

STAND. COM. REP. NO. 2201

Honolulu, Hawaii

FEB 12 2014

RE: S.B. No. 234  
S.D. 1

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Seventh State Legislature  
Regular Session of 2014  
State of Hawaii

Madam:

Your Committees on Hawaiian Affairs and Technology and the Arts, to which was referred S.B. No. 234 entitled:

"A BILL FOR AN ACT RELATING TO BURIAL SITES,"

beg leave to report as follows:

The purpose and intent of this measure is to establish a task force to develop additional procedures and protocols in the event a lineal or cultural descendant of Native Hawaiian skeletal remains that are interred at a burial site cannot be established.

Your Committees received testimony in support of this measure from the Office of Hawaiian Affairs. Your Committees received testimony in opposition to this measure from the Department of Land and Natural Resources and Association of Hawaiian Civic Clubs.

Your Committees find that island burial councils are responsible for identifying the cultural and lineal descendants of Native Hawaiian remains, or iwi, and must execute burial treatment plans to best preserve the iwi. Often times, however, the burial councils cannot establish the iwi's lineal or cultural descendants and must defer a decision on the treatment of the iwi, causing significant delays to the development project, and also the preservation of the iwi. This measure seeks to ultimately establish additional procedures for the burial councils to follow when the lineal or cultural descendants are unknown so that a burial treatment plan can be completed as soon as possible.



Your Committees have amended this measure by:

- (1) Removing language suggesting that Kaho'olawe be considered as an alternate burial site for Native Hawaiian remains with no lineal or cultural descendants;
- (2) Clarifying that the task force shall consider options, in alignment with Native Hawaiian burial practices, for preservation in place and reburial when necessary;
- (3) Requiring the task force to submit a report of its findings and recommendations to the Legislature and the Governor no later than twenty days prior to the Regular Session of 2015, rather than 2014;
- (4) Clarifying that the task force will cease to exist on June 30, 2015, rather than June 30, 2014; and
- (5) Changing the effective date to July 1, 2014.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs and Technology and the Arts that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 234, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 234, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committees on Hawaiian Affairs  
and Technology and the Arts,



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GLENN WAKAI, Chair



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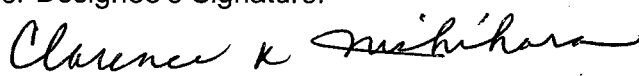
MAILE S.L. SHIMABUKURO, Chair





The Senate  
Twenty-Seventh Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Technology and the Arts**  
**TEC**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 234	HWN/TEC, WAM	02/07/14		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
WAKAI, Glenn (C)	/			
NISHIHARA, Clarence K. (VC)	/			
IHARA, Les	/			
TOKUDA, Jill N.				/
SLOM, Sam				/
<b>TOTAL</b>	<b>3</b>			<b>2</b>
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

\*Only one measure per Record of Votes