

STAND. COM. REP. NO.

436

Honolulu, Hawaii

FEB 19 2021

RE: S.B. No. 982
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committees on Hawaiian Affairs and Health, to which was referred S.B. No. 982 entitled:

"A BILL FOR AN ACT RELATING TO BURIALS,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Include the use of alkaline hydrolysis, water cremation, and natural organic reduction as methods for the disposal of human remains; and
- (2) Amend the procedures for the resolution of disputes regarding the right of disposition, the right to rely and act upon written instructions in a funeral service agreement or similar document, and provisions for the disposition of a decedent's remains and recovery of reasonable expenses to include hydrolysis facilities and natural organic reduction facilities.

Your Committees received testimony in support of this measure from the Hawaiian Affairs Caucus of the Democratic Party of Hawaii; Fisher & Associates Consulting, LLC; Ken Ordenstein Funerals; Aloha Mortuary Cremation & Funeral Services; and eleven individuals. Your Committees received testimony in opposition to this measure from the Hawaii Funeral & Cemetery Association, Inc.; Dodo Mortuary, Inc.; Mililani Group, Inc.; Nuuanu Memorial Park &



Mortuary; Hawaiian Memorial Life Plan, Ltd.; and Leeward Funeral Home.

Your Committees find that there has been a recent increase of interest in traditional Hawaiian practices for burials. Native Hawaiian burial traditions acknowledge the natural cycles of life and death and ancestral bones offer spiritual sustenance to present generations as the lasting embodiments and continuous genealogical link from past, present, and future generations. Modern treatment of corpses often involves chemicals, such as embalming fluids which can be harmful to the environment when buried, as the chemicals will eventually be released into the soil and aquifers. However, traditional Hawaiian treatment of human remains is safe, feasible, and cost effective. Therefore, this measure is necessary to allow the Department of Health to accommodate traditional Hawaiian burial practices.

However, your Committees have heard testifiers' concerns that there is not sufficient information to support the disposition of natural organic reduction or alkaline hydrolysis and the overall effects to the environment and the regulatory agency oversight regarding the technology, facilities, environmental impact, and operator licenses involved in these practices. Specifically, there are concerns about the length of time to transform the decedent into compost, the amount of water used per decedent, discharge from an alkaline facility, and permitting requirements of the Department of Health. Your Committees find that these issues raise concerns that merit further consideration and requests that your Committee on Judiciary further examine those issues and concerns raised by the testifiers on this measure.

Your Committees note that the measure in this language is substantially similar to the language in S.B. No. 1021, S.D. 1, Regular Session of 2021, a measure concerning traditional Hawaiian burial practices recently reported from your Committee on Hawaiian Affairs.


Your Committees have amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs and Health that are attached to




this report, your Committees are in accord with the intent and purpose of S.B. No. 982, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 982, S.D. 1, and be referred to your Committee on Judiciary.

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



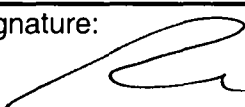
GARRETT KEOHOKALOLE, Chair



MAILE S.L. SHIMABUKURO, Chair

The Senate
 Thirty-First Legislature
 State of Hawai'i

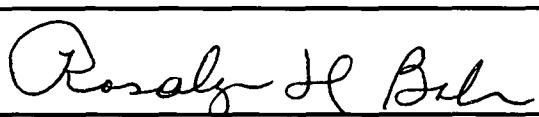
Record of Votes
Committee on Hawaiian Affairs
HWN

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 982	HWN/HTH, JDC	2/16/21		
<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
SHIMABUKURO, Maile S.L. (C)	X			
KEOHOKALOLE, Jarrett (VC)	X			
ACASIO, Laura	X			
IHARA, Jr., Les	X			
FEVELLA, Kurt	X			
TOTAL	5			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Health
HTH

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SB 982	HNN/HTH, JDC	2-16-2021		
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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
KEOHOKALOLE, Jarrett (C)	✓			
BAKER, Rosalyn (VC)	✓			
MORIWAKI, Sharon Y.	✓			
SAN BUENAVENTURA, Joy A.	✓			
FEVELLA, Kurt	✓			
TOTAL	5	-	-	-
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

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