

Honolulu, Hawaii

FEB 29 2008

RE: S.B. No. 2557  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2008  
State of Hawaii

Madam:

Your Committees on Agriculture and Hawaiian Affairs and Economic Development and Taxation, to which was referred S.B. No. 2557 entitled:

"A BILL FOR AN ACT RELATING TO BURIAL SITES,"

beg leave to report as follows:

The purpose of this measure is to transfer jurisdiction of inadvertently discovered native Hawaiian burial sites from the Department of Land and Natural Resources to the appropriate Island Burial Council and to provide sixty days for an Island Burial Council to make a determination on the treatment or removal of a burial site.

Testimony in support of this measure was submitted by the Office of Hawaiian Affairs, Society for Hawaiian Archaeology, and five individuals. Testimony in opposition to this measure was submitted by the Department of Land and Natural Resources.

Your Committees have amended this measure by incorporating the recommendations submitted by the Society for Hawaiian Archaeology. Particularly, this measure has been amended by:

- (1) Providing that if a determination has not been made by the appropriate Burial Council within sixty days from the Department of Land and Natural Resources being notified of the discovery, that the determination be made by the Department of Land and Natural Resources rather than the State Historic Preservation Officer;



- (2) Providing that this measure applies to the inadvertent discovery of human skeletal remains as well as burial sites; and
- (3) Providing that the Department of Land and Natural Resources may immediately remove inadvertently discovered burial sites and human remains where they are subject to imminent harm.

As affirmed by the records of votes of the members of your Committees on Agriculture and Hawaiian Affairs and Economic Development and Taxation that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2557, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2557, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committees on Agriculture and  
Hawaiian Affairs and Economic  
Development and Taxation,



CAROL FUKUNAGA, Chair



JILL TOKUDA, Chair



The Senate  
Twenty-Fourth Legislature  
State of Hawaii

**Record of Votes**  
**Committee on Agriculture and Hawaiian Affairs**  
**AHW**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB2557	AHW/EDT	26 Feb 2008		
<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
TOKUDA, Jill N. (C)	✓			
ENGLISH, J. Kalani (VC)	✓			
GABBARD, Mike	✓			
HEE, Clayton				✓
KOKUBUN, Russell S.				✓
SLOM, Sam		✓		
<b>TOTAL</b>	<b>13</b>	<b>1</b>		<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>J. Kalani English</i>				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes

