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HB 2669 HD 1 CR 93-90 RELATING TO PUBLIC HEALTH

Statement for Senate Committee on
Health
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By
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HB 2669 HD 1 would require the preparation of an environmental assessment pursuant to HRS 343-5(1)(9) by any person proposing to release a genetically modified organism that has been altered at the molecular or single cell level.

Our statement on this bill does not represent an institutional position of the University of Hawaii.

In our previous testimony on HB 2669, we pointed out the serious deficiencies in the existing statutes with respect to the states ability to regulate or control the release of genetically engineered organisms. HRS 321-11.6 merely requires that applicants for federal agency permits, for approval of bioproducts, field tests, or environmental assessments of genetically modified organisms, submit copies of their application to the state Department of Agriculture. There are no statutory provisions for state review or discretionary recommendations to the federal government.

The potential risks associated with the introduction of various types of genetically modified organisms should be subject to review prior to approval of their release for research, testing, or on a commercial basis. Preparation of an environmental assessment under HRS 343-5(a)(9) would provide the type of information needed for decisionmaking by the department and has the added advantage of being a well established process with a tightly organized and scheduled procedure.

We do suggest the following minor but important changes in the wording of lines 10-13 on page 1, to make the directive consistent with HRS 343.

Any proposal [person proposing] to release in the State a genetically modified organism that has been altered at the molecular or single cell level shall [prepare] require the preparation of an environmental assessment pursuant to Section 343-5(a)(9).

~~HB 2669 HD 1 specifies that the person proposing the release prepares the environmental assessment. This is inconsistent with the existing language of HRS 343-5(b) and HRS 343-5(c) that require environmental assessments to be prepared by the agency, not the applicant.~~