
HOUSE 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, that the Department of Land and Natural Resources is
 13 requested to convene a working group to review the existing
 14 system and procedures for the review and preservation of Native
 15 Hawaiian burial sites, including determining fair and effective
 16 penalties for persons who negligently or intentionally damage
 17 such sites; and
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19 BE IT FURTHER RESOLVED that certified copies of this
 20 Resolution be transmitted to the Chairperson of the Board of
 21 Land and Natural Resources, Administrator of the State Historic
 22 Preservation Division of the Department of Land and Natural
 23 Resources, Director of the Kamakakuokalani Center for Hawaiian
 24 Studies at the University of Hawaii, Chairperson of each Island
 25 Burial Council, and the Directors of the Kanaka Council Moku o
 26 Keawe and Hui Malama I Na Kupuna O Hawaii Nei.
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 29

OFFERED BY:

Jyla B. Berg
Rep. David Ige
Matt M.
Barbara Maramba

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