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KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

Testimony of  
DAWN N. S. CHANG  
Chairperson

Before the House Committee on  
JUDICIARY AND HAWAIIAN AFFAIRS  
Wednesday, February 14, 2024  
02:00PM

State Capitol Room 325 & Via Videoconference

In consideration of  
HOUSE BILL 1529 HOUSE DRAFT 1  
RELATING TO BURIAL COUNCILS

House Bill 1529 House Draft 1 would amend section 6E-43.5, Hawaii Revised Statutes (HRS), to allow a burial council member whose term has expired to continue in office as a holdover member until the member's reappointment to a second term is confirmed or a successor is nominated and appointed. **The Department of Land and Natural Resources (Department) acknowledges the intent of this measure and offers comments.**

House Bill 1529 House Draft 1 would amend section 6E-43.5, HRS, to expressly allow an island burial council member whose term has expired to continue to serve as a holdover until their successor is appointed and qualified allowing the holdover member to serve until the end of the fourth regular session of the Legislature following the expiration of the member's term. Section 26-34, HRS, governs the appointment of members of boards and commissions, including the island burial councils. Section 26-34(a), HRS, expressly authorizes members to serve as holdover members until their successor is appointed and qualified, unless they have reached the end of their second term.

Current law already specifically addresses council member service as a holdover. The Department believes that extending the holdover period for up to four regular sessions is extreme, and so far as we are aware unique among all of Hawai'i's boards and commissions. Accordingly, the Department recommends that the Committee hold this measure without action.

Mahalo for the opportunity to provide testimony on this measure.

**HB-1529-HD-1**

Submitted on: 2/13/2024 9:07:55 AM

Testimony for JHA on 2/14/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Scott Fisher	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Takayama and members of the Committee on Judiciary and Hawaiian Affairs,

My name is Scott Fisher and I am writing to you today as a private citizen, although I currently serve as the chair of the Maui/Lāna‘i Island Burial Council, and have served on the burial council for 13 years (2005-2013; 20018-present). In my capacity on the burial council I have seen the challenges associated with maintaining quorum, and the loss of protection for the iwi kūpuna when the burial council cannot meet due to our inability to maintain quorum. Allowing burial council members to hold over until a successor has been approved by the legislature would provide for a greater degree of protection for the iwi kūpuna. Thank you for your time on this matter.

Mahalo  
Scott Fisher