

STAND. COM. REP. NO.

3482

Honolulu, Hawaii

APR 03 2024

RE: H.B. No. 2192
H.D. 1
S.D. 1

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

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred H.B. No. 2192, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CEMETERIES,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize the Director of Commerce and Consumer Affairs to appoint an organization as the limited owner of a cemetery, under certain circumstances, for the purpose of providing perpetual care and security measures for the cemetery.

Your Committee received testimony in support of this measure from the Cemetery and Funeral Trusts Program of the Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs, one member of the Honolulu City Council, Pearl City Neighborhood Board No. 21, and three individuals.

Your Committee finds that Sunset Memorial Park in Pearl City, Oahu, has been neglected for years and has been the subject of numerous complaints by individuals who have family members buried there. The cemetery has been described as having a damaged mausoleum, sinking graves, and markers that are hidden under overgrown grass and bushes. Your Committee also finds that with no owner to take responsibility, Sunset Memorial Park currently relies on volunteers to maintain the cemetery.



Your Committee further finds that although the Department of Commerce and Consumer Affairs has taken certain positive steps to remediate the condition of Sunset Memorial Park, the lack of an owner for the cemetery, who could provide ongoing maintenance and security measures, has left the property in a state of disrepair, and subject to vandalism and desecration. Therefore, this measure will help restore the sanctity of Sunset Memorial Park--along with other cemeteries that are currently without an owner--and deliver peace to the relatives and friends of the deceased buried there.

Your Committee has amended this measure by:

- (1) Inserting language authorizing an appointed limited owner of a cemetery to contract for certain major repair work and to generate and raise long-term funding in support of the cemetery;
- (2) Inserting language requiring an appointed limited owner of a cemetery to submit annual reports to the Department of Commerce and Consumer Affairs regarding the status and progress of any new and existing initiatives undertaken to improve the cemetery;
- (3) Amending section 1 to reflect its amended purpose; 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 H.B. No. 2192, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2192, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.



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



JARRETT KEOHOKALOLE, Chair

The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:* HB2192 HDI	Committee Referral: CPN	Date: 3/28/24
--	-----------------------------------	-------------------------

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
KEOHOKALOLE, Jarrett (C)	✓			
FUKUNAGA, Carol (VC)	✓			
MCKELVEY, Angus L.K.	✓			
RICHARDS, III, Herbert M. "Tim"				✓
AWA, Brenton	✓			
TOTAL	4			1

Recommendation:
 Adopted
 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