
HOUSE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO
CONVENE A WORKING GROUP TO REVIEW THE EXISTING SYSTEM AND
PROCEDURES FOR THE REVIEW AND PRESERVATION OF NATIVE
HAWAIIAN BURIAL SITES, INCLUDING DETERMINING FAIR AND
EFFECTIVE PENALTIES FOR PERSONS WHO NEGLIGENTLY OR
INTENTIONALLY DAMAGE SUCH SITES.

1 WHEREAS, the protection and preservation of prehistoric and
2 historic Native Hawaiian burial sites helps to ensure that
3 Native Hawaiian culture be perpetuated, preserved, and afforded
4 dignity and respect; and

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6 WHEREAS, in Native Hawaiian culture, ancestral bones, or
7 iwi, possess the person's mana, or spiritual essence; after
8 death, only the iwi are considered sacred because they contain
9 the person's mana; and

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11 WHEREAS, Native Hawaiians interred the remains of the
12 deceased at night to prevent enemies from locating them and
13 stealing, degrading, or otherwise using the spiritual power
14 contained in the remains; and

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16 WHEREAS, for Native Hawaiians today, the proper treatment
17 of ancestral bones remains essential to avoid insulting the
18 person's spirit or bringing trauma and harm to living
19 descendants; and

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21 WHEREAS, many Native Hawaiians want ancestral burial sites
22 be left in place and undisturbed; however, construction in
23 Hawaii has often resulted in the inadvertent finding of iwi; and

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25 WHEREAS, a person who negligently or intentionally damages
26 a place of burial is committing an offense against that site;
27 and



1 WHEREAS, because the disinterring of ancient Hawaiian
 2 burial sites has such far-reaching implications for Native
 3 Hawaiians based upon the importance of the proper treatment of
 4 the ancestral iwi, the Island Burial Councils were created in
 5 1990 within the Historic Preservation Division of the Department
 6 of Land and Natural Resources to make recommendations on the
 7 treatment of inadvertently discovered Native Hawaiian skeletal
 8 remains; now, therefore,

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 10 BE IT RESOLVED by the House of Representatives of the
 11 Twenty-fifth Legislature of the State of Hawaii, Regular Session
 12 of 2010, the Senate concurring, that the Department of Land and
 13 Natural Resources is requested to convene a working group to
 14 review the existing system and procedures for the review and
 15 preservation of Native Hawaiian burial sites, including
 16 determining fair and effective penalties for persons who
 17 negligently or intentionally damage such sites; and

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 19 BE IT FURTHER RESOLVED that certified copies of this
 20 Concurrent Resolution be transmitted to the Chairperson of the
 21 Board of Land and Natural Resources, Administrator of the State
 22 Historic Preservation Division of the Department of Land and
 23 Natural Resources, Director of the Kamakakuokalani Center for
 24 Hawaiian Studies at the University of Hawaii, Chairperson of
 25 each Island Burial Council, and the Directors of the Kanaka
 26 Council Moku o Keawe and Hui Malama I Na Kupuna O Hawaii Nei.

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