

Honolulu, Hawaii

March 19, 2013

RE: S.B. No. 407  
S.D. 1  
H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Seventh State Legislature  
Regular Session of 2013  
State of Hawaii

Sir:

Your Committee on Ocean, Marine Resources, & Hawaiian  
Affairs, to which was referred S.B. No. 407, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ISLAND BURIAL COUNCILS,"

begs leave to report as follows:

The purpose of this measure is to protect native Hawaiian  
burial sites by clarifying ambiguous statutory language regarding  
composition and quorum requirements for island burial councils.

The Department of Land and Natural Resources, Association of  
Hawaiian Civic Clubs, Society for Hawaiian Archaeology, and an  
individual provided testimony in support of this measure. The  
Office of Hawaiian Affairs and the Kahoolawe Island Reserve  
Commission provided comments on this measure.

Your Committee has amended this measure by:

- (1) Specifying that at least two regional representative  
seats on each council shall be appointed by the Governor  
from a list submitted by the Office of Hawaiian Affairs;
- (2) Clarifying the process and timeline by which the Office  
of Hawaiian Affairs and the Department of Land and  
Natural Resources submit lists nominating individuals to  
fill vacancies on the councils;



- (3) Clarifying that notwithstanding the amendments made to the requirements for council members, current sitting council members may serve the remainders of their terms; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that the Department of Land and Natural Resources stated that it has not had time to review the language proposed by the Office of Hawaiian Affairs and adopted by your Committee.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 407, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 407, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on  
behalf of the members of the  
Committee on Ocean, Marine  
Resources, & Hawaiian Affairs,

  
FAYE P. HANOHANO, Chair



