

Honolulu, Hawaii

MAR 03 2022

RE: S.B. No. 2828  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 2828, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HUMAN REMAINS,"

begs leave to report as follows:

The purpose and intent 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 water cremation or alkaline hydrolysis;
- (2) Require alkaline hydrolysis facilities to be licensed by the Department of Health; and
- (3) Require alkaline hydrolysis facility operators to be licensed and undergo alkaline hydrolysis operator training.

Your Committee received testimony in support of this measure from Fisher & Associates, LLC; Ken Ordenstein Funerals; Aloha Mortuary; and ten individuals. Your Committee received comments on this measure from the Department of Health; Department of Commerce and Consumer Affairs; and Hawaii Funeral & Cemetery Association, Inc.



Your Committee finds that, traditionally, native Hawaiian burial practices were undertaken by the steaming of the deceased's body in an imu until the flesh could be easily removed from the bones, which were then wrapped and returned to the family of the deceased. For over a century, native Hawaiians have had no culturally appropriate way to bury their loved ones other than a full body burial in a casket in a plot of earth or by flame cremation with ashes and bone fragments. Water cremation is a water-based dissolution process for human remains that uses alkaline chemicals, heat, agitation, and pressure to gently accelerate natural decomposition. The liquid is considered a sterile wastewater, with no remaining DNA and is discharged with the permission of the local wastewater treatment authority, in accordance with federal, state, and local laws. There are also significant environmental benefits in comparison to traditional flame cremation. This measure, therefore, provides native Hawaiians and consumers in Hawaii with an option for burial that is culturally appropriate, clean, and environmentally responsible.

Your Committee has amended this measure by:

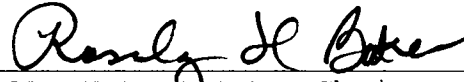
- (1) Requiring hydrolysis facilities to be subject to certification, rather than licensure, by the Department of Health;
- (2) Clarifying that the sterile wastewater shall be discharged into the sewer system as approved by the appropriate county;
- (3) Requiring operators of a hydrolysis facilities to undergo training and comply with Title 11, Chapter 22, Hawaii Administrative Rules, as adopted by the Department of Health regarding mortuaries, cemeteries, embalmers, undertakers, and mortuary authorities; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2828, S.D. 1, as amended herein, and



recommends that it pass Third Reading in the form attached hereto  
as S.B. No. 2828, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Commerce and  
Consumer Protection,



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ROSALYN H. BAKER, Chair



