



# UNIVERSITY OF HAWAII SYSTEM

## Legislative Testimony

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Testimony Presented Before the

COMMITTEE ON HEALTH

Rep. Josh Green, M.D., Chair

Rep. John Mizuno, Vice Chair

DATE: February 2, 2007  
TIME: 8:30 a.m.  
PLACE: Conference Room 329  
State Capitol  
415 South Beretania Street

By James Gaines  
Interim Vice President for Research  
University of Hawaii

**RE: Testimony In Opposition of HB1454**

Aloha Chair, Vice Chair, and Members of the Committee:

Thank you for the opportunity to provide **testimony in opposition to HB1454** which requires persons proposing to engage in testing, propagating, cultivating, and growing GMOs to notify the Department of health (DOH) and obtain a certification of approval from DOH. The bill also requires DOH to determine the level of risk in three areas, the risk to the health of individuals involved in the activity, the risk to surrounding areas, and the risk of consuming the genetically modified organism if it is intended for consumption, before issuing certification of approval.

The University of Hawaii's history of supporting agriculture and farming in Hawaii goes back to the beginning of the last century and its contributions to those activities are well documented. As the primary research organization of the State of Hawaii, the university is sensitive to legislation that may impede its research and educational mission especially when such legislation is proposed on the basis of the unknown or untested consequences resulting from these activities.

The proposed requirements place an undue burden on our faculty. Researchers who compete for dollars from our federal agencies (NSF, NIH, USDA, NASA, etc.) already have their proposed work peer reviewed by experts from around the world and only the best proposals are funded. The fact that funding rates in many agencies are below 15% is testimony the high level of technical and intellectual merit required to successfully attract these funds. These professional researchers follow all state and federal workplace safety requirements and are cognizant of any risk to themselves and their workplace. The DOH does not have either the personnel or capacity to provide any higher level of review than what is presently afforded these proposals.

Furthermore, for the DOH to accurately examine and evaluate each research proposal for its risk to public health and to the environment, it would have to conduct extensive research on its own without the assistance of federal funding. It is directly through the research that questions regarding health and safety of genetically engineered organisms, especially those intended for

food, are tested. Testimony on this bill from our College of Tropical Agriculture and Human Resources provides more detail on federal testing and permitting requirements.

It is also troublesome that the liability provisions pass through the DOH to the researchers. One would be led to believe that if the proposed work was approved by the DOH that the DOH would share in any culpability for adverse effects subsequent to that research project. Also, the definition of 'recombinant DNA technology' is so broad that it may unintentionally subject students and teachers to civil prosecution.

Most importantly, we find this bill to be overly restrictive and anathema to the development of a knowledge-based economy in our state. The university is focused on improving STEM education and helping to create a technically literate workforce to meet the needs of this new economy. Instead of empowering our people to create new knowledge and ideas through research and innovation, HB1453 impedes the progress of science and places artificial constraints on the ingenuity and creativity of our people.

Mahalo for your consideration,