the University of Hawaii from conducting field testing and commercial propagation of successful new varieties of taro outside of the State; and
- (4) Amending the effective date to July 1, 2050 for the purpose of encouraging further discussion.

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. 709, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 709, S.D. 2.



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

A handwritten signature in black ink, appearing to read "Clayton Hee", written over a horizontal line.

CLAYTON HEE, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

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

Bill / Resolution No.:* SB 709, SDI	Committee Referral: ENE, WTL	Date: 02-27-09		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"><input type="checkbox"/> Pass, unamended 2312</div> <div style="text-align: center;"><input checked="" type="checkbox"/> Pass, with amendments 2311</div> <div style="text-align: center;"><input type="checkbox"/> Hold 2310</div> <div style="text-align: center;"><input type="checkbox"/> Recommit 2313</div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
TOKUDA, Jill N. (VC)				✓
BUNDA, Robert				✓
FUKUNAGA, Carol	✓			
KOKUBUN, Russell S.	✓			
TAKAMINE, Dwight Y.				✓
HEMMINGS, Fred			✓	
TOTAL	3	0	1	3
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="text-align: center; font-family: cursive; font-size: 1.2em;">Carol Fukunaga</div>				
Distribution: <div style="display: flex; justify-content: space-between; font-size: 0.8em; margin-top: 5px;"> Original File with Committee Report Yellow Clerk's Office Pink Drafting Agency Goldenrod Committee File Copy </div>				

*Only one measure per Record of Votes