

# Nanette Naioma Napoleon

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## **Testimony in Support of SB 2173 Relating to Cemeteries**

Senator Rosalyn H. Baker, Chair  
Committee on Commerce and Consumer Protection  
State Senate, Hawaii State Legislature

Dear Senator Baker,

My name is Nanette Napoleon. I have been studying historic graveyards in Hawai'i for more than 25 years and I'm considered, by many, to be the state's leading authority on historic graveyards in the islands. I have also served as a trustee for O'ahu Cemetery for 15 years, and in this capacity have had to deal with many issues relating to laws, rules and regulations pertaining to the operation and disposition of cemeteries.

As a result of recent legal issues pertaining to the removal and relocation of burial at Kawaiaha'o Cemetery in Honolulu, there were a number of jurisdictional disputes between the Department of Health, the Department of Land and Natural Resource and the Department of Commerce and Consumer Affairs. The Attorney General's office was brought in to help resolve these disputes, and they were, to a certain extent, but it is clear to me that state statutes, rules and regulations within the three departments above need to be aligned in such a manner as to prevent legal battles in the future.

While I support the intent of SB 2173, I strongly suggest that as a prelude to adoption of any new rules by the DCCA concerning the disinterment of human remains, that all said parties above meet together to talk about the issue of jurisdiction with the intent of finding some resolution to this matter so that the future cases similar to Kawaiaha'o can be managed in a more efficient and less adversarial manner. I would be happy to join in these discussions.

Sincerely,

Nanette Napoleon  
Director  
The Cemetery Research Project