

STAND. COM. REP. NO.

1282

Honolulu, Hawaii

APR 09 2009

RE: H.B. No. 28
H.D. 1
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 Judiciary and Government Operations, to which was referred H.B. No. 28, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO DEAD HUMAN BODIES,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Prohibit the sale of dead human bodies, including human bodies or remains that have been plastinated through the use of polymers; and
- (2) Raise the monetary penalty for the sale of a dead human body or the giving, offering, or promising of consideration for a dead human body from \$1,000 to \$5,000.

This measure is intended to address the display of dead human bodies for commercial purposes.

Your Committee notes ongoing concerns raised by prior committees about whether this measure may conflict with existing law in section 327-16, Hawaii Revised Statutes, relating to the sale or purchase of body parts, and whether the term "recently occurred" in the proposed definition of "dead human body" may be too vague to allow proper enforcement of the prohibition.

Your Committee has amended this measure by:

2009-2059 SSCR SMA-1.doc



- (1) Clarifying that the display of dead human bodies for commercial purposes is prohibited; and
- (2) Making technical, nonsubstantive amendments.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 28, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 28, H.D. 1, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Government Operations,

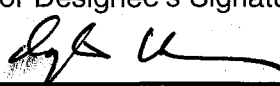


BRIAN T. TANIGUCHI, Chair



The Senate
 Twenty-Fifth Legislature
 State of Hawaii

Record of Votes
Committee on Judiciary and Government Operations
JGO

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 28, HD1, SD1	HTH, JGO	4/2/2009		
<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
TANIGUCHI, Brian T. (C)	✓			
TAKAMINE, Dwight Y. (VC)	✓			
BUNDA, Robert	✓			
GABBARD, Mike	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
TOTAL	6	0	0	0
Recommendation:				
<input checked="" type="checkbox"/> Adopted		<input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes