

Honolulu, Hawaii

FEB 14 2024

RE: S.B. No. 2295

S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committees on Water and Land and Hawaiian Affairs, to which was referred S.B. No. 2295 entitled:

"A BILL FOR AN ACT RELATING TO BURIAL SITES,"

beg leave to report as follows:

The purpose and intent of this measure is to establish an inter-division program within the Department of Land and Natural Resources consisting of the State Historic Preservation Division, Land Division, Office of Conservation and Preservation Division, Office of Conservation of Coastal Lands, Island Burial Councils, and Office of Hawaiian Affairs to address:

- (1) The location of Hawaiian burial sites; and
- (2) The safe movement and restoration of iwi that are exposed or likely to be exposed due to coastal erosion.

Your Committees received testimony in support of this measure from the Office of Hawaiian Affairs, Society for Hawaiian Archaeology, and five individuals.

Your Committees received comments on this measure from the Department of Land and Natural Resources and one individual.

Your Committees find that climate change in the form of coastal erosion due to sea level rise poses a significant threat



to Hawaiian burial sites and iwi interred therein. Action must be taken to protect iwi that are exposed or likely to be exposed to coastal erosion before they are lost to the elements. Your Committees further find that these burial sites and iwi are of vital importance to Hawaiian culture, serving as ancestral links to the past. This measure will provide the resources and coordination to effectively and proactively protect Hawaiian burial sites and iwi that are threatened by coastal erosion and climate change.

Your Committees have amended this measure by:

- (1) Changing the reference of "container" to "hana'i" in the legislative findings;
- (2) Adding Aha Moku to the groups that shall develop the inter-division;
- (3) Inserting language clarifying that lineal or cultural descendants must approve of the relocation of iwi;
- (4) Removing language that would have required the inter-division to develop policies and procedures to protect iwi and burial sites that have not been relocated or that have been relocated;
- (5) Amending section 1 to reflect its amended purpose; and
- (6) 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 Water and Land and Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2295, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2295, S.D. 1, and be referred to your Committee on Ways and Means.



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



MAILE S.L. SHIMABUKURO, Chair




LORRAINE R. INOUE, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2295	WTL/HWN, WAM	02/08/24		
<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
INOUE, Lorraine R. (C)	✓			
ELEFANTE, Brandon J.C. (VC)	✓			
CHANG, Stanley				✓
MCKELVEY, Angus L.K.				✓
FEVELLA, Kurt	✓			
TOTAL	3	0	0	2
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-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Hawaiian Affairs
HWN

Bill / Resolution No.:* SB 2295	Committee Referral: WTJ/HWN, WAM	Date: 02/08/24
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The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
SHIMABUKURO, Maile S.L. (C)	X			
FEVELLA, Kurt (VC)	X			
IHARA, Jr., Les	X			
KEOHOKAOLE, Jarrett	X			
RICHARDS, III, Herbert M. "Tim"				X
TOTAL	4			1

Recommendation:
 Adopted
 Not Adopted

Chair's or Designee's Signature: *Kurt Fevelka*

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***Only one measure per Record of Votes**