

LATE TESTIMONY

**Testimony to the House Committee for Consumer Protection & Commerce
Re: HCR219 from Pedro E. Racelis III, Legislative Representative for
Funeral Consumers Alliance of Hawaii
March 30, 2009 2:15PM**

The Funeral Consumers Alliance of Hawaii is a non-profit educational organization, formerly known as the Memorial Society of Hawaii, and was incorporated in 1962. Our mission is to assist consumers in planning and educating our members with meaningful, dignified, and affordable services at the time of death in the State of Hawaii. Our services are free to the public and we have over 2,000 members throughout the State of Hawaii.

We sincerely appreciate the efforts of Senator Les Ihara Jr. and that of the Department of Commerce and Consumer Affairs (DCCA) regarding HCR219, which relates to requesting the Department of Commerce & Consumer Affairs to recommend procedures and enforcement to require cemetery and pre-need funeral authorities to comply with unclaimed property laws under Chapter 523A, Hawaii revised statutes as a means to further protect the rights of the consumer in the State of Hawaii. We Support HCR219 for the following reasons:

1. HCR219 represent the interests of all consumers in the State of Hawaii because the State needs to begin to follow-through on legislation established under Chapter 523A to protect our consumer's rights with regards to unclaimed property.
2. We believe that HCR219 will assist the Department of Commerce and Consumer Affairs to establish procedures to enforce the recovery of unclaimed properties and a process of returning these properties to its rightful owners.

In closing, we believe HCR219 is necessary at this time and ask your committee to endorse it.

Sincerely,



Pedro E. Racelis III
Legislative Representative
Funeral Consumers Alliance of Hawaii

Eloise Kuniyoshi

From: James Arakaki [jimarakaki@hawaii.rr.com]
Sent: Monday, March 30, 2009 9:56 AM
To: Rep. Robert Herkes
Subject: Fw: HCR 219 - re: Unclaimed property

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Honorable Rep. Herkes,
HCR 219 will be heard today in your committee. I am opposed to creating another bill regarding unclaimed funeral plans and cemetery properties because these matters are settled at the estate level as assets in a person's estate should those assets not be used as intended. A law to settle these matters by reporting to DCCA will put undue burden to funeral and cemetery authorities to settle estate matters. Moreover these assets are not in the same category as bank accounts that are settled under the escheat law. Please do not pass this resolution in your committee as a similar SCR is being considered in the Senate.

Mahalo,
Jimmy Arakaki

----- Original Message -----

From: Andrade, Jerome
To: jimarakaki@hawaii.rr.com
Sent: Monday, March 30, 2009 9:37 AM
Subject: FW: HCR 219 - re: Unclaimed property

From: Candace.MY.Ito@dcca.hawaii.gov on behalf of cemetery@dcca.hawaii.gov
Sent: Fri 3/27/2009 8:26 PM
To: Andrade, Jerome
Cc: mitchell@dodomortuary.com; fd11507@hotmail.com; derwin@nmpmortuary.com; dmorikami@aol.com; eadeanb@aol.com; jadmlp@aol.com
Subject: HCR 219 - re: Unclaimed property

FYI - Monday, March 30, 2009, 2:15 p.m. - Consumer Protection & Commerce is hearing HCR 219 requesting the department of commerce and consumer affairs to recommend procedures and legislation to require cemetery and pre-need funeral authorities to comply with unclaimed property laws under chapter 523A, Hawaii Revised Statutes.

HCR 219: <http://www.capitol.hawaii.gov/session2009/Bills/HCR219 .HTM>

Hearing Notice: <http://www.capitol.hawaii.gov/session2009/hearingnotices/HEARING CPC 03-30-09 .HTM>

Should you have any questions regarding this matter, I can be reached at (808) 586-2704.