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**PRESENTATION OF THE
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS**

TO THE HOUSE COMMITTEE ON FINANCE

TWENTY-NINTH STATE LEGISLATURE
Regular Session of 2017
Wednesday, March 1, 2017
11:00 a.m.

TESTIMONY ON HOUSE BILL NO. 1245, H.D. 2, RELATING TO CEMETERIES.

TO THE HONORABLE SYLVIA LUKE, CHAIR,
TO THE HONORABLE TY J.K. CULLEN, VICE CHAIR,
AND MEMBERS OF THE COMMITTEE:

My name is Catherine Awakuni Colón, Director of the Department of Commerce and Consumer Affairs (“DCCA” or “Department”). DCCA appreciates the opportunity to submit testimony in support of House Bill No. 1245, H.D. 2, Relating to Cemeteries, and to offer the following comments for the Committee’s consideration.

House Bill. No. 1245, H.D. 2, proposes to address the issues that continue to negatively impact the condition and operations of the privately held Sunset Memorial Park Cemetery (“Sunset Memorial”). The proposed solutions in this measure include the creation of specific volunteer liability protections under Chapter 662D, Hawaii Revised Statutes, for those persons and organizations providing voluntary upkeep and

maintenance of privately owned and operated cemeteries, and also the requirement that DCCA develop both short- and long-term strategies for the upkeep, repair, and maintenance of Sunset Memorial, including consideration of possible state ownership. In addition, this measure would authorize DCCA to use Sunset Memorial Trust Fund amounts for repair and maintenance purposes.

The Department appreciates the Legislature's continuing leadership and support – and, in particular, the leadership of area legislators – in finding both short- and long-term solutions to the issues affecting Sunset Memorial. While DCCA continues to work on carrying out a number of solutions identified and pursued during the interim of 2016, we fully support the provisions of this measure that will reinforce ongoing efforts. In particular, the Department supports the bill's creation of a special cemetery volunteer liability protection law, which is intended to encourage members of the public who have expressed a desire to volunteer on the Sunset Memorial grounds to do so without fear of liability resulting from their charitable activities.

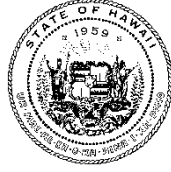
The Department is committed to continuing to work with area legislators, the affected community and businesses, and all others interested in finding a practical, sustainable way forward for Sunset Memorial. Accordingly, DCCA does not object to the portion of this measure that would have the Department continuing to work on developing short- and long-term strategies for Sunset Memorial in collaboration with the Department of Accounting and General Services. The Department would only ask the Legislature to give careful consideration when exploring certain long-term options listed in this bill that may not be practical or appropriate for the State, namely a possible state takeover of Sunset Memorial and the utilization of perpetual care funds to be used by

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DCCA and not a private licensee. The Department believes it is best to focus on finding solutions that would leave the State's current private cemetery operator licensing model in place without also creating the need for significant intervention in cemetery operations by the State, excepting the State's current abandoned cemetery care program.

Thank you for the opportunity to provide testimony in support of this measure. I am happy to answer any questions the Committee may have.

DAVID Y. IGE
GOVERNOR



RODERICK K. BECKER
Comptroller

AUDREY HIDANO
Deputy Comptroller

STATE OF HAWAII
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES

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TESTIMONY OF
RODERICK K. BECKER, COMPTROLLER
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
TO THE
HOUSE COMMITTEE ON FINANCE
ON
WEDNESDAY, MARCH 1, 2017
11:00 A.M.
CONFERENCE ROOM 308

H.B. 1245, H.D. 2

RELATING TO CEMETERIES.

Chair Luke, Vice Chair Cullen, and members of the Committee, thank you for the opportunity to submit testimony on H.B. 1245, H.D. 2.

The Department of Accounting and General Services (DAGS) supports the intent of the measure, and will work with the Department of Commerce and Consumer Affairs in developing strategies for the repair and maintenance of Sunset Memorial Park. DAGS believes that the State's current private cemetery operator licensing model should remain in place while expanding opportunities and ensuring protections for volunteer participation in the maintenance and care of the memorial park.

Thank you for the opportunity to submit testimony on this matter.



From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 28, 2017 3:56 PM
To: FINTestimony
Cc: tsakamoto1@honolulu.gov
Subject: *Submitted testimony for HB1245 on Mar 1, 2017 11:00AM*

HB1245

Submitted on: 2/28/2017

Testimony for FIN on Mar 1, 2017 11:00AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Councilmember Brandon Elefante	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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