

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. 3130, RELATING TO CEMETERIES**

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 prefers the language of S.B. 2883 to the language of this bill and therefore opposes S.B. 3130.

The purpose of this bill is to allow any cemetery authority to be exempted from licensing, bonding, and fee requirements when selling or offering use of its property or portion thereof for the inurnment of cremated remains of its members, adherents, and their families.

The Department believes that the focus of the bill is too narrow because it only addresses the inurnment of cremated remains. The Department also believes that the bill's use of "church, religious society, or denomination" on page 2, lines 10 to 11 is too broad.

By comparison, S.B. 2883 clarifies that churches granted an exemption under Hawaii Revised Statutes (HRS) section 441-22.1 are exempt from all requirements of HRS chapter 441, and that other exempted entities shall comply with any provision of that chapter upon order of the Department's Director. In addition, S.B. 2883 clearly identifies a church as being exempt as a church if it is exempt under federal tax law.

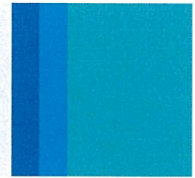
Given this information, the Department respectfully requests that the Committee hold S.B. 3130 and pass S.B. 2883.

Thank you for the opportunity to testify on this bill.

MYM Services, LLC

P.O. Box 893940 Mililani, Hawaii 96789

Cellular: 428-3736; Email: mymagaoy@gmail.com



February 20, 2020

To: Senator Rosalyn H. Baker, Chair and
Senator Stanley Chang, Vice Chair and
Members of the Committee on Commerce, Consumer Protection, & Health

From: Michael Y. Magaoay, President MYM Services, LLC 

Re: SB 3130 Relating to Cemeteries

Position: STRONG SUPPORT

Good morning Chair Baker, Vice Chair Chang and members of the Committee on Commerce, Consumer Protection, & Health. I am Michael Magaoay, an electrical engineer consultant testifying in strong support of SB 3130; Relating to Cemeteries.

The desire and commitment are to care for the afterlife needs of our local faith serving communities and their families. We support an amendment to Hawaii's current law regarding Cemetery and Funeral Trusts to allow non-profit religious institutions to feasibly construct and properly manage a columbarium within their property or place of worship by providing niches to their members for an affordable fee.

The primary goal for supporting this exemption is to provide an affordable continuum of spiritual care for their parishioners, even in their afterlife. The law as it is presently written, does not allow them to do this in a feasible manner.

The passage of SB3130 will provide our faith community and their families throughout Hawaii with a much-needed service at a reasonable cost. It will allow multi-generational families to be laid to rest together and cared for in their chosen place of worship, providing future generations with the comfort of knowing their kupuna, parents, and



other family members are being cared for in one location. The passage of SB3130 will also help prevent countless local families from incurring financial and emotional hardship in caring for their loved ones in their afterlife.

We also support SB2883 Relating to Cemetery Authority Exemption.

Thank you for the opportunity to provide written testimony in **STRONG SUPPORT** of SB3130.





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.

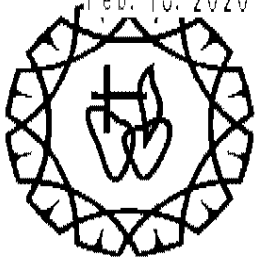
All of this would be done without the financial and emotional hardship associated with caring for the remains of loved ones after they have passed.

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,

Most Reverend Clarence (Larry) Silva
Bishop of Honolulu



Congregation of the Sacred Hearts - United States Province

Post Office 'Box 77, 77 Adams Street
Fairhaven, Massachusetts 02719

Post Office 'Box 1365, 45-713 Poole'a Street
Xane'ole, 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 ss. cc.

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.

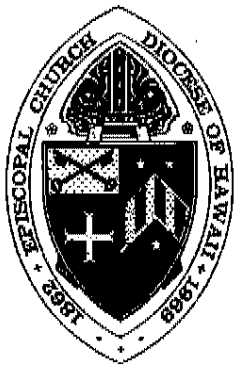
As the law is currently written, we are not able to lawfully or feasibly implement a columbarium program at our parishes.

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



The Episcopal Diocese of Hawai'i

The Right Reverend Robert L. Fitzpatrick
Bishop

Name: The Rt. Rev. Robert L. Fitzpatrick
Occupation: Bishop of the Episcopal Diocese of Hawai'i

Aloha Chair Baker, Vice Chair Chang, and members of the Senate Committee on Commerce, Consumer Protection, and Health.

As the Bishop of the Episcopal Diocese of Hawai'i, I am writing in support of SB3130. My Diocese consists of 38 worshipping congregations on five islands. Some date back to the founding of our Church by King Kamehameha IV and Queen Emma in 1862.

Our churches have grave yards, columbariums and memorial gardens. Some of the cemeteries date back to early years of the Church in the Islands and the original land grants from the Ali'i (for example, Holy Innocents Church's cemetery on Waine'e Street in Lahaina; St. Augustine's Church, Kapa'au; and Christ Church, Kealakekua). Others have built columbariums in more recent years (for example, Holy Nativity Church, 'Aina Haina; St. Michael and All Angels' Church, Lihu'e; and Trinity by-the-Sea Church, Kihei).

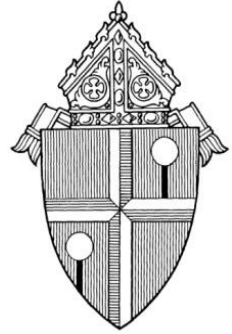
These final resting places provide for our families the confidence that their ancestors' remains are cared for in the environment of their faith and within the confines of the home church they so dearly loved

The passage of SB 3130 would be a blessing to the members of the Episcopal Church and to the hundreds of other local families who wish to rest in their spiritual home that has brought them much joy, peace and strength throughout their lives.

I urge your swift and positive action on this legislation.

THE OFFICE OF THE CHANCELLOR

ROMAN CATHOLIC CHURCH IN THE STATE OF HAWAII | ST. STEPHEN DIOCESAN CENTER
6301 PALI HIGHWAY, KANEOHE, HAWAII 96744-5224 | (808) 203-6715 | FAX: (808) 263-8518



Support for HB2202 HD1 and SB3130, relating to cemeteries.

Aloha Chair Luke, Vice Chair Cullen, and members of the House Finance Committee,

My name is Deacon Keith Cabiles, I am the Chancellor of the Roman Catholic Church - Diocese of Honolulu. Thank you for allowing my testimony.

As locals, there is no other concept more ingrained in our hearts than the concept of “Ohana”. For us locals, “ohana” is the center of our universe. We thrive in loving our family, which includes our friends. We also thrive *because* of the love our family and friends have for us. We feel it at every family gathering, at birthdays, potlucks, baby showers, and retirement parties. The hugs, kisses, handshakes, ‘sups, and howzits, are part of the language unique to our ohana philosophy. Nothing gives us more joy than to be with, and to love our ohana. For us, ohana is life.

We also experience this profound joy when a loved one dies. Where and how we celebrate a loved one’s death reflects that love. Whether one is a Christian, Jew, Muslim or Buddhist, funeral services are a grand culmination, a rousing finale and the symbolic final hug, kiss and handshake with our loved one. But for Hawaii’s faithful (estimates place 73% of Hawaii’s population as believers), to be buried at their place of worship is a reality not yet realized.

The passing of HB2202 HD1 and SB3130 manifests what “ohana” means. It will be a recognition of this unique aspect of local culture, and the wholeness of our love for family and friends - *in life and in death*. By passing these bills, Hawaii’s faith community and their extended ohana will receive much needed service and care. Grieving families will receive a seamless and natural process of spiritual care within their own worship community, and be able to experience a continued and infinite joy, knowing that our beloved ohana are laid to rest in their own place of worship.

Peace,

Dcn. Keith Cabiles

LATE

Name: Fr Efren A. Tomas, MS

Pastor of St Joseph Church

Waipahu, HI 96797

Aloha Chair Baker, Vice Chair Chang and members of Committee:

My name is Fr Efren A. Tomas, MS and I am writing in support of SB3130, I've been a priest assigned in the Diocese of Honolulu for the past 16 years. In my journey with our parishioners particularly on their spiritual life, no better way to continue their faith journey than having the remains of their loved ones and that of the next generations of their "ohana" be buried side by side in a place that means so much to them, which is the Church.

Hawaii, as a whole is a very faith-based community. I truly believe this is what makes such a giving community that defines "the aloha spirit." We gather together to celebrate the Eucharist everyday, thanking the the Lord for the many blessings we received and at the same time remembering our loved ones who have gone before us. I know there are many who would welcome the opportunity to continue their celebration of life and faithfulness by being buried in their place of worship. Please pass SB3130.

Submitted by:

Sony Gamiao

Parishioner Sacred Heart Church - Pahoa

Roman Catholic Church of Hawaii

Comments:

Aloha Chair Baker, Vice Chair Chang, and members of the Committee.

On behalf of the Roman Catholic Church of Hawaii, our 250,000 members, and the multi-faith, multi-community coalition to promote affordable afterlife care in which we are participating, we strongly urge your support for SB3130.

The exemption outlined in this measure is based on our desire and commitment to care for the afterlife needs of the local communities we serve and their families. We are requesting an amendment to Hawaii's current law regarding Cemetery and Funeral Trusts to 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 an affordable fee. Hawaii is one of few states that does not exempt religious institutions from charging a fee to help manage the costs of having a columbarium on their property. The primary goal is to provide a continuum of spiritual care for our parishioners, even in their afterlife, that does not run our local families broke at what can be the most emotionally and financially difficult time for them (the passing of a loved one).

This important benefit extends far beyond Catholic communities and would benefit all of Hawaii's registered faith-based non-profits such as Hawaii's Buddhist, Episcopalian, Baptist, Lutheran, Methodist, Congregationalist Evangelical, Hindu, and other faith serving communities here in the islands. It is worth noting that the law, when amended in 1985, was intended to provide an exemption from the cemetery authority rules for non profits by providing an exemption for any organization not making a 'profit' off of the subject activity. That language as currently within the statute is vague and has not resulted in churches' ability to provide this service to our members. The proposed language provides a bright line and safe harbor on exempted activities at a much needed time for our local communities seeking relief from the burdensome costs of after life care for their 'ohana.

Mahalo for taking the time to read this testimony and for your consideration of support for SB3130.

Me ka pono,

Sony Gamiao

For the Roman Catholic Church of Hawaii

Submitted by:

Sharen Chaves

East Hawaii Vicariate – Representative Diocesan Pastoral Commission

Roman Catholic Church of Hawaii

Comments:

Aloha Chair Baker, Vice Chair Chang, and members of the Committee.

On behalf of the Roman Catholic Church of Hawaii, our 250,000 members, and the multi-faith, multi-community coalition to promote affordable afterlife care in which we are participating, we strongly urge your support for SB3130.

The exemption outlined in this measure is based on our desire and commitment to care for the afterlife needs of the local communities we serve and their families. We are requesting an amendment to Hawaii's current law regarding Cemetery and Funeral Trusts to 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 an affordable fee. Hawaii is one of few states that does not exempt religious institutions from charging a fee to help manage the costs of having a columbarium on their property. The primary goal is to provide a continuum of spiritual care for our parishioners, even in their afterlife, that does not run our local families broke at what can be the most emotionally and financially difficult time for them (the passing of a loved one).

This important benefit extends far beyond Catholic communities and would benefit all of Hawaii's registered faith-based non-profits such as Hawaii's Buddhist, Episcopalian, Baptist, Lutheran, Methodist, Congregationalist Evangelical, Hindu, and other faith serving communities here in the islands. It is worth noting that the law, when amended in 1985, was intended to provide an exemption from the cemetery authority rules for non profits by providing an exemption for any organization not making a 'profit' off of the subject activity. That language as currently within the statute is vague and has not resulted in churches' ability to provide this service to our members. The proposed language provides a bright line and safe harbor on exempted activities at a much needed time for our local communities seeking relief from the burdensome costs of after life care for their 'ohana.

Mahalo for taking the time to read this testimony and for your consideration of support for SB3130.

Me ka pono,

Sharen Chaves

For the Roman Catholic Church of Hawaii

MARVIN H. UEHARA

94-1022 Leomana Place ♦ Waipahu, HI 96797 ♦ (808) 676-7719

February 17, 2010

To Whom It May Concern:

Aloha. My name is Marvin Uehara and I am writing in support of SB3130. My wife has been a Catholic since infancy, but it was only 16 years ago that I converted to Catholicism. We have attended mass every week for many years and have volunteered at the church extensively.

A few years ago, we were informed that our church, Resurrection of the Lord in Waipio, was considering installing a columbarium. Although we both have burial plots, we began to consider the possibility of being buried at our house of worship where the environment is much more spiritual, beautiful and peaceful. Subsequently, we learned that there were legal obstacles to building a columbarium and that passage of this bill would make it possible to get our columbarium. I'm certain many others would love to have the opportunity to be buried, or have their loved ones be buried where they worship. So please support SB3130.

On a related matter, I have seen reports on the desire of Hawaiian Memorial Park to expand their cemetery and the opposition by the neighbors. Given that the oldest baby boomers are in their early seventies, the pressure to build cemeteries or to expand existing ones in Hawaii will increase. Allowance of new sources of burial locations is a positive development.

Marvin H. Uehara

Submitted by:

Frederick Chang
Retiree and parishioner of Sts. Peter and Paul Church

Aloha Chair Baker, Vice Chair Chang, and members of the Committee.

My name is Frederick Chang and I am writing in support of SB3130. At the age of 84, I was born and raised Catholic and my faith has played such an important role in my life and that of my family.

My faith is my life, and I would want nothing more than to have the choice of continuing my spiritual after life in a place that has meant so much to me. For many in our community, ensuring our spiritual needs are met after we have passed is just as important as meeting those needs when we are alive. I also know my children would welcome the opportunity to visit my niche in a meaningful place, with the comfort of knowing I am where I want to be and am being well cared for.

I respectfully encourage you to pass SB3130 for the benefit of our community.

Sincerely,

Frederick Chang

February 17, 2020

Stephen A. Kula, Ph.D., NHA
Deacon at Holy Trinity Catholic Church

Aloha Chair Baker, Vice Chair Chang, and members of the Senate Committee on Commerce, Consumer Protection, and Health.

My name is Stephen Kula and I am writing in support of SB3130. Twelve years ago, my father passed away, and two years ago my Mom joined him, as a family, we struggled with the decision as to where to bury him and the hardships associated with that. He was a strong Catholic who was very active at Holy Trinity for over 50 years. It was not only a place of worship, but a place of life for him and our family. If churches were lawfully allowed to have a columbarium program when my father passed, he, as well as his family, would have welcomed that as his burial place.

Deacon Stephen A. Kula, Ph.D., NHA
718 Kii Street
Honolulu, Hawaii 96825
(808)277-7695

Walter T.Y. Lau
Accountant and parishioner of St. Pius X Catholic Church

Aloha Chair Baker, Vice Chair Chang, and members of the Committee.

My name is Walter T.Y. Lau and I am writing to you in support of SB3130. I am a fifth generation Catholic, and throughout the years, my family and I have relied on our faith and our parish community to guide and support us through the everyday challenges we all face. Words cannot express the importance our Church has played in our well-being and those of many others.

Knowing that our spiritual needs would continue to be cared for in our after life and that generations of our 'ohana would be buried side by side in a place that means so much to us, is immeasurable.

This is something I have thought about often, especially as my wife and I get older. We've had conversations with our children as to what we want when we pass, and I can say, unequivocally, that myself, my wife and my children would like nothing more than to rest in peace in our place of worship.

The passage of SB3130 would be a blessing to us and to the hundreds of other local families who wish to rest in eternal peace in a place that has brought them much joy, peace and strength throughout their lives.

With Aloha,

Walter T.Y. Lau

2308 Liloa Rise

Honolulu, HI 96822

Phone 216-1128

Submitted by:

Melinda LaCaille

Parishioner – Sacred Heart Church - Pahoia

Roman Catholic Church of Hawaii

Comments:

Aloha Chair Baker, Vice Chair Chang, and members of the Committee.

On behalf of the Roman Catholic Church of Hawaii, our 250,000 members, and the multi-faith, multi-community coalition to promote affordable afterlife care in which we are participating, we strongly urge your support for SB3130.

The exemption outlined in this measure is based on our desire and commitment to care for the afterlife needs of the local communities we serve and their families. We are requesting an amendment to Hawaii's current law regarding Cemetery and Funeral Trusts to 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 an affordable fee. Hawaii is one of few states that does not exempt religious institutions from charging a fee to help manage the costs of having a columbarium on their property. The primary goal is to provide a continuum of spiritual care for our parishioners, even in their afterlife, that does not run our local families broke at what can be the most emotionally and financially difficult time for them (the passing of a loved one).

This important benefit extends far beyond Catholic communities and would benefit all of Hawaii's registered faith-based non-profits such as Hawaii's Buddhist, Episcopalian, Baptist, Lutheran, Methodist, Congregationalist Evangelical, Hindu, and other faith serving communities here in the islands. It is worth noting that the law, when amended in 1985, was intended to provide an exemption from the cemetery authority rules for non profits by providing an exemption for any organization not making a 'profit' off of the subject activity. That language as currently within the statute is vague and has not resulted in churches' ability to provide this service to our members. The proposed language provides a bright line and safe harbor on exempted activities at a much needed time for our local communities seeking relief from the burdensome costs of after life care for their 'ohana.

Mahalo for taking the time to read this testimony and for your consideration of support for SB3130.

Me ka pono,

Melinda LaCaille

For the Roman Catholic Church of Hawaii

Aloha Chair Baker, Vice Chair Chang, and members of the Senate Committee on Commerce, Consumer Protection and Health.

My name is Celeste Oda, and I am writing to you in support of SB 3130. I am a lifelong Catholic, and throughout the years, my family and I have relied on our faith and our parish community to guide and support us through the everyday challenges we all face. Words cannot express the importance our Church has played in our well-being and those of many others.

Knowing that our spiritual needs would continue to be cared for in our after life and that generations of our 'ohana would be buried side by side in a place that means so much to us, is immeasurable.

This is something I have thought about often. Like many people in his generation, my dad was in the military so thankfully, my parents' burial arrangements are already set at Punchbowl. For my generation & future generations, however, the path is less clear. I would love the option of resting in peace in our place of worship.

The passage of SB3130 would be a blessing to us and to the hundreds of other local families who wish to rest in eternal peace in a place that has brought them much joy, peace and strength throughout their lives.

Name Fr. Robert Stark

Occupation and parishioner of: Catholic Priest in residence at Mary, Star of the Sea Parish, Honolulu Hawaii 96821 and Director of the Diocese of Honolulu Office for Social Ministry

Aloha Chair Baker, Vice Chair Chang, and members of the Senate Committee on Commerce, Consumer Protection and Health.

My name is Fr. Robert Stark and I am writing to you in support of SB3130. I write not only as priest and parishioner at Mary, Star of the Sea Parish on Oahu, but also as the Diocese Director of Social Ministry. I am fourth generation Catholic, and with more than 40 years in the priesthood. Throughout the years, I have experienced how many families have relied on their faith and parish community life for guidance and support through the everyday challenges.

Hawaii is a deeply spiritual community which helps make us such a loving community that defines "the aloha spirit." We pray together, we celebrate in times of joy with one another, and we come together regardless of our faith or background when someone is in need. There are many persons here in Hawaii who would welcome the opportunity to continue their celebration of life and faithfulness by being buried in their place of worship.

The passage of SB 3130 would be a blessing to us all who wish to rest in eternal peace in a place that has brought them much joy, peace and strength throughout their lives. Please pass SB 3130.

Mahalo

Fr. Robert Stark

My name is Corazon Tubana and I am writing in support of SB3130. I have been a faithful parishioner of St. Joseph Church, Waipahu, for the past 35 years, and would like nothing more than to continue my spiritual journey in my afterlife by having my remains, and those of my family, buried at St. St. Joseph, Waipahu.

Hawaii, as a whole, is a very faith-based community. I truly believe this is what makes us such a giving community that defines "the aloha spirit." We pray together, we celebrate in times of joy with one another, and we come together regardless of our faith or background when someone is in need.

I know there are many who would welcome the opportunity to continue their celebration of life and faithfulness by being buried in their place of worship. Please pass SB3130.

Submitted by:

Rev John T Molina

Administrator Sacred Heart Church - Pahoia

Roman Catholic Church of Hawaii

Comments:

Aloha Chair Baker, Vice Chair Chang, and members of the Senate Committee on Commerce, Consumer Protection, and Health.

On behalf of the Roman Catholic Church of Hawaii, our 250,000 members, and the multi-faith, multi-community coalition to promote affordable afterlife care in which we are participating, we strongly urge your support for SB 3130.

The exemption outlined in this measure is based on our desire and commitment to care for the afterlife needs of the local communities we serve and their families. We are requesting an amendment to Hawaii's current law regarding Cemetery and Funeral Trusts to 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 an affordable fee. Hawaii is one of few states that does not exempt religious institutions from charging a fee to help manage the costs of having a columbarium on their property. The primary goal is to provide a continuum of spiritual care for our parishioners, even in their afterlife, that does not run our local families broke at what can be the most emotionally and financially difficult time for them (the passing of a loved one).

This important benefit extends far beyond Catholic communities and would benefit all of Hawaii's registered faith-based non-profits such as Hawaii's Buddhist, Episcopalian, Baptist, Lutheran, Methodist, Congregationalist Evangelical, Hindu, and other faith serving communities here in the islands. It is worth noting that the law, when amended in 1985, was intended to provide an exemption from the cemetery authority rules for non-profits by providing an exemption for any organization not making a 'profit' off of the subject activity. That language as currently within the statute is vague and has not resulted in churches' ability to provide this service to our members. The proposed language provides a bright line and safe harbor on exempted activities at a much needed time for our local communities seeking relief from the burdensome costs of after life care for their 'ohana.

Mahalo for taking the time to read this testimony and for your consideration of support for SB3130.

Me ka pono,

Rev John Molina

Pastor, Sacred Hearts Church, Pahoia Hawaii

Dear Chair Baker, Vice Chair Chang and Honorable Members of the Senate Committee of Commerce, Consumer Protection and Health,

Aloha!

I am strongly supporting the SB3130 because I believe that this bill will help our departed loved ones have their decent and dignified resting place. It will also create a good place for prayers and worship for the members of the family and community.

Mahalo and God bless!

Rev. Anselmo R Bobier, Jr
Administrator
Our Lady of Lourdes Church
P.O. BOX 129, Honokaa, HI 96727

Submitted by:
Ernesto Albano
Parishioner Sacred Heart Church - Pahoia
Roman Catholic Church of Hawaii

Aloha Chair Baker, Vice Chair Chang, and members of the Senate Committee on Commerce, Consumer Protection and Health.

On behalf of the Roman Catholic Church of Hawaii, our 250,000 members, and the multi-faith, multi-community coalition to promote affordable afterlife care in which we are participating, we strongly urge your support for SB3130.

The exemption outlined in this measure is based on our desire and commitment to care for the afterlife needs of the local communities we serve and their families. We are requesting an amendment to Hawaii's current law regarding Cemetery and Funeral Trusts to 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 an affordable fee. Hawaii is one of few states that does not exempt religious institutions from charging a fee to help manage the costs of having a columbarium on their property. The primary goal is to provide a continuum of spiritual care for our parishioners, even in their afterlife, that does not run our local families broke at what can be the most emotionally and financially difficult time for them (the passing of a loved one).

This important benefit extends far beyond Catholic communities and would benefit all of Hawaii's registered faith-based non-profits such as Hawaii's Buddhist, Episcopalian, Baptist, Lutheran, Methodist, Congregationalist Evangelical, Hindu, and other faith serving communities here in the islands. It is worth noting that the law, when amended in 1985, was intended to provide an exemption from the cemetery authority rules for non-profits by providing an exemption for any organization not making a 'profit' off of the subject activity. That language as currently within the statute is vague and has not resulted in churches' ability to provide this service to our members. The proposed language provides a bright line and safe harbor on exempted activities at a much needed time for our local communities seeking relief from the burdensome costs of after life care for their 'ohana.

Mahalo for taking the time to read this testimony and for your consideration of support for SB3130.

Me ka pono,
Ernesto Albano
For the Roman Catholic Church of Hawaii

Aloha Chair Baker, Vice Chair Chang and members of the Committee,

Grace and peace!

My name is Rev. Anthony N. Pangan, SSS and I am writing in support of SB3130. As priest who belongs to a religious congregation, our mission is not only diocesan, but national and international. Since I got ordained, I have been assigned to different dioceses / archdioceses in the Philippines, Canada and the United States. I have seen and witnessed the advantage of columbarium within the church grounds.

A Columbarium doesn't only serve as a building or portion of a building where niches are placed to house cremated remains to honor and remember our deceased family and friends. More to that, it supports and nurtures the Corporal Works of Mercy through appropriate inurnment respect, reverence, dignity, and hope of the resurrection upheld by the Church. It provides a Catholic alternative in the city and allows more Catholics the opportunity to inurn their loved ones in a Catholic columbarium, within a sacred church and within close proximity to their home.

The Columbarium brings parishioners, family and friends closer to the church and provide member affinity, since members stay at their church home in death, surrounded by loved ones, prayed for, and tended by the community for generations to come.

In my experience, after a funeral rite or memorial service, family and friends were able to continue to the Columbarium located within the church for the inurnment of their loved one, concluding the service in a way that is quite holy and powerful. A Mass is also said daily for all those resting there.

Moreover, it is also good to point out that church property has traditionally been the final resting place of the bodies of deceased members of the Christian community. Burial within the church itself or in the adjacent churchyard was once common practice. Back in Canada, we still have a lot of these Catholic cemeteries in existence which are close to the Church. However, the amount of land necessary for a burial ground is no longer available to most churches (especially in the cities) and a myriad of laws and regulations make it extremely difficult to establish a burial site. In recent years, cremation with inurnment of the cremains, rather than burial, has become more common. In addition, many people today are turning to cremation as an economical, dignified way to address the rising costs of funerals. In this way, the remains of the deceased can remain at the church that played such an important part in their lives. Specifically here in Hawaii where, *"It is more expensive to die than to live!"* according to an elderly friend, one **benefit to our congregation would be that a niche in a columbarium is modestly priced, aesthetically pleasing, and ecologically sound.** The ambiance of the columbarium creates a comfortable meeting place for families and friends to gather in love and remembrance, a consoling link between life and death.

Hoping this would merit consideration in your deliberation on passing SB3130!

God bless you all!

REV. ANTHONY PANGAN, SSS
Parochial Vicar
Cathedral Basilica of Our Lady of Peace
1184 Bishop St.
Honolulu, HI 96813

Chair Baker, Vice Chair Chang and members of the Senate Committee on Commerce, Consumer Protection and Health.

My name is Lesley Noguchi and I am writing to you in support of SB 3130. My family and I are active parishioners of St. Ann's Church in Kaneohe. This parish community is where we find our strength and joy for our everyday lives. In our Catholic tradition burying the dead is a Corporal Work of Mercy (tending to the needs of others as an act of charity) and this bill will make it possible for families to have the opportunity to bury their deceased loved ones in an affordable way. Also, due to the close proximity of the columbarium's to the parish church, families could visit those who have gone before and pray for them. This is a Spiritual Work of Mercy (acts of mercy for the spiritual needs of another) for the good of the soul of the deceased and also for the faith nourishment of the living family members. This bill would help nurture our faith communities as it is our belief that both the living and the dead are connected as the Body of Christ.

The passage of SB 3130 would be a blessing to us and to the hundreds of other local families who wish to rest in eternal peace in a place that has brought them much joy, peace and strength throughout their lives.

I respectfully encourage you to support the passage of this bill.

Aloha Chair Baker, Vice Chair Change, and members of the Senate Committee on Commerce, Consumer Protection and Health.

My name is Fr. Khanh S. Hoang and I am the current pastor of St. Jude Catholic Church in Kapolei, Hawaii. As an active priest and pastor of a parish here in the Diocese of Honolulu, I strongly urge for your support for the Senate Bill 3130. As Christians, we have a commitment to care for our people and their families, even after death, because as human beings we continue to mourn the loss of our loved ones and continue to remember them especially on their death anniversaries and special occasions. We all need a place to mourn and many people find their way to our church to do just that. I am requesting an amendment to Hawaii's current law regarding Cemetery and Funeral Trusts to 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 an affordable fee.

This Senate Bill 3130 will help us to continue to address the loss and mourning of the members of our community and beyond. Thank you for your consideration of this bill.

Submitted by:

Laurie LaGrange
President, Ontai-LaGrange And Associates
Parishioner, Holy Trinity Church

Comments:

Aloha Chair Luke, Vice Chair Cullen, and members of the House Finance Committee.

Although I have never submitted testimony before, I felt compelled to write to you to ask that you pass HB2202 HD1. To me, one of the biggest benefits of this bill is the choice it provides to our faith-based communities. Many of us have relied on our church throughout our lives to fulfill our spiritual needs, yet for many of us, being able to be buried at our place of worship has never been an option.

Preparing for ones passing is not easy for many families. Questions arise as to where would be the most meaningful place to be buried and what are the costs involved? For parents, it's being buried in a place where their children and grandchildren can visit, and hopefully one day, be buried next to them. For many children, it's about fulfilling the wishes of their parents, regardless of the costs, which can create hardship. Why not offer a choice that meets all of these needs? The passage of HB2202 HD1 would do just that.

Mahalo,

Laurie LaGrange

My name is James Severson and I and my wife Patricia are writing in support of SB 3130. We have been a faithful parishioner of St. John Vianney Catholic Church for the past 54 years, and we would like nothing more than to continue our spiritual journey in our afterlife by having our remains buried at St. John Vianney. Our congregation is aging and we are now experiencing many more deaths than in the past.

Hawaii, as a whole, is a very faith-based community. We truly believe this is what makes us such a giving community that defines “the aloha spirit.” We pray together, we celebrate in times of joy with one another, and we come together regardless of our faith or background when someone is in need.

We know there are many who would welcome the opportunity to continue their celebration of life and faithfulness by being buried in their place of worship. Please pass SB 3130.

Much Aloha,

James Severson

My name is Alicia Nakamoto and I am writing in support of SB3130.

Hawaii, as a whole, is a very faith-based community. I truly believe this is what makes us such a giving community that defines "the aloha spirit." We pray together, we celebrate in times of joy with one another, and we come together regardless of our faith or background when someone is in need.

I know there are many who would welcome the opportunity to continue their celebration of life and faithfulness by being buried in their place of worship. Please pass SB3130.

Submitted by:

Laurie LaGrange
President, Ontai-LaGrange And Associates
Parishioner, Holy Trinity Church

Comments:

Aloha Chair Baker, Vice Chair Chang, and members of the Committee.

Although I have never submitted testimony before, I felt compelled to write to you to ask that you pass SB3130. To me, one of the biggest benefits of this bill is the choice it provides to our faith-based communities. Many of us have relied on our church throughout our lives to fulfill our spiritual needs, yet for many of us, being able to be buried at our place of worship has never been an option.

Preparing for ones passing is not easy for many families. Questions arise as to where would be the most meaningful place to be buried and what are the costs involved? For parents, it's being buried in a place where their children and grandchildren can visit, and hopefully one day, be buried next to them. For many children, it's about fulfilling the wishes of their parents, regardless of the costs, which can create hardship. Why not offer a choice that meets all of these needs? The passage of SB3130 would do just that.

Mahalo,

Laurie LaGrange

Aloha Chair Baker, Vice Chair Chang, and members of the Senate Committee on Commerce, Consumer Protection and Health.

My name is Bernice Walker and I am writing in support of SB3130. I have been a faithful parishioner of Sacred Heart Parish in Pahoia Hawaii for the past 60 years. I am currently the parish's business manager and would like nothing more than to continue my spiritual journey in my afterlife by having my remains, and those of my family, buried at Sacred Heart Parish Cemetery, in Pahoia Hawaii. I truly believe this is what makes us such a giving community that defines "the aloha spirit." We pray together, we celebrate in times of joy with one another, and we come together regardless of our faith or background when someone is in need.

I know there are many who would welcome the opportunity to continue their celebration of life and faithfulness by being buried in their place of worship. Please pass SB3130.

Submitted by:
Remedios Castro Gamiao
Parishioner – Sacred Heart Church - Pahoā
Roman Catholic Church of Hawaii

Comments:

Aloha Chair Baker, Vice Chair Chang, and members of the Committee.

On behalf of the Roman Catholic Church of Hawaii, our 250,000 members, and the multi-faith, multi-community coalition to promote affordable afterlife care in which we are participating, we strongly urge your support for SB3130.

The exemption outlined in this measure is based on our desire and commitment to care for the afterlife needs of the local communities we serve and their families. We are requesting an amendment to Hawaii's current law regarding Cemetery and Funeral Trusts to 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 an affordable fee. Hawaii is one of few states that does not exempt religious institutions from charging a fee to help manage the costs of having a columbarium on their property. The primary goal is to provide a continuum of spiritual care for our parishioners, even in their afterlife, that does not run our local families broke at what can be the most emotionally and financially difficult time for them (the passing of a loved one).

This important benefit extends far beyond Catholic communities and would benefit all of Hawaii's registered faith-based non-profits such as Hawaii's Buddhist, Episcopalian, Baptist, Lutheran, Methodist, Congregationalist Evangelical, Hindu, and other faith serving communities here in the islands. It is worth noting that the law, when amended in 1985, was intended to provide an exemption from the cemetery authority rules for non profits by providing an exemption for any organization not making a 'profit' off of the subject activity. That language as currently within the statute is vague and has not resulted in churches' ability to provide this service to our members. The proposed language provides a bright line and safe harbor on exempted activities at a much needed time for our local communities seeking relief from the burdensome costs of after life care for their 'ohana.

Mahalo for taking the time to read this testimony and for your consideration of support for SB3130.

Me ka pono,
Remedios Castro Gamiao
For the Roman Catholic Church of Hawaii

Submitted by:

Priscila Timbreza Molina

Parishioner – Sacred Heart Church - Pahoa

Roman Catholic Church of Hawaii

Comments:

Aloha Chair Baker, Vice Chair Chang, and members of the Committee.

On behalf of the Roman Catholic Church of Hawaii, our 250,000 members, and the multi-faith, multi-community coalition to promote affordable afterlife care in which we are participating, we strongly urge your support for SB3130.

The exemption outlined in this measure is based on our desire and commitment to care for the afterlife needs of the local communities we serve and their families. We are requesting an amendment to Hawaii's current law regarding Cemetery and Funeral Trusts to 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 an affordable fee. Hawaii is one of few states that does not exempt religious institutions from charging a fee to help manage the costs of having a columbarium on their property. The primary goal is to provide a continuum of spiritual care for our parishioners, even in their afterlife, that does not run our local families broke at what can be the most emotionally and financially difficult time for them (the passing of a loved one).

This important benefit extends far beyond Catholic communities and would benefit all of Hawaii's registered faith-based non-profits such as Hawaii's Buddhist, Episcopalian, Baptist, Lutheran, Methodist, Congregationalist Evangelical, Hindu, and other faith serving communities here in the islands. It is worth noting that the law, when amended in 1985, was intended to provide an exemption from the cemetery authority rules for non profits by providing an exemption for any organization not making a 'profit' off of the subject activity. That language as currently within the statute is vague and has not resulted in churches' ability to provide this service to our members. The proposed language provides a bright line and safe harbor on exempted activities at a much needed time for our local communities seeking relief from the burdensome costs of after life care for their 'ohana.

Mahalo for taking the time to read this testimony and for your consideration of support for SB3130.

Me ka pono,

Priscila Timbreza Molina

For the Roman Catholic Church of Hawaii

Paul DeVille
Retired Executive
Parishioner of Sacred Heart Church

Aloha Chair Baker, Vice Chair Chang, and members of the Senate Committee on Commerce, Consumer Protection and Health.

My name is Paul DeVille and I am writing to you in support of SB 3130. I serve at the pleasure of Bishop Larry Silva on his Finance Council and am a parishioner of Sacred Heart Church. I know Bishop Larry is committed to providing our faith community the ability to continue their spiritual journey in their afterlife at their place of worship. The passage of SB3130 will allow the church to feasibly construct and properly manage a columbaria within their place of worship at an affordable fee.

I know there are many who would welcome the opportunity to continue their celebration of life and faithfulness by being buried in their place of worship. Please pass SB3130.

Thank you for your consideration.

February 18, 2020

TO WHOM IT MAY CONCERN:

My name is Debra Bissen-Melton and I am writing in support of SB3130. I have been a faithful parishioner and currently, Administrative Assistant of St. Anthony Parish in Wailuku and would like nothing more than to continue my spiritual journey in my afterlife by having my remains buried at St. Anthony. My grandmother, parents and uncles are buried there.

Hawaii, as a whole, is a very faith-based community. I truly believe this is what makes us such a giving community that defines the "aloha spirit." We pray together, we celebrate in times of joy with one another, and we come together regardless of our faith or background when someone is in need.

I know there are many who would welcome the opportunity to continue their celebration of life and faithfulness by being buried in their place of worship. Please pass SB3130.

Name: Richard P. McNally

Catholic Priest and Pastor of St. Ann Parish, Kaneohe

Aloha Chair Baker, Vice Chair Chang, and members of the Committee.

My name is Fr. Richard McNally and I am writing in support of SB3130. I have been the pastor of St. Ann's parish, Kaneohe for the last two years. We are hoping to construct a columbarium so that parishioners can bury their loved ones remains not only close to home but near the Church where they and their loved ones have worshipped, some for many years and multiple generations.

Hawaii, as a whole, is a very faith-based community. I truly believe this is what makes us such a giving community that defines "the aloha spirit." We pray together, we celebrate in times of joy with one another, and we come together regardless of our faith or background when someone is in need.

I know there are many who would welcome the opportunity to continue their celebration of life and faithfulness by being buried in their place of worship. Please pass SB3130.

Submitted by:

Betty Ontai
Retiree and parishioner of Sts. Peter and Paul Church

Comments:

Aloha Chair Baker, Vice Chair Chang, and members of the Committee.

I am writing in strong support of SB3130. The church has played a significant role in my life journey and has brought me to where I am today. To be able to end up where I started would be beautiful, and I know this would be a wonderful gift of choice to many in our community.

Sincerely,

Betty Ontai

SB-3130

Submitted on: 2/15/2020 8:53:36 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:

Testimony from Lisa Sakamoto
Prepared for the Senate Committee on Commerce, Consumer Protection and Health
In Support of SB 3130 and SB2883
Thursday, February 20, 2020, at 9a.m.

Dear Chair Baker, Vice Chair Chang and Honorable Members,

My name is Lisa Sakamoto and I fully support SB 3130 and SB2883. I am a parishioner of Mary Star of the Sea. I am also the Diocesan Finance Officer for the Diocese of Honolulu.

I am also the primary caregiver for my mother who is 91 years old and my father who is 87 years old. I have had several conversations with my parents about their after-life care. They did not plan ahead and do not have any burial plots so we are struggling to determine what would be the best option for our family. If my parish was allowed to build a columbaria on church grounds, my parents would welcome this as part of their after-life care. For my family, it would allow us to be able to attend Mass on Sundays and then visit with them when weekly after or before Mass. When it is time for my husband and I to leave this earth, we would be able to be with my parents and my two sons, who attend mass at Mary Star of the Sea could continue the tradition of visiting all of us in one place and not only during the holidays or our birthdays! Most importantly, it would provide my family with an affordable option for after-life care.

I too would like to be able to see a proper resting place in our place of worship. The current law as written, does not legally or feasibly allow the church to provide this important service.

Please consider passing Senate Bill 3130 and/or Senate Bill 2883 so we can care for our family in their after-life. Either bills will allow our faithful to care for their after-life care in the place of worship.

Thank you for your time and attention on this very important matter. I respectfully encourage you to support the passage of this bill.

With aloha,
Lisa Sakamoto

Paulette Adams

Retired and parishioner of St Michael the Archangel, Kona, Hawaii

Aloha Chair Baker, Vice Chair Chang, and members of the Committee.

My name is Paulette Adams and I am writing to you in support of SB3130. I am a lifelong and multi generational Catholic, and throughout the years, my family and I have relied on our faith and our parish community to guide and support us through the everyday challenges we all face. Words cannot express the importance our Church has played in our well-being and those of many others.

Knowing that our spiritual needs would continue to be cared for in our after life and that generations of our 'ohana would be buried side by side in a place that means so much to us, is immeasurable.

This is something I have thought about often, especially as I get older. I can say, unequivocally that I would like nothing more than to rest in peace in our place of worship.

The passage of SB3130 would be a blessing to me and to the hundreds of other local families who wish to rest in eternal peace in a place that has brought them much joy, peace and strength throughout their lives.

I urge you to support the passage of SB3130

Mahalo,

Paulette Adams

IVAN M. LUI-KWAN

Pacific Guardian Center, Makai Tower
733 Bishop Street, Suite 1900
Honolulu, Hawaii 96813

February 18, 2020

Testimony of Ivan M. Lui-Kwan

In Support of SB3130

Hearing Before:

Senate Committee on Commerce, Consumer Protection, and Health

Date, Time and Place: February 20, 2020 at 9:00 p.m. in Room 229

Dear Chair Baker, Vice Chair Chang
and Members of the Committee:

I support SB3130. As a Catholic, I believe there is a need for a columbarium program within the Catholic Church's designated places of worship. An appropriately managed columbarium program by the Catholic Church would facilitate families being able to be laid to rest together. Further, a columbarium program would provide spiritual unity and convenience for visiting families.

Mahalo for allowing me to provide this testimony in support of SB3130.

Aloha Ke Akua,



Ivan M. Lui-Kwan

Patrick Downes
98-674 Lania Place
Aiea, HI 96701

THIRTIETH LEGISLATURE REGULAR SESSION OF 2020

HAWAII STATE SENATE

Committee on Commerce, Consumer Protection and Health
Senator Rosalyn H. Baker, Chair
Senator Stanley Chang, Vice Chair

Testimony in favor of Senate Bill SB 3130

February 18, 2020

Aloha,

My name is Patrick Downes, a parishioner of St. Elizabeth Catholic Church in Aiea, and I am writing to you in support of SB 3130.

Not too long ago a cemetery was considered a natural extension of a neighborhood church, a continuation in death of the love and care given in life. Today many churches continue to maintain graveyards which, because of changing times and a lack of space, have not seen a burial in years.

Times are changing again as our elderly population grows and funerals become more financially burdensome. The parish columbarium is a welcome answer to a host of end of life worries. It would also be a longed-for return to a cherished time when a person was laid to rest in a familiar place among family, fellow parishioners and neighborhood friends.

Please pass SB 3130. Mahalo.

###

Aloha Chair Baker, Vice Chair Chang and members of the Committee,

Grace and peace!

My name is Rev. Anthony N. Pangan, SSS and I am writing in support of SB3130. As priest who belongs to a religious congregation, our mission is not only diocesan, but national and international. Since I got ordained, I have been assigned to different dioceses / archdioceses in the Philippines, Canada and the United States. I have seen and witnessed the advantage of columbarium within the church grounds.

A Columbarium doesn't only serve as a building or portion of a building where niches are placed to house cremated remains to honor and remember our deceased family and friends. More to that, it supports and nurtures the Corporal Works of Mercy through appropriate inurnment respect, reverence, dignity, and hope of the resurrection upheld by the Church. It provides a Catholic alternative in the city and allows more Catholics the opportunity to inurn their loved ones in a Catholic columbarium, within a sacred church and within close proximity to their home.

The Columbarium brings parishioners, family and friends closer to the church and provide member affinity, since members stay at their church home in death, surrounded by loved ones, prayed for, and tended by the community for generations to come.

In my experience, after a funeral rite or memorial service, family and friends were able to continue to the Columbarium located within the church for the inurnment of their loved one, concluding the service in a way that is quite holy and powerful. A Mass is also said daily for all those resting there.

Moreover, it is also good to point out that church property has traditionally been the final resting place of the bodies of deceased members of the Christian community. Burial within the church itself or in the adjacent churchyard was once common practice. Back in Canada, we still have a lot of these Catholic cemeteries in existence which are close to the Church. However, the amount of land necessary for a burial ground is no longer available to most churches (especially in the cities) and a myriad of laws and regulations make it extremely difficult to establish a burial site. In recent years, cremation with inurnment of the cremains, rather than burial, has become more common. In addition, many people today are turning to cremation as an economical, dignified way to address the rising costs of funerals. In this way, the remains of the deceased can remain at the church that played such an important part in their lives. Specifically here in Hawaii where, *"It is more expensive to die than to live!"* according to an elderly friend, one **benefit to our congregation would be that a niche** in a columbarium is modestly priced, aesthetically pleasing, and ecologically sound. The ambiance of the columbarium creates a comfortable meeting place for families and friends to gather in love and remembrance, a consoling link between life and death.

Hoping this would merit consideration in your deliberation on passing SB3130!

God bless you all!

REV. ANTHONY PANGAN, SSS
Parochial Vicar
Cathedral Basilica of Our Lady of Peace
1184 Bishop St.
Honolulu, HI 96813

Name: Dara Perreira

Human Resources Director and parishioner of Holy Cross Catholic Church

Aloha Chair Baker, Vice Chair Chang and members of the Senate Committee on Commerce, Consumer Protection and Health

My name is Dara Perreira and I am writing in support of SB 3130. I am a parishioner of Holy Cross Catholic Church on Kaua'i. My grandparents are buried there and at this point will not have a chance to be buried there as well due to laws and other legal issues that do not make it feasible for Holy Cross to provide this opportunity for me.

There are no other Catholic Churches that I could be buried at. I believe as a Catholic that a proper burial is important and I feel that many other Catholics would also feel the same.

Please allow me to practice my faith and to be buried at my place of worship. Please pass SB3130.

SB-3130

Submitted on: 2/18/2020 6:01:28 PM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Pat Waterhouse	Individual	Support	No

Comments:

Aloha Chair Baker and Members of the Committee,

I am in strong support of this bill which will provide more freedom to members of churches and temples after a church or temple member has passed.

Please pass this bill.

Mary Pat Waterhouse



LATE

Hawaii Funeral & Cemetery Association, Inc.
1330 Maunakea Street, Honolulu, Hawaii 96817

Written Testimony in **Opposition** of
SB 3130

February 18, 2020

To: Senator Rosalyn Baker – Chair- Committee on Commerce, Consumer Protection and Health
Senator Stanley Chang, Vice Chair- Committee on Commerce, Consumer Protection and Health
Committee Members

HEARING DATE/TIME: February 20th, 2020 / 9:00am

Dear Chair Baker, Vice Chair Chang and Committee Members

My name is Jay Morford, President and Legislative Chair for the Hawaii Funeral and Cemetery Association, Inc. (“HFCA”). The HFCA is in **Opposition** to **SB 3130** (“Bill”) “Relating to Cemeteries”.

The HFCA supports churches or non-profit to be exempt under HRS 441; Section 441-22.; however, in the event a church or nonprofit is actively selling cemetery interment rights to any individuals for below or above ground burial; or for cremation inurnment below ground or above ground in a columbarium; and providing a guarantee of “**Perpetual Care**”; the church or non-profit’s perpetual care funds should be audited annually under HRS 441; Section 441-24.5 and 441-24.6 to ensure there are enough funds in the perpetual care fund to provide ongoing maintenance. A for-profit or non-profit should have the same responsibility to maintain their cemetery in perpetuity.

441-24.5 **Pre-need trusts and perpetual care funds; audited financial statements**

§441-24.5 Pre-need trusts and perpetual care funds; audited financial statements. Every cemetery authority operating a perpetual care cemetery or which engages in pre-need sales or holds money in trust for pre-need interment services, and every pre-need funeral authority which engages in pre-need sales or holds money in trust for pre-need funeral services shall submit an audited financial statement of its pre-need trusts and perpetual care funds to the director within ninety days after the close of the authority's books on a fiscal or calendar year basis.

41-24.6

Pre-need trusts and perpetual care funds; actuarial studies***[\$441-24.6] Pre-need trusts and perpetual care funds; actuarial studies.***

(a) Every cemetery authority operating a perpetual care cemetery and every cemetery or pre-need funeral authority offering pre-need services shall contract with an independent actuary to conduct an annual study of its level of funding. In the case of a perpetual care cemetery, the study shall be to determine whether the authority's perpetual care fund will provide sufficient income to cover the costs of the perpetual care of the cemetery. In the case of a cemetery or pre-need funeral authority, the study shall be to determine whether the authority's pre-need trust will be sufficient to cover the claims of pre-need plan participants.

(b) The actuarial study shall be submitted to the director within one hundred twenty days after the close of the authority's books for the fiscal or calendar year. At a minimum, such study shall detail the assets and liabilities of the fund or trust, the actuarial assumptions used in preparing the report and the actuary's conclusions as to whether the levels of funding are adequate. If the actuary concludes that the funding is not adequate, the actuary shall recommend what actions are necessary to protect the perpetual care fund or pre-need trust participants.

(c) If the study concludes that the levels of funding are not adequate or that the interests of the participants in the perpetual care fund or pre-need trusts are in any other respect not adequately protected, the director may require that a greater portion of the income be transferred to the fund or trust or may take such other action as is necessary to correct any inadequacies or may suspend the authority's right to accept further participants in the fund or trust.

If requested by the authority, a hearing on the action taken by the director shall be conducted pursuant to chapter 91.

The HFCA respectfully requests that the Committee defer S.B.3130 until there is a clear understanding how churches plan to provide the financial commitment of perpetual care “maintenance” in perpetuity.

Thank you for the opportunity to testify on this bill.

LATE

SB-3130

Submitted on: 2/19/2020 6:11:30 PM
Testimony for CPH on 2/20/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kekoa McClellan	Testifying for The McClellan Group	Support	Yes

Comments: