

STAND. COM. REP. NO.

1850

Honolulu, Hawaii

APR 03 , 2025

RE: H.R. No. 186
H.D. 2

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Madame:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.R. No. 186, H.D. 1, entitled:

"HOUSE RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO CONVENE A WORKING GROUP TO EXAMINE AND CONSIDER THE TRANSFER OF NATIVE HAWAIIAN BURIAL SITE MANAGEMENT UNDER CHAPTER 6E, HAWAII REVISED STATUTES, FROM THE STATE HISTORIC PRESERVATION DIVISION TO THE OFFICE OF HAWAIIAN AFFAIRS,"

begs leave to report as follows:

The purpose of this measure is to request the Office of Hawaiian Affairs (OHA) to convene a working group to examine the possibility of transferring the management of Native Hawaiian burial sites from the State Historic Preservation Division (SHPD) to OHA. The working group is tasked with making recommendations on how to enhance the effectiveness of the burial sites program, addressing issues in legislation, and potentially improving the process for protecting Native Hawaiian burial sites.

Your Committee received testimony in support of this measure from seven individuals. Your Committee received testimony in opposition of this measure from two individuals.

Your Committee finds that the protection of Native Hawaiian burial sites is a critical cultural and historical responsibility. Convening a working group to explore transferring management from

HR186 HD2 HSCR JHA



SHPD to OHA will help assess how to enhance oversight, improve legislative frameworks, and strengthen burial site protections. This effort seeks to ensure that stewardship aligns with Native Hawaiian values and community priorities.

Your Committee has amended this measure by editing the community membership provision at page 5 line 31-35 by:

- (1) Striking out language that reads "that self-identify and represent unique Native Hawaiian Organizations"; and
- (2) Adding in language to read "including but not limited to recognized lineal and cultural descendants, who self-identify and submit their names for selection by a majority"; and
- (3) Striking out the language that reads "to be selected randomly by the working group from a list of submitted names".

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 concurs with the intent and purpose of H.R. No. 186, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 186, H.D. 2.

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



DAVID A. TARNAS, Chair



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

| | | |
|------------------------------------|---------------------------------|---------------------|
| Bill/Resolution No.: HR 186 HD1 | Committee Referral: WAL, JHA | Date: 04/01/2025 |
|------------------------------------|---------------------------------|---------------------|

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. TARNAS, David A. (C) | ✓ | | | |
| 2. POEPOE, Mahina (VC) | ✓ | | | |
| 3. BELATTI, Della Au | ✓ | | | |
| 4. COCHRAN, Elle | | | | ✓ |
| 5. HASHEM, Mark J. | ✓ | | | |
| 6. KAHALOA, Kirstin | ✓ | | | |
| 7. PERRUSO, Amy A. | ✓ | | | |
| 8. TAKAYAMA, Gregg | ✓ | | | |
| 9. TODD, Chris | ✓ | | | |
| 10. GARCIA, Diamond | ✓ | | | |
| 11. SHIMIZU, Garner M. | ✓ | | | |
| TOTAL (11) | 10 | 0 | 0 | 1 |

The recommendation is: Adopted Not Adopted
 If joint referral, _____ did not support recommendation.
committee acronym(s)

Vice Chair's or designee's signature: Dave Carnas

Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO