STAND. COM. REP. NO.



Honolulu, Hawaii

MAR 25 , 2021

RE: S.B. No. 1021

S.D. 2 H.D. 2

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-First State Legislature Regular Session of 2021 State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 1021, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO BURIALS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Include the use of traditional Native Hawaiian burial practices in the treatment and disposal of human remains, including the use of alkaline hydrolysis or water cremation and natural organic reduction; and
- (2) Prohibit the sale, transfer, conveyance, or other disposal, or offer thereof, of any plot, crypt, or niche unless the property on which the plot, crypt, or niche is located allows the interment of up to ten sets of human remains that are cremated or prepared in a manner consistent with traditional Native Hawaiian burials.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs; Aloha Mortuary; Fisher & Associates Consulting, LLC; Willed Body Program, University of Hawaii; Ken Ordenstein Funerals; and eleven individuals. Your Committee received testimony in opposition to this measure from

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the Hawaii Funeral & Cemetery Association, Inc.; Hawaiian Memorial Life Plan, Ltd.; Mililani Group, Inc.; Nuuanu Memorial Park & Mortuary; Dodo Mortuary, Inc.; Leeward Funeral Home; and Hosoi Garden Mortuary, Inc. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that traditional Native Hawaiian burial practices play a critical role in Native Hawaiian culture and are a cost effective and environmentally friendly alternative to modern treatments of human remains.

Your Committee has amended this measure by:

- (1) Deleting the definitions of "cremation equipment" and "traditional Hawaiian burial" and references to "water cremation," "cremains," and "ashes" since these definitions and references are unnecessary;
- (2) Deleting language that would have prohibited the sale, transfer, conveyance, or other disposal, or offer thereof, of any plot, crypt, or niche unless the property on which the plot, crypt, or niche is located allows the interment of up to ten sets of human remains that are cremated or prepared in a manner consistent with traditional Hawaiian burials;
- (3) Requiring the Department of Health to adopt rules to implement this measure; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1021, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as S.B. No. 1021, S.D. 2, H.D. 2.

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Respectfully submitted on behalf of the members of the Committee on Judiciary & Hawaiian Affairs,

MARK M. NAKASHIMA, Chair

## State of Hawaii House of Representatives The Thirty-first Legislature



## Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: Committee		Date:	3-23-	21
3B 1021, 302 1101 FIRE STAT, CEC				
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)				11
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2. MATAYOSHI, Scot Z. (VC)	0	A STATE OF THE STA		u della seconomica de mario
	THE CASE OF THE PARTY OF	<b>和京岛省区和巴州岛</b>	<b>也没有我们也就是我</b>	
3. ICHIYAMA, Linda			NUMBER OF THE OWNER.	
4. KOBAYASHI, Dale T.			8753-5614 PRO 313	
5. LoPRESTI, Matthew S.				MESSAGE AND AND AND ASSESSED.
5. LoPRESTI, Matthew S.		CONTRACTOR STATE	DO TO A SHORE	AND SHOP IN SHIP
6. LOWEN, Nicole E.		SCHOOL STATE OF STREET		
	AND THE PARK			
7. McKELVEY, Angus L.K.				2007
8. NAKAMURA, Nadine K.				U <sub>G</sub> 3
9. TAKUMI, Roy M.	П			
10. TODD, Chris			And and a security of the second	Carlotte all the Paris and I
			MARCHEN CONTRACTOR	
11. TOKIOKA, James Kunane				SHOWN STATE OF THE SHOW
10 WARD Com		Minimus et als also and		
12. WARD, Gene				
TOTAL (12)	11	Q	Ø	
The recommendation is:  Adopted  If joint referral, did not support recommendation.  committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				