

STAND. COM. REP. NO. 274 -10

Honolulu, Hawaii

Feb 11, 2010

RE: H.B. No. 1973

H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir:

Your Committee on Water, Land, & Ocean Resources, to which was referred H.B. No. 1973 entitled:

"A BILL FOR AN ACT RELATING TO DESECRATION,"

begs leave to report as follows:

The purpose of this bill is to help protect sacred burial sites by amending the state of mind requirement for the offense of desecration of a burial site, from intentional to negligent.

Friends for Waialua Town and several concerned individuals testified in support of this bill. The Department of Land and Natural Resources and Department of Parks and Recreation of the City and County of Honolulu opposed this measure.

Your Committee notes that not all disturbances of burial sites are intentional. Unfortunately, the discovery of burials during construction or other excavation for public projects, including laying sewer, utility, and water lines, is not uncommon.

Accordingly, your Committee has amended this bill by limiting the violation to areas that are known to be burial sites.

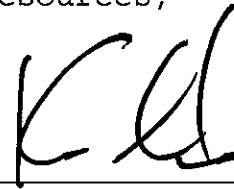
Your Committee has also amended this bill by making technical, nonsubstantive amendments for clarity, consistency, and style.

HB1973 HD1 HSCR WLO HMS 2010-1716



As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1973, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1973, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Water, Land, &
Ocean Resources,



KEN ITO, Chair



