

DAVID Y. IGE
GOVERNOR

JOSH GREEN
LT. GOVERNOR

**STATE OF HAWAII
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS**

335 MERCHANT STREET, ROOM 310
P.O. BOX 541
HONOLULU, HAWAII 96809
Phone Number: 586-2850
Fax Number: 586-2856
cca.hawaii.gov

CATHERINE P. AWAKUNI COLÓN
DIRECTOR

JO ANN M. UCHIDA TAKEUCHI
DEPUTY DIRECTOR

Testimony of the Department of Commerce and Consumer Affairs

**Before the
Senate Committee on Commerce, Consumer Protection and Health
Thursday, February 20, 2020
9:00 a.m.
State Capitol, Conference Room 229**

**On the following measure:
S.B. 2883, RELATING TO CEMETERY AUTHORITY EXEMPTION**

Chair Baker and Members of the Committee:

My name is Charlene Tamanaha, and I am the Licensing Administrator of the Department of Commerce and Consumer Affairs' (Department) Professional and Vocational Licensing Division. The Department supports this administration bill.

The purposes of this bill are to clarify that: (1) churches granted an exemption under Hawaii Revised Statutes (HRS) section 441-22.1 are exempt from all requirements of HRS chapter 441; and (2) other exempted entities shall comply with any provision of HRS chapter 441 upon order of the Department's director.

Act 14, Session Laws of Hawaii 1968, authorized the then-Cemetery Board to exempt any cemetery authority from the bonding and fee requirements for license, renewal, and reinstatement if it did not actively engage in pre-need sales, have a licensed cemetery salesperson, or sell for financial profit. Since 1968, exempt cemetery authorities have not been regulated and have been treated as exempt from HRS chapter 441 requirements. Exempt cemetery authorities provide burials to their

Testimony of DCCA

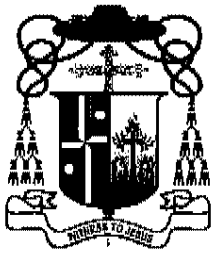
S.B. 2883

Page 2 of 2

community based upon goodwill, rather than operate the cemetery as a business, and would therefore have difficulty complying with HRS chapter 441.

In codifying the current practice of the Department's Cemetery and Funeral Trusts Program (Program), this bill will help the Program become more efficient in overseeing cemeteries and provide clarity for exempt entities regarding the requirements of HRS chapter 441. In addition, churches and other non-profit exempt cemetery authorities will continue to be responsible for maintaining and caring for their cemeteries.

Thank you for the opportunity to testify, and we respectfully ask the Committee to pass this administration bill.



ROMAN CATHOLIC CHURCH IN THE STATE OF HAWAII
DIocese OF HONOLULU
WITNESS TO JESUS

February 20, 2020

Testimony on behalf of the Roman Catholic Church in the State of Hawaii
Most Reverend Clarence L. Silva, Bishop of Honolulu
Prepared for the Senate Committee on Finance
In Support of SB3130 and SB2883
Wednesday, February 20, 2020, at 9 a.m.

Dear Chair Baker, Vice Chair Chang and Honorable Members,

The Roman Catholic Church in the State of Hawaii supports Both SB 3130 and SB 2883. As Bishop of Honolulu, I would like to be able to provide for our faithful a proper resting place in their places of worship. The passage of either of these bills will allow all religious institutions, including our 66 Catholic parishes throughout Hawaii, to feasibly construct and manage a columbarium within the property of their places of worship.

In 2016, I surveyed our parishioners to determine if there is a need for a columbaria. There was an overwhelming support, and several stated the cremated remains their loved ones are currently at home with them because they have nowhere to put them. Our Catholic burial rites do not allow the scattering of ashes, so having a columbarium for our faithful would meet the spiritual needs of our parishioners who have lost a loved one. Many of Hawaii's Catholics want to be buried, along with their families, in their places of worship. As the law is currently written, we have not been able to do this, lawfully or feasibly.

If Senate Bill 3130 or Senate Bill 2883 is passed, we envision creating a parish-based, and carefully managed columbarium program. Multiple generations of local families could be laid to rest together. Family members could visit and honor their ohana in their chosen place of worship.

All of this would be done without the financial and emotional hardship associated with caring for the remains of loved ones after they have passed.

Catholics in Hawaii are the largest Christian denomination in the State, with an estimated one of four residents baptized Catholic. There are more than 200,000 Catholics throughout Hawaii. The passage of SB 3130 or SB 2883 would have a positive impact on thousands of Hawaii's residents. It would extend to other faith communities such as our Episcopalians, Buddhists, Lutherans, Baptists and Methodists.

On behalf of the Roman Catholic Church in the State of Hawaii, I respectfully encourage you to support the passage of this bill and the valuable benefits it will provide to our local families throughout the State of Hawaii.

Sincerely yours,

A handwritten signature in black ink that reads "Clarence Silva". The signature is written in a cursive style.

Most Reverend Clarence (Larry) Silva
Bishop of Honolulu

Testimony from Sister William Marie Eleniki
Regional Minister for the Sisters of St Francis of the Neumann Communities
Prepared for the House Committee on Finance In Support of SB 3130
Thursday, February 20, 2020, at 9 a.m.

Dear Chair Luke, Vice Chair Cullen, and Honorable Members,

I am Sister William Marie Eleniki. I currently serve as the Regional Minister for the Sisters of St. Francis of the Neumann Communities. This is the religious order of Hawaii's second saint, Saint Marianne Cope.

On behalf of the Sisters of St. Francis of the Neumann Communities, mahalo for your support of SB 3130 and SB 2883, a bill that supports Hawaii's multi-faith community by providing an exemption for churches and entities organized, controlled, and operated by them from licensing, bonding and fee requirements under § 441.

Our support for this exemption is based on our desire and commitment to care for the afterlife needs of our faith serving communities and their families. Passage of SB 3130 or SB 2883 will allow religious institutions to feasibly construct and properly manage a columbarium within their property or place of worship, by providing niches to its members for a reasonable fee.

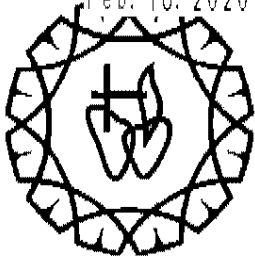
As the law is currently written, we are not able to lawfully or feasibly implement a columbarium program at our parishes.

Receiving this exemption will allow us to implement a parish-based and carefully-managed columbaria program, providing an important and affordable option for many of our Hawaii residents. It will allow multi-generational families throughout Hawaii and within our faith community to be laid to rest together, without experiencing the financial hardship associated with caring for their loved ones in their afterlife. It will also provide peace of mind for those who lose a family member, knowing their loved ones are being cared for in their chosen place of worship.

Again, mahalo for your support of SB 3130 and SB 2883 and the many benefits it will provide to Hawaii's families.

Sincerely,

Sister William Marie Eleniki



Congregation of the Sacred Hearts - United States Province

Post Office 'Box 77, 77 J. Laams Street
Fairhaven, Massachusetts 02719

Post Office 'Box 1365, 45-713 Poolea Street
Xaneofie, Hawaii 96744

Aloha,

I am Reverend Herman Gomes. I currently serve as the U.S. Provincial Superior of the Congregation of the Sacred Hearts of Jesus and Mary. This is the religious order of Hawaii's first saint, Saint Damien De Veuster. I am here to testify in support of SB3130 and SB 2883.

My support for this bill is based on our parishes' desire to meet the spiritual needs of our parishioners and faith-based communities. The passage of this bill allows religious institutions, including 66 Catholic parishes throughout Hawaii, to feasibly construct and manage a columbarium at the site of their place of worship. This would be done by providing niches to parishioners or members for a reasonable fee.

For years, our Catholic community has asked us to provide this for them and their families. In 2016, the Diocese of Honolulu commissioned a third-party study and survey to confirm this need. It was also done to determine the feasibility of providing a columbarium program for Hawaii's Catholics. The results showed an overwhelming confirmation of what we have heard for years. Hawaii's Catholics want the option to be buried, along with their families, at their place of worship. As the law is currently written, we have not been able to do this, lawfully or feasibly.

If SB 3130 or SB 2883 is passed, we envision creating a parish-based, and carefully managed columbarium program. Because they would be located on church property, perpetual care for the columbarium would be assured. Multi-generations of local families would be laid to rest together. Family members could visit and honor their 'ohana at their chosen place of worship.

All of this would be done without the financial and emotional hardship associated with caring for loved ones after they have passed.

Catholics in Hawaii are the largest Christian denomination in the State, with an estimated one of four residents baptized Catholic. There are more than 200,000 Catholics throughout Hawaii. The passage of SB 3130 or SB 2883 would have a positive impact on thousands of Hawaii's residents. It would extend to other faith communities such as our Episcopalians, Buddhists, Lutherans, Baptists and Methodists.

I respectfully encourage you to support the passage of this bill and the valuable benefits it will provide to our local families.

Mahalo.

Rev. Herman Gomes S.S.C.

SB-2883

Submitted on: 2/15/2020 8:51:38 AM

Testimony for CPH on 2/20/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Alan Urasaki	Individual	Support	No

Comments:

Buddhist temples have columbariums for use by members and families.